

Calhoun County Groundwater Conservation District  
P.O. Box 1395, Port Lavaca, Texas 77979  
www.calhouncountygcd.org

## APPLICATION TO REQUEST THE PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL SYSTEM

Submit this application to request the validation of evidence of historic use and protection of the historic use of a grandfathered water well system.

**CITY OF SEADRIFT, P.O. BOX 159, SEADRIFT, TEXAS 77983**

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Item 1: Specify the name and address of the applicant:

Elmer DeForest

**CITY OF SEADRIFT, P.O. BOX 159, SEADRIFT, TEXAS 77983**

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Item 2: Specify the name and address of the person that owns the subject well system:

**CITY OF SEADRIFT, P.O. BOX 159, SEADRIFT, TEXAS 77983**

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Item 3: Specify the geographic coordinate of each of the subject wells:

Latitude: 28.411520 N, Longitude: -96.709651 W

Latitude: 28.411265 N, Longitude: -96.709152 W

Latitude: 28.413263 N, Longitude: -96.713254 W

Latitude: \_\_\_\_\_ N, Longitude: \_\_\_\_\_ W

Latitude: \_\_\_\_\_ N, Longitude: \_\_\_\_\_ W

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Item 4: Specify the historic use validation year:

**MUNICIPAL USE**

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Item 5: Specify the volume of groundwater, in acre-feet, produced by the subject well system during the historic use validation year (note: 1 acre-foot = 326,851 gallons):

**2014 CALENDAR YEAR: 78,309,000 Gallons**

**239.586 acre feet rounded up to 240 acre feet**

Application to Request Protection of Historic Use of a Well System

Revision: 20221110

Calhoun County Groundwater Conservation District  
P.O. Box 1395, Port Lavaca, Texas 77979  
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Item 6: Specify the purpose of use of the groundwater resources produced by the subject well system during the historic use validation year:

MUNICIPAL

Item 7: Describe the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well system:

MONTHLY PRODUCTION LOGS BY DAY - ATTACHED

Item 8: Required Statements and Signature of the Applicant

I confirm the subject well system was used in a manner that qualifies as non-exempt use during the historic use validation period;

I certify, under penalty of law, that the well system owner possesses the legal authority to produce groundwater resources from the subject well system; and

I certify, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete; and

I certify, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas.



Signature of Applicant

June 2, 2023

Date of Signature

**Note 1:** The district may request additional information not requested in this application in order to evaluate the request relative to the rules of the district.

**Note 2:** The applicant is required to submit an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the water wells of the subject well system is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well system during the historic use validation year has been provided to the district.

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## AFFIDAVIT REGARDING EVIDENCE OF HISTORIC USE OF A WELL SYSTEM

I, Elmer DeForest, Mayor, who having been duly sworn state the following:

"I am 18 years of age or older and competent to submit this affidavit."

"The evidence of historic use submitted to support the validation of the historic use of the well system with wells located at:

Latitude: See attached Documents for Wells N, Longitude: \_\_\_\_\_ W

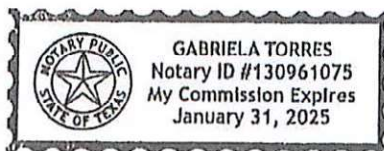
is to the best of my knowledge and belief true and correct and that all available information concerning groundwater production of the subject well during the historic use validation year has been provided to the district with this application."

*Elmer DeForest*  
Signature of Affiant

### Notary Public's Certificate

Subscribed and sworn to before me, by the said Elmer DeForest, Mayor,  
this 2<sup>nd</sup> day of June, 2023, to certify which witness my hand  
and seal of office.

*Gabriela Torres*  
Notary Public Signature



GABRIELA TORRES  
Notary Public Printed Name

Notary Public in and for Calhoun County, Texas. My commission  
expires JANUARY 31, 20 23.



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME:

City of Seadrift

PWS ID No.: 0290004

Report for the Month of:

JANUARY, 2014

Number of Active Service Connections this Month:

911

## WATER PRODUCTION

Pumpage to storage and distribution X 1000 Gals

Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	189,000	116,200				
2	190,000	110,500				
3	171,000	126,000				
4	170,000	125,000				
5	262,000	143,100				
6	215,000	141,300				
7	211,000	135,200				
8	223,000	139,200				
9	167,000	123,800				
10	224,000	127,000				
11	165,000	119,000				
12	220,000	132,300				
13	193,000	125,400				
14	174,000	116,000				
15	218,000	124,900				
16	161,000	128,900				
17	170,000	110,000				
18	193,000	126,500				
19	191,000	129,000				
20	222,000	128,300				
21	207,000	130,300				
22	192,000	126,000				
23	194,000	126,900				
24	195,000	120,000				
25	222,000	111,300				
26	200,000	124,200				
27	190,000	116,500				
28	178,000	108,200				
29	197,000	120,000				
30	179,000	87,300				
31	157,000	99,100				
<b>Total</b>	<b>6,040,000</b>					
<b>Avg</b>						
<b>Max</b>	<b>262,000</b>	<b>143,100</b>				
<b>Min</b>	<b>161,000</b>	<b>128,900</b>				

## DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 62

Average disinfectant residual value: \_\_\_\_\_

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed Mains 1/4 + 1/24



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Seadrift

PWS ID No.: 0290004

Report for the Month of: FEBRUARY

Number of Active Service Connections this Month: 909

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	164,000	104,200				
2	200,000	110,900				
3	183,000	123,800				
4	181,000	93,800				
5	183,000	103,300				
6	181,000	101,200				
7	125,000	100,000				
8	158,000	149,700				
9	163,000	117,500				
10	160,000	92,700				
11	203,000	213,900	High			
12	176,000	94,800				
13	177,000	97,500				
14	164,000	104,100				
15	159,000	103,500				
16	226,000	121,500				
17	144,000	145,100				
18	185,000	77,500	Low			
19	180,000	108,900				
20	177,000	109,300				
21	190,000	124,200				
22	274,000	109,800				
23	178,000	98,900				
24	158,000	89,700				
25	160,000	86,100				
26	192,000	88,400				
27	162,000	81,600				
28	158,000	92,500				
29						
30						
31						
Total	4,961,000	3,039,400				
Avg	177,000	108,600				
Max	226,000	213,900				
Min	125,000	77,500				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 56

Average disinfectant residual value: 1.0

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed Mains FEB 7 + FEB 27



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Seadrift

PWS ID No.: 0290004

Report for the Month of: March, 2014

Number of Active Service Connections this Month: 910

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	184,000	94,300				
2	195,000	102,600				
3	190,000	100,000				
4	145,000	82,100	low			
5	170,000	88,800				
6	196,000	94,100				
7	143,000	86,200				
8	181,000	90,000				
9	185,000	92,300				
10	173,000	83,800				
11	161,000	91,300				
12	243,000	92,000				
13	157,000	90,000				
14	172,000	93,500				
16	171,000	107,400				
18	176,000	104,900				
17	175,000	94,700				
18	158,000	91,900				
19	197,000	95,800				
20	207,000	91,000				
21	167,000	95,900				
22	194,000	93,100				
23	213,000	112,500				
24	164,000	105,100				
25	207,000	90,900				
26	175,000	92,000				
27	175,000	91,300				
28	175,000	94,600				
29	201,000	101,100				
30	217,000	117,600	High			
31	178,000	105,900				
Total	5,645,000	2,964,900				
Avg	182,000	95,600				
Max	243,000	117,600				
Min	143,000	82,100				

## DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 62

Average disinfectant residual value: 1.0

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed Mains 3/12 - 3/26



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Seadrift

PWS ID No.: 0290004

Report for the Month of: April, 2014

Number of Active Service Connections this Month: 911

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	206,000	95,000				
2	171,000	91,300				
3	168,000	93,100				
4	173,000	93,600				
5	195,000	155,000	High			
6	150,000	103,100				
7	198,000	108,300				
8	161,000	90,500	Low			
9	172,000	101,100				
10	211,000	106,500				
11	176,000	103,700				
12	228,000	129,900				
13	191,000	118,200				
14	185,000	91,300				
15	125,000	101,200				
16	170,000	107,400				
17	190,000	113,300				
18	167,000	115,700				
19	187,000	121,500				
20	202,000	137,000				
21	219,000	114,300				
22	185,000	112,600				
23	212,000	114,000				
24	215,000	109,800				
25	182,000	119,000				
26	180,000	133,500				
27	195,000	150,200				
28	356,000	129,000				
29	203,000	130,000				
30	211,000	127,400				
31						
Total	5,714,000	3,416,100				
Avg	192,000	113,900				
Max	356,000	155,000				
Min	125,000	90,500				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L.

Total number of readings this month: 60

Average disinfectant residual value: 0.9

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed Mains 4/11 + 4/25



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Seadrift

PWS ID No.: 0290004

Report for the Month of: May, 2014

Number of Active Service Connections this Month: 911

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	185,000	174,200				
2	229,000	228,600				
3	220,000	91,700				
4	280,000	146,000				
5	178,000	157,000				
6	172,000	131,900				
7	209,000	136,400				
8	186,000	109,500				
9	185,000	95,000				
10	133,000	97,900				
11	198,000	125,400				
12	177,000	108,900				
13	192,000	113,500				
14	168,000	93,200				
15	177,000	97,300				
16	180,000	109,100				
17	237,000	110,500				
18	183,000	109,300				
19	226,000	106,100				
20	146,000	104,000				
21	213,000	114,300				
22	247,000	128,200				
23	186,000	123,200				
24	198,000	121,800				
25	260,000	155,000				
26	270,000	173,800				
27	255,000	110,400				
28	228,000	109,700				
29	175,000	112,700				
30	180,000	67,400				
31	207,000	70,400				
Total	6,180,000	3,560,200				
Avg	199,400	114,800				
Max	280,000	173,800				
Min	133,000	67,400				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 62

Average disinfectant residual value: 1.0

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed Mains 6/21/14



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME:

City of Sandrift

PWS ID No.:

0290004

Report for the Month of:

JUNE

Number of Active Service Connections this Month:

911

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	257,000	150,400				
2	188,000	114,900				
3	209,000	138,700				
4	206,000	140,700				
5	203,000	143,100				
6	260,000	165,500				
7	362,000	160,600				
8	258,000	153,200				
9	265,000	158,200				
10	183,000	119,300				
11	234,000	122,000				
12	220,000	139,700				
13	230,000	146,800				
14	265,000	171,900				
15	332,000	231,800	High			
16	399,000	201,600				
17	289,000	167,900				
18	258,000	150,300				
19	311,000	187,300				
20	287,000	152,500				
21	295,000	173,700				
22	261,000	222,300				
23	308,000	156,400				
24	358,000	166,200				
25	212,000	136,900				
26	292,000	150,700				
27	279,000	133,800				
28	229,000	91,000	Low			
29	160,000	102,500				
30	180,000	91,200				
31						
Total	7,948,000	4,530,100				
Avg	265,000	151,000				
Max	399,000	231,800				
Min	160,000	91,000				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 60

Average disinfectant residual value: 1.0

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed City Mains 6/13 + 6/27



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Sandrift

PWS ID No.: 0290004

Report for the Month of: July 2014

Number of Active Service Connections this Month: 910

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	222,000	97,100	1,000			
2	214,000	116,600				
3	326,000	194,600				
4	344,000	182,700				
5	300,000	163,900				
6	375,000	187,600				
7	269,000	145,600				
8	234,000	122,600				
9	316,000	168,600				
10	378,000	206,300				
11	257,000	126,600				
12	225,000	130,500				
13	312,000	138,900				
14	233,000	108,100				
15	237,000	120,600				
16	221,000	114,500				
17	259,000	129,600				
18	239,000	119,200				
19	240,000	119,900				
20	286,000	235,400				
21	242,000	112,900				
22	336,000	159,600				
23	372,000	178,000				
24	419,000	206,900				
25	229,000	177,500				
26	357,000	209,600				
27	320,000	207,200				
28	382,000	227,400	High			
29	283,200	174,400				
30	336,000	207,700				
31	225,000	148,400				
Total	8,976,000	4,766,400				
Avg	289,500	153,800				
Max	419,000	222,400				
Min	214,000	97,100				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 62

Average disinfectant residual value: 1.0

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed City Mains - 7/10/14



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Seadrift

PWS ID No.: 0240004

Report for the Month of: August 2014

Number of Active Service Connections this Month: 910

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	347,000	204,300				
2	326,000	195,400				
3	235,000	158,600				
4	268,000	153,400				
5	272,000	165,600				
6	253,000	134,100				
7	229,000	150,400				
8	254,000	152,600				
9	369,000	233,300	High			
10	334,000	205,800				
11	288,000	167,800				
12	272,000	170,300				
13	276,000	173,100				
14	328,000	207,200				
15	265,000	158,800				
16	218,000	167,800				
17	305,000	187,700				
18	274,000	187,500				
19	259,000	157,300				
20	257,000	168,000				
21	397,000	232,500				
22	264,000	154,500				
23	232,000	129,000	Low			
24	318,000	175,600				
25	254,000	178,300				
26	350,000	200,600				
27	298,000	163,700				
28	297,000	166,900				
29	240,000	162,100				
30	239,000	142,500				
31	212,000	129,700				
Total	8,790,000	5,324,000				
Avg	284,000	171,800				
Max	397,000	233,300				
Min	212,000	129,000				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 62

Average disinfectant residual value: 1.1

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0

Any additional information you wish to provide: Flushed City Mains 8/8/14



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Sandrift

PWS ID No.: 0290004

Report for the Month of: September

Number of Active Service Connections this Month: 910

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water Into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	230,000	143,100				
2	234,000	145,400				
3	265,000	167,600	High			
4	197,000	114,100				
5	212,000	164,000				
6	248,000	146,200				
7	244,000	165,300				
8	169,000	107,100				
9	171,000	103,200				
10	168,000	122,500				
11	287,000	179,500				
12	216,000	148,100				
13	263,000	107,000				
14	188,000	158,100				
15	260,000	161,200				
16	157,000	104,100				
17	218,000	160,000				
18	246,000	158,900				
19	155,000	112,800				
20	150,000	98,600	Low			
21	220,000	121,500				
22	150,000	118,700				
23	156,000	113,200				
24	162,000	111,400				
25	260,000	170,900				
26	168,000	111,000				
27	203,000	117,800				
28	189,000	110,200				
29	195,000	115,700				
30	177,000	114,200				
31						
Total	6,468,000	3,970,900				
Avg	212,000	132,400				
Max	287,000	167,600				
Min	150,000	98,600				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 1.02 mg/L

Total number of readings this month: 60

Average disinfectant residual value: 1.1

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0

Any additional information you wish to provide: Flushed Mains: 9/26/14 + 9/5/14



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME: City of Seadrift

PWS ID No.: 0290004

Report for the Month of: October, 2014

Number of Active Service Connections this Month: 909

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	174,000	117,700				
2	199,000	114,100				
3	189,000	118,100				
4	180,000	120,000				
5	184,000	171,800				
6	173,000	108,200				
7	242,000	142,100				
8	173,000	124,200				
9	223,000	122,400				
10	187,000	121,200				
11	205,000	127,500				
12	165,000	127,200				
13	230,000	130,900				
14	194,000	120,600				
15	162,000	114,700				
16	191,000	112,200				
17	204,000	123,400				
18	228,000	124,000				
19	190,000	124,600				
20	230,000	137,900				
21	187,000	118,100				
22	188,000	130,100				
23	232,000	124,500				
24	197,000	124,200				
25	220,000	139,600				
26	233,000	136,800				
27	220,000	140,300				
28	195,000	113,200				
29	216,000	123,500				
30	189,000	123,200				
31	190,000	121,300				
Total	6,190,000	3,847,100				
Avg	200,000	124,100				
Max	242,000	142,100				
Min	162,000	108,200				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 0.2 mg/L

Total number of readings this month: 62  
 Average disinfectant residual value: 1.0  
 Number of readings with a low residual: 0  
 Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed Mains 10/6 + 10/24/14



3,791,100

Distribution

7,616,000

Well # 1

Rob's  
No form

Nov 14



# MONTHLY OPERATING REPORT

FOR PUBLIC WATER SYSTEMS THAT ARE USING GROUNDWATER SOURCES  
OR ARE PURCHASING TREATED WATER FROM ANOTHER PUBLIC WATER SYSTEM

PUBLIC WATER SYSTEM NAME:

City of Seadrift

PWS ID No.: 0290004

Report for the Month of:

December 2014

Number of Active Service Connections this Month:

911

WATER PRODUCTION						
Pumpage to storage and distribution X 1000 Gals						
Date	From Wells Directly to Distr.	From Wells to Storage Tanks	Purchased Water Directly to Distr.	Purchased Water into Storage	From SWTP or GWUDI Plant	Total Daily Production
1	192,000	120,300				
2	155,000	83,400	low			
3	160,000	110,020				
4	170,200	103,200				
5	173,000	105,300				
6	165,000	109,200				
7	161,000	101,100				
8	170,000	117,300				
9	176,000	99,000				
10	213,000	114,500				
11	181,000	109,600				
12	178,000	107,100				
13	156,000	96,200				
14	172,000	123,900	High			
15	231,000	107,200				
16	167,000	99,100				
17	159,000	102,000				
18	144,000	99,900				
19	175,000	120,900				
20	191,000	107,500				
21	180,000	91,600				
22	145,000	101,800				
23	149,000	94,500				
24	152,000	102,900				
25	154,000	102,600				
26	175,000	95,700				
27	165,000	101,700				
28	170,000	110,100				
29	178,000	90,300				
30	112,000	98,000				
31	178,000	87,000				
Total	5,197,000	3,212,900				
Avg	167,000	103,600				
Max	231,000	123,900				
Min	107,000	83,400				

### DISTRIBUTION RESIDUALS

Minimum disinfectant residual required in distribution system: 1.02 mg/L

Total number of readings this month: 62

Average disinfectant residual value: 1.0

Number of readings with a low residual: 0

Number with no detectable residual: 0

Percentage of readings with a low residual: 0%

Any additional information you wish to provide: Flushed City Mains 12/14/14



## Confirmation of the Contiguous Tracts of Groundwater Ownership

The Calhoun County Groundwater Conservation District requires certain information to be supplied with production permit applications including information regarding the boundary and size of the related tracts of land ownership and groundwater ownership. This form may be used to confirm details regarding the spatial aspects of a permitting request by the applicant.

The map below illustrates the boundary of the subject tracts of contiguous ownership of groundwater resources (dashed line symbol) associated with permitting request AVHUWS-20230725-01 - GW-00079 as understood by the district. In addition, the map illustrates the location of any water wells registered with the district within the boundary (cross symbol).

The calculated area of the subject tracts of contiguous ownership of groundwater resources is 13.61 acres.

By my signature, I confirm that the boundary of the subject tracts of contiguous ownership of groundwater resources, the calculated acreage for the boundary, and the location of existing wells within in the boundary are accurately represented on this form.



Signature of the Applicant

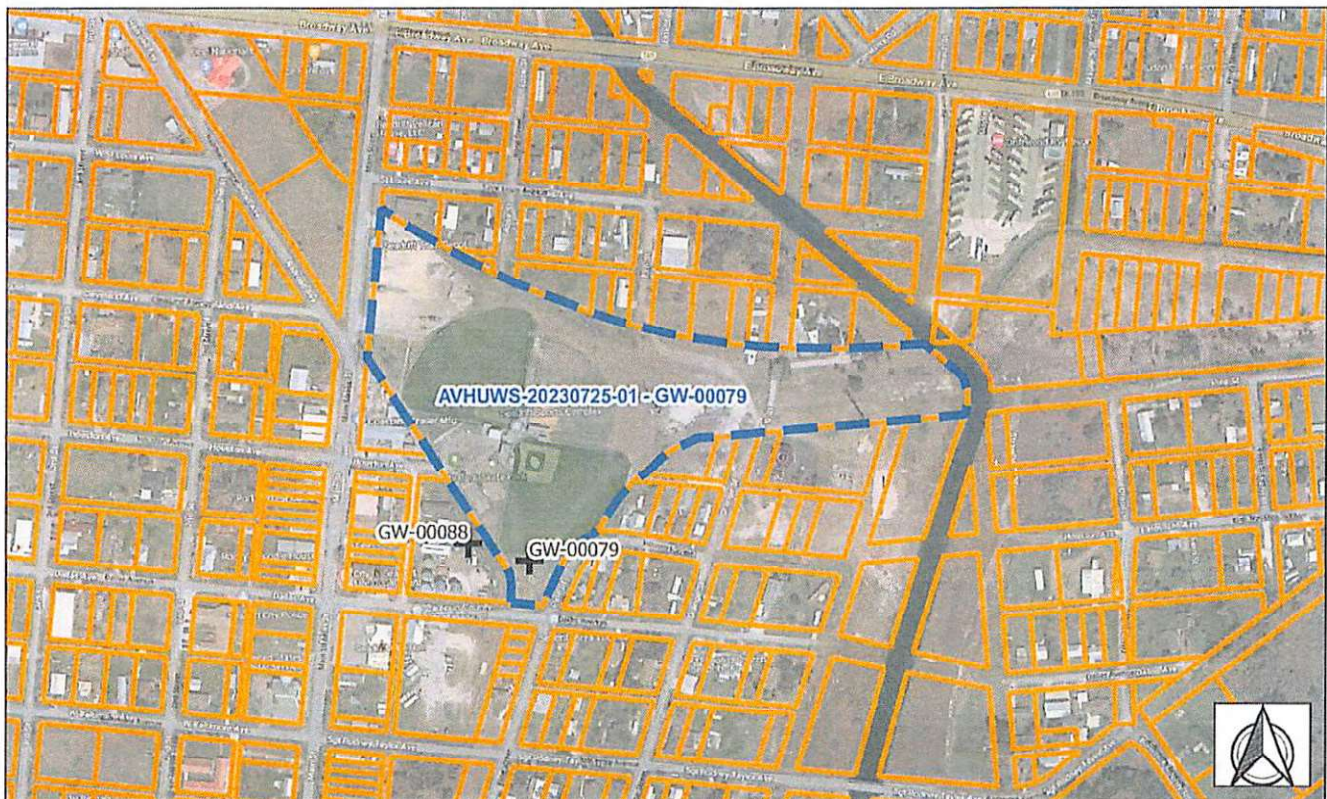
9/12/2023

Date

Elmer DeForest

Printed Name

Printed Date: July 25, 2023



Disclaimer: The records, files, and documents maintained by the Calhoun County Groundwater Conservation District (District) contain data and information from many sources. The District cannot guarantee the accuracy or validity of such data and information. The District specifically disclaims any warranty or guarantee relating to the accuracy or validity of any such data and information. All users of such data and information should conduct such investigation and review as necessary to independently determine the accuracy or validity of such data and information.



## Confirmation of the Contiguous Tracts of Land Ownership

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The calculated area of the subject tracts of contiguous ownership of land is 13.61 acres.

By my signature, I confirm that the boundary of the subject tracts of contiguous ownership of land, the calculated acreage for the boundary, and the location of existing wells within in the boundary are accurately represented on this form.



Signature of the Applicant

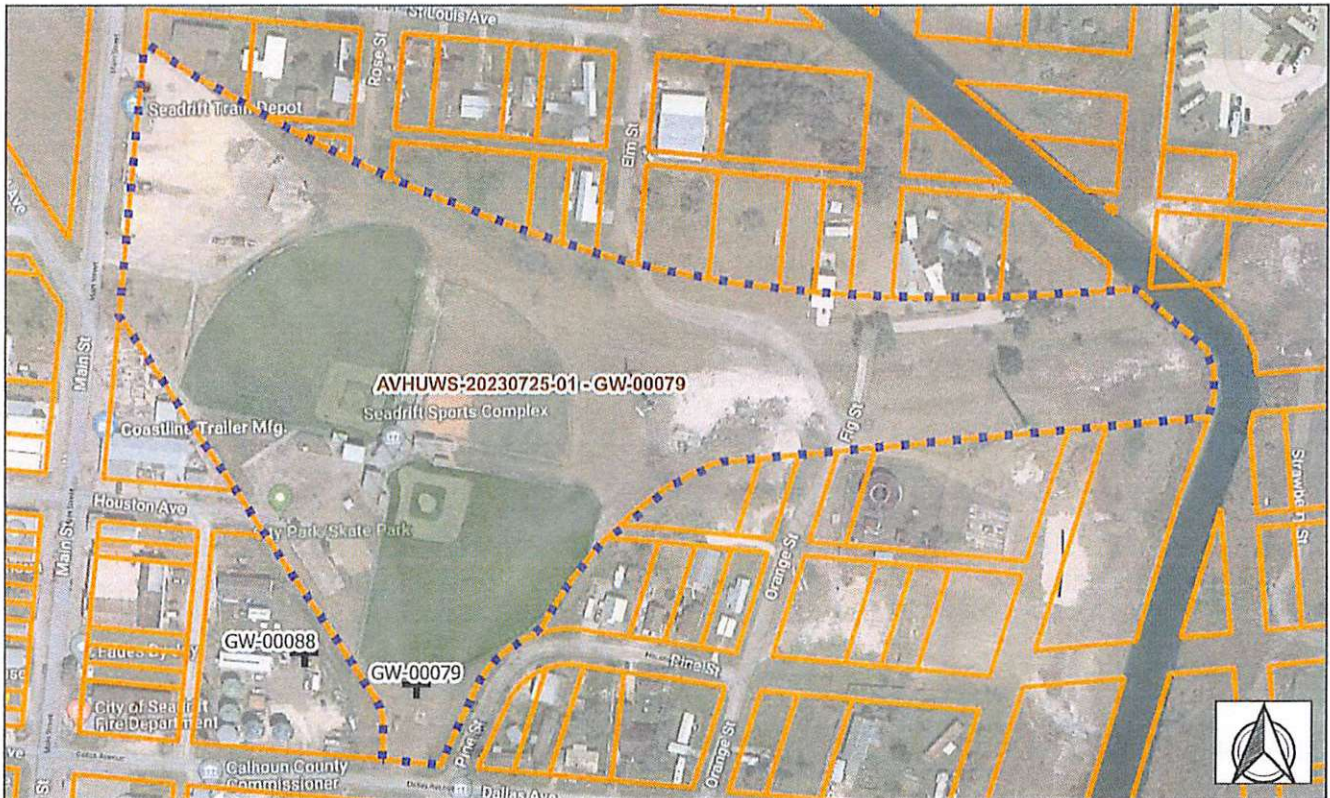
9/12/2023

Date

Elmer DeForest

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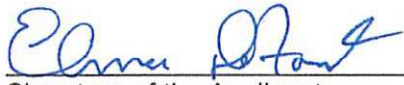
## Confirmation of the Contiguous Tracts of Groundwater Ownership

The Calhoun County Groundwater Conservation District requires certain information to be supplied with production permit applications including information regarding the boundary and size of the related tracts of land ownership and groundwater ownership. This form may be used to confirm details regarding the spatial aspects of a permitting request by the applicant.

The map below illustrates the boundary of the subject tracts of contiguous ownership of groundwater resources (dashed line symbol) associated with permitting request AVHUWS - 20230725-01 - GW-00088 as understood by the district. In addition, the map illustrates the location of any water wells registered with the district within the boundary (cross symbol).

The calculated area of the subject tracts of contiguous ownership of groundwater resources is 1.31 acres.

By my signature, I confirm that the boundary of the subject tracts of contiguous ownership of groundwater resources, the calculated acreage for the boundary, and the location of existing wells within in the boundary are accurately represented on this form.



Signature of the Applicant

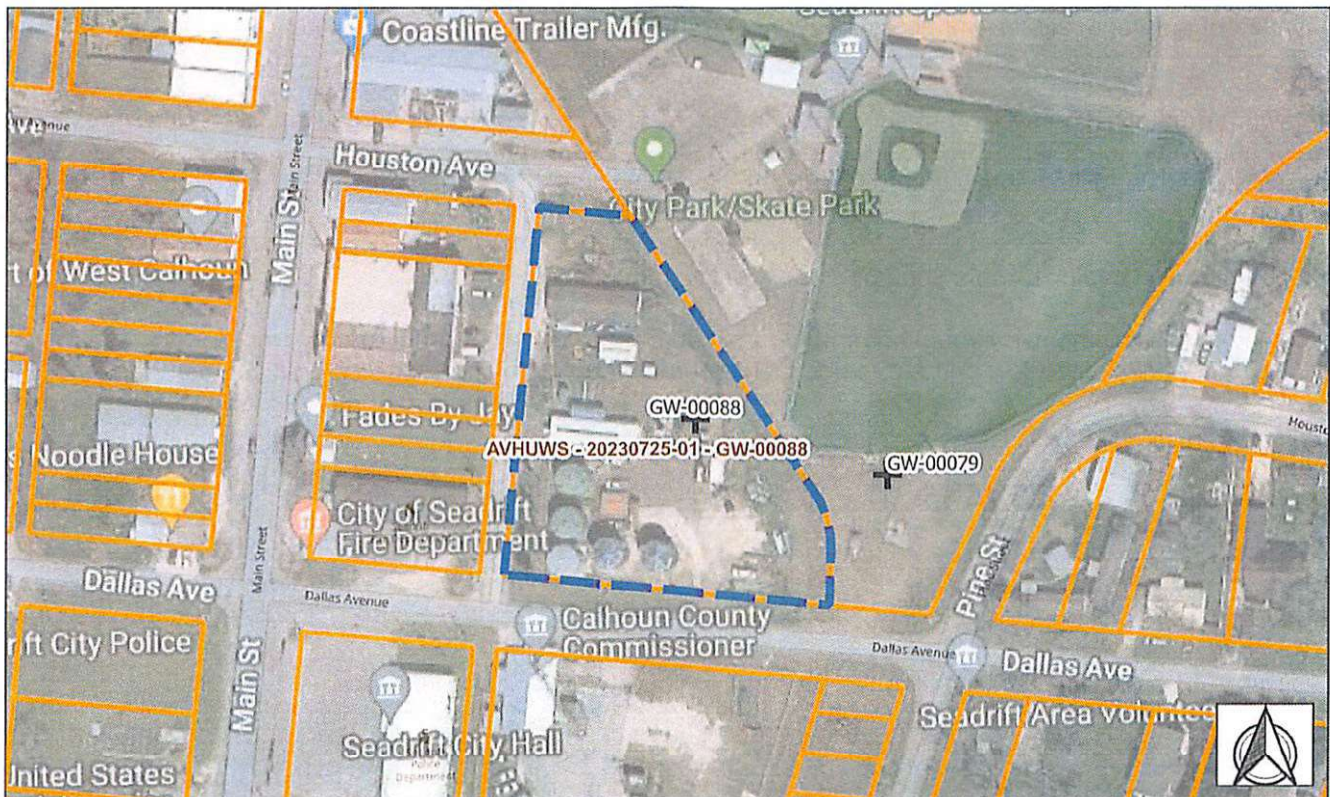
9/12/2023

Date



Printed Name

Printed Date: July 25, 2023



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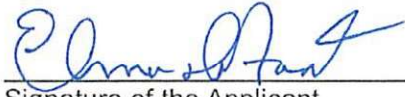
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The calculated area of the subject tracts of contiguous ownership of land is 1.31 acres.

By my signature, I confirm that the boundary of the subject tracts of contiguous ownership of land, the calculated acreage for the boundary, and the location of existing wells within in the boundary are accurately represented on this form.



Signature of the Applicant

9/12/2023

Date



Printed Name

Printed Date: July 25, 2023



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## Confirmation of the Contiguous Tracts of Groundwater Ownership

The Calhoun County Groundwater Conservation District requires certain information to be supplied with production permit applications including information regarding the boundary and size of the related tracts of land ownership and groundwater ownership. This form may be used to confirm details regarding the spatial aspects of a permitting request by the applicant.

The map below illustrates the boundary of the subject tracts of contiguous ownership of groundwater resources (dashed line symbol) associated with permitting request AVHUWS-20230725-01 as understood by the district. In addition, the map illustrates the location of any water wells registered with the district within the boundary (cross symbol).

The calculated area of the subject tracts of contiguous ownership of groundwater resources is 0.32 acres.

By my signature, I confirm that the boundary of the subject tracts of contiguous ownership of groundwater resources, the calculated acreage for the boundary, and the location of existing wells within in the boundary are accurately represented on this form.

 Mayor

Signature of the Applicant

9/12/2023

Date

Elmer DeForest

Printed Name

Printed Date: July 25, 2023



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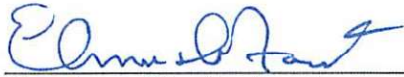
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The calculated area of the subject tracts of contiguous ownership of land is 0.32 acres.

By my signature, I confirm that the boundary of the subject tracts of contiguous ownership of land, the calculated acreage for the boundary, and the location of existing wells within in the boundary are accurately represented on this form.



Signature of the Applicant

9/12/2023

Date



Printed Name

Printed Date: July 25, 2023



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# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

8/7/2023

Via CMRRC: 7021 0350 0000 2790 9427

Juan Cruz Cervantes  
145 Blevins Rd. Seadrift, Texas 77983

RE: Enforcement Case Violation ECV-20230425-03; Well ID: NW-00087

Juan Cruz Cervantes,

Rule 4.2: Reporting Requirement of Non-Exempt-Use Wells of the rules of the district establishes requirements related to groundwater production reporting for water wells classified as non-exempt use wells. Well NW-00087 is classified as a non-exempt use well.

The staff of the District have reviewed the groundwater production reports submitted for calendar year 2022 and cannot locate a groundwater production report for well NW-00087.

The available information regarding well ownership and land ownership indicates that you owned well NW-00087 in calendar year 2022.

On 4/24/2023, the Board of Directors of the Calhoun County Groundwater Conservation District passed the following motion:

1. find that Juan Cruz Cervantes (Juan Cruz Cervantes) violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well NW-00087 unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District; and
4. offer to settle the violation if Juan Cruz Cervantes (Juan Cruz Cervantes) consents to the following conditions:
  1. acknowledges the violation by June 30, 2023;
  2. pays a settlement fee of \$0.00 by June 30, 2023; and
  3. submits an administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

On 5/2/2023 and 6/1/2023 staff of the District transmitted notice of the violation to the above-mentioned address.

On 7/6/2023 staff of the District transmitted notice of need to file suit regarding this unresolved violation to the above-mentioned address.

On 7/11/2023 staff of the District published notice of the enforcement hearing scheduled for 7/24/2023, regarding this matter.

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

On 7/24/2023, the Board of Directors of the Calhoun County Groundwater Conservation District opened and recessed the enforcement hearing regarding this unresolved violation until the next regular meeting of the Board of Directors scheduled for October 20, 2023.

Based on the available information in this matter, staff will recommend that the Board adopt an order with the following elements if the violation is not resolved prior to the above meeting:

1. Find that Juan Cruz Cervantes has committed a violation of District Rule 4.2 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well NW-00087.
2. Find that the violation is continuing.
3. Find that each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
4. Assess a penalty for this violation of \$2,000.00
5. Assess additional penalties of \$50.00 per day for each day following adoption of the order until the groundwater production for 2022 is properly reported.
6. Cancel any associated permit for well No. NW-00087 and thereby prohibit production from the well until said permit is reinstated by the district.
7. Order district staff to place a seal upon the well to prevent further production.
8. Instruct legal counsel to file suit if necessary to enforce the order.

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well NW-00087 by September 30, 2023.

In accordance with Rule 11.9: NOTICE OF NEED TO FILE SUIT of the Rules of the District, provides notice to you that the District intends to seek authorization to pursue enforcement of the rules by filing a civil lawsuit against you at the next regularly scheduled meeting of the board of directors.

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Tim Andruss  
General Manager

---

## Consent to the Settlement Offer of the District

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

## Enforcement Case Violation – ECV-20230425-03

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

CC: Juan Cruz Cervantes  
145 Blevins Rd. Seadrift, Texas 77983

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



## IMPORTANT NOTICE

The Calhoun County Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: [admin@calhouncountygcd.org](mailto:admin@calhouncountygcd.org); Mail: CCGCD, PO Box 1395, Port Lavaca, Texas 77979.

Well ID: Calhoun County GCD - NW-00087  
 Well Coordinates: 28°24'28.0"N , 96°37'39.0"W  
 Well Site Location: 145 Blevins Rd., Seadrift, Texas 77983  
 Well Owner Name: Juan Cruz Cervantes-Vega  
 Well Owner Address: 145 Blevins Rd.. Seadrift, Texas 77983

Reporting Agent Name:

Reporting Agent Address:

Groundwater production was not reported for the previous year.



### GROUNDWATER PRODUCTION REPORT

Well ID: Calhoun County GCD - NW-00087

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: \_\_\_\_\_

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

\_\_\_\_\_  
 Signature of Well Owner or Authorized Agent

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed Name



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

July 6, 2023

Via CMRRC: 7021 0350 0000 2790 9267

Juan Cruz Cervantes  
145 Blevins Rd., Seadrift, Texas 77983

RE:

Well ID: NW-00087  
Enforcement Case Violation ECV-20230425-03

Mr. Juan Cruz Cervantes

On May 2, 2023, the District attempted to provide notice of violation ECV-20230425-03 to you by certified mail (CMRRR 7021 0350 0000 2790 7553). A copy of this notice is attached to this letter.

On June 1, 2023, the District attempted to provide notice of violation ECV-20230425-03 to you by certified mail (CMRRR 7021 0350 0000 2790 9083). A copy of this notice is attached to this letter.

This letter, in accordance with RULE 11.9: NOTICE OF NEED TO FILE SUIT of the Rules of the District, provides notice to you that I intend to seek authorization to pursue enforcement of the rules by filing a civil suit against you at the next regularly scheduled meeting of the board of directors.

Regards,



Tim Andruss  
General Manager

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

May 1, 2023

Via CMRRC: 7021 0350 0000 2790 7553

Juan Cruz Cervantes  
145 Blevins Rd., Seadrift, Texas 77983

RE:

Well ID: NW-00087  
Enforcement Case Violation ECV-20230425-03

Juan Cruz Cervantes,

**Rule 4.2: Reporting Requirement of Non-Exempt-Use Wells** of the rules of the district establishes requirements related to groundwater production reporting for water wells classified as non-exempt use wells. Well NW-00087 is classified as a non-exempt use well.

The staff of the District have reviewed the groundwater production reports submitted for calendar year 2022 and cannot locate a groundwater production report for well NW-00087.

The available information regarding well ownership and land ownership indicates that you owned well NW-00087 in calendar year 2022.

On April 24, 2023, the Board of Directors of the Calhoun County Groundwater Conservation District passed the following motion:

1. find that Cervantes Juan Cruz (Juan Cruz Cervantes-Vega) violated **RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS** of the Rules of the District related to well NW-00087 unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per **RULE 11.10: PENALTIES** of the Rules of the District; and
4. offer to settle the violation if Cervantes Juan Cruz (Juan Cruz Cervantes-Vega) consents to the following conditions:
  1. acknowledges the violation by June 30, 2023;
  2. pays a settlement fee of \$0.00 by June 30, 2023; and
  3. submits an administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well NW-00087 by June 30, 2023.

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Mike Benavides, Compliance Specialist

CC:

Juan Cruz Cervantes Vega

---

## Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20230425-03

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



## IMPORTANT NOTICE

The Calhoun County Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: [admin@calhouncountygcd.org](mailto:admin@calhouncountygcd.org); Mail: CCGCD, PO Box 1395, Port Lavaca, Texas 77979.

Well ID: Calhoun County GCD - NW-00087  
 Well Coordinates: 28°24'28.0"N , 96°37'39.0"W  
 Well Site Location: 145 Blevins Rd., Seadrift, Texas 77983  
 Well Owner Name: Juan Cruz Cervantes-Vega  
 Well Owner Address: 145 Blevins Rd.. Seadrift, Texas 77983  
 Reporting Agent Name:  
 Reporting Agent Address:  
 Groundwater production was not reported for the previous year.



### GROUNDWATER PRODUCTION REPORT

Well ID: Calhoun County GCD - NW-00087

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: \_\_\_\_\_

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

\_\_\_\_\_  
 Signature of Well Owner or Authorized Agent

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed Name

# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

June 1, 2023

Via CMRRC: 7021 0350 0000 2790 9083

Juan Cruz Cervantes  
145 Blevins Rd., Seadrift, Texas 77983

RE:

Well ID: NW-00087  
Enforcement Case Violation ECV-20230425-03

Juan Cruz Cervantes,

Rule 4.2: Reporting Requirement of Non-Exempt-Use Wells of the rules of the district establishes requirements related to groundwater production reporting for water wells classified as non-exempt use wells. Well NW-00087 is classified as a non-exempt use well.

The staff of the District have reviewed the groundwater production reports submitted for calendar year 2022 and cannot locate a groundwater production report for well NW-00087.

The available information regarding well ownership and land ownership indicates that you owned well NW-00087 in calendar year 2022.

On April 24, 2023, the Board of Directors of the Calhoun County Groundwater Conservation District passed the following motion:

1. find that Cervantes Juan Cruz (Juan Cruz Cervantes-Vega) violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well NW-00087 unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District; and
4. offer to settle the violation if Cervantes Juan Cruz (Juan Cruz Cervantes-Vega) consents to the following conditions:
  1. acknowledges the violation by June 30, 2023;
  2. pays a settlement fee of \$0.00 by June 30, 2023; and
  3. submits an administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well NW-00087 by June 30, 2023.

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Mike Benavides, Compliance Specialist

CC:

Juan Cruz Cervantes Vega

---

## Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20230425-03

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment

## IMPORTANT NOTICE

The Calhoun County Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: [admin@calhouncountygcd.org](mailto:admin@calhouncountygcd.org); Mail: CCGCD, PO Box 1395, Port Lavaca, Texas 77979.

Well ID: Calhoun County GCD - NW-00087  
 Well Coordinates: 28°24'28.0"N , 96°37'39.0"W  
 Well Site Location: 145 Blevins Rd., Seadrift, Texas 77983  
 Well Owner Name: Juan Cruz Cervantes-Vega  
 Well Owner Address: 145 Blevins Rd., Seadrift, Texas 77983  
 Reporting Agent Name:  
 Reporting Agent Address:  
 Groundwater production was not reported for the previous year.



### GROUNDWATER PRODUCTION REPORT

Well ID: Calhoun County GCD - NW-00087

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: \_\_\_\_\_

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

\_\_\_\_\_  
 Signature of Well Owner or Authorized Agent

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Printed Name



**Calhoun County Groundwater Conservation District  
Board of Directors**

**Notice of Public Meeting and Enforcement Hearing**

Notice is hereby given in accordance with the Open Meetings Act, Chapter 551, Government Code and Section 36.102 of the Texas Water Code, that the Calhoun County Groundwater Conservation District will hold a public meeting on July 24, 2023, at 5:30 PM at 131-A N. Virginia St., Port Lavaca, Texas.

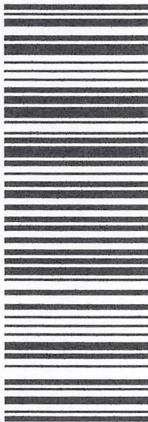
During the meeting, the Board of Directors is scheduled to conduct an enforcement hearing, consider, and possibly take action regarding the following enforcement matter(s):

Enforcement proceedings, including consideration of remedies provided for under Section 36.102 of the Texas Water Code, related to enforcement case violation ECV-20230425-03 finding Juan Cruz Cervantes, failed to report groundwater production for calendar year 2022 for non-exempt-use well NW-00087 as required by Rule 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS.

For more information regarding this matter, contact Tim Andruss, General Manager of the Calhoun County Groundwater Conservation District at 361-482-0357 or at [admin@ccgcd.org](mailto:admin@ccgcd.org).

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
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Total Postage and Fees

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Sent To

Juan Cruz Cervantes  
Street and Apt. No., or PO Box No.

155 Blevins Rd.  
City, State, ZIP+4®

Seadrift, Texas 77983

CD - Meeting Packet for January 22, 2024

Supplemental Documentation | Page 34 of 396



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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**1. Article Addressed to:**

Juan Cruz Cervantes  
 145 Blevins Rd.  
 Seadrift, Texas 77983



9590 9402 8167 3030 7551 08

**2. Article Number (Transfer from service label)**

7021 0350 0000 2790 9427

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- Agent  
 Addressee

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|--|---|
| <input type="checkbox"/> Adult Signature                         | <input type="checkbox"/> Priority Mail Express®                     |
| <input type="checkbox"/> Adult Signature Restricted Delivery     | <input type="checkbox"/> Registered Mail™                           |
| <input checked="" type="checkbox"/> Certified Mail®              | <input type="checkbox"/> Registered Mail Restricted Delivery        |
| <input type="checkbox"/> Certified Mail Restricted Delivery      | <input type="checkbox"/> Signature Confirmation™                    |
| <input type="checkbox"/> Collect on Delivery                     | <input type="checkbox"/> Signature Confirmation Restricted Delivery |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery |   |
| <input type="checkbox"/> Insured Mail                            |   |
| <input type="checkbox"/> Registered Mail Restricted Delivery     |   |

Meeting Packet for January 22, 2024 - Supplemental Documentation | Page 35 of 396

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***Calhoun County GCD***

PO Box 1395

Port Lavaca, TX 77979



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Seadrift, TX 77983

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\$	\$3.55
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<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage	\$1.83
\$	
<b>Total Postage and Fees</b>	<b>\$9.73</b>
\$	



Sent To  
Joan Cruz Cervantes  
Street and Apt. No., or PO Box No.  
145 Meadows Rd.  
City, State, ZIP+4®  
Seadrift, Texas 77983

021 0350 0000 2790 9427  
024



# UNITED STATES POSTAL SERVICE.

JAMES MOODY  
2804 SAM HOUSTON DR  
VICTORIA, TX 77904-9998  
(800)275-8777

08/07/2023

03:31 PM

Product	Qty	Unit Price	Price
First-Class Mail® Large Envelope Seadrift, TX 77983 Weight: 0 lb 2.10 oz Estimated Delivery Date Wed 08/09/2023	1		\$1.83
First-Class Mail® Large Envelope Seadrift, TX 77983 Weight: 0 lb 2.30 oz Estimated Delivery Date Wed 08/09/2023	1		\$1.83
Certified Mail® Tracking #: 70210350000027909427			\$4.35
Return Receipt Tracking #: 9590 9402 8167 3030 7551 08			\$3.55
<b>Total</b>			<b>\$9.73</b>

Grand Total: \$11.56

Credit Card Remit \$11.56

Card Name: VISA  
Account #: XXXXXXXXXXXXX7841  
Approval #: 03955G  
Transaction #: 237  
AID: A0000000031010 Chip  
AL: VISA CREDIT  
PIN: Not Required CHASE VISA

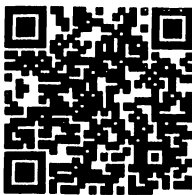
Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

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or call 1-800-410-7420.

UFN: 489331-0903  
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Clerk: 16



# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

October 26, 2023

Via CMRRC: 7022 1670 0003 4383 0372

Juan Cruz Cervantes  
145 Blevins Rd. Seadrift, Texas 77983

RE: Enforcement Case Violation ECV-20230425-03; Well ID: NW-00087

Mr. Juan Cruz Cervantes,

On 10/23/2023, the Board of Directors of the Calhoun County Groundwater Conservation District has instructed me to attempt to notify you that if the required groundwater production report for calendar year 2022 is not submitted by December 31, 2023 by the District, the Board of Directors will consider entering a finding that:

1. Find that Juan Cruz Cervantes has committed a violation of District Rule 4.2 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well NW-00087.
2. Find that the violation is continuing.
3. Find that each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
4. Assess a penalty for this violation of \$2,000.00.
5. Assess additional penalties of \$50.00 per day for each day following adoption of the order until the groundwater production for 2022 is properly reported.
6. Cancel any associated permit for well No. NW-00087 and thereby prohibit production from the well until said permit is reinstated by the district.
7. Order district staff to place a seal upon the well to prevent further production.
8. Instruct legal counsel to file suit if necessary to enforce the order.

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well NW-00087 by December 31, 2023.

**Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment**

# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Tim Andruss  
General Manager

---

## Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20230425-03

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

CC: Juan Cruz Cervantes  
145 Blevins Rd. Seadrift, Texas 77983

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment

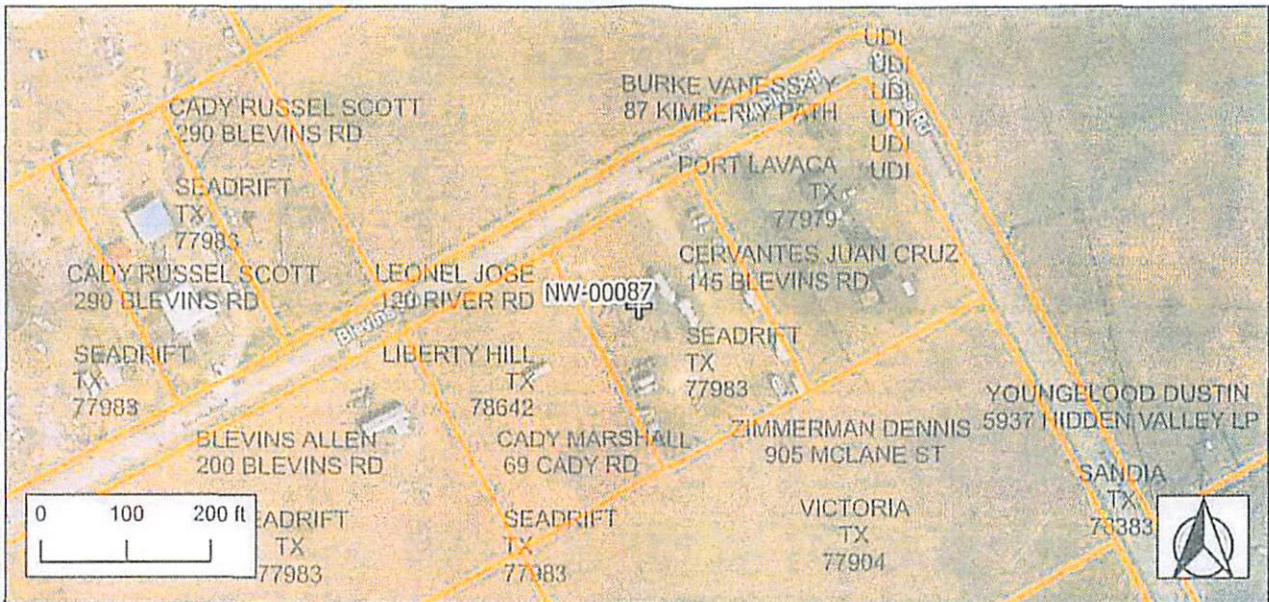


### IMPORTANT NOTICE

The Calhoun County Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: [admin@calhouncountygcd.org](mailto:admin@calhouncountygcd.org); Mail: CCGCD, PO Box 1395, Port Lavaca, Texas 77979.

Well ID: Calhoun County GCD - NW-00087  
 Well Coordinates: 28°24'28.0"N , 96°37'39.0"W  
 Well Site Location: 145 Blevins Rd., Seadrift, Texas 77983  
 Well Owner Name: Juan Cruz Cervantes-Vega  
 Well Owner Address: 145 Blevins Rd., Seadrift, Texas 77983  
 Reporting Agent Name:  
 Reporting Agent Address:  
 Groundwater production was not reported for the previous year.



### GROUNDWATER PRODUCTION REPORT

Well ID: Calhoun County GCD - NW-00087

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: \_\_\_\_\_

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

\_\_\_\_\_  
 Signature of Well Owner or Authorized Agent

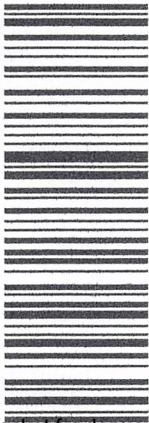
\_\_\_\_\_  
 Date

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 145 Blevins Rd  
 City, State, ZIP+4®  
 Seadrift, Texas 77983

CD - Meeting Packet for January 22, 2024 - Supplemental Documentation | Page 42 of 396



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
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**1. Article Addressed to:**

Juan Cruz Cervantes  
 145 Blevins Rd.  
 Seadrift, Texas 77983



9590 9402 8167 3030 7553 44

**2. Article Number (Transfer from service label)**

7022 1670 0003 4383 0372

**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature**

**X**

- Agent
- Addressee

**B. Received by (Printed Name)**

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**Calhoun GCD  
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Port Lavaca, Texas 77979**



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- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

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Total Postage and Fees

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Sent To

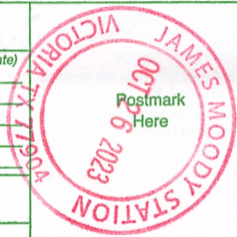
Juan Cruz Cervantes

Street and Apt. No. or PO Box No.

145 Blevins Rd

City, State, ZIP+4®

Seadrift, Texas 77983



2024 2022 1670 0003 4383 0372 2430 4924 E000 029T 2202



**Lin County Groundwater Conservation District**  
P.O. Box 1356, Fort Linn, Texas 77970  
Phone (817) 487-0357 | www.lincountygcd.org

**MIKE BENAVIDES**  
Conservation Director

**MIKE BENAVIDES**  
Conservation Director

**VICTORIA COUNTY GROUNDWATER CONSERVATION DISTRICT**  
2808 N. McCOMBS ST. STE. 100  
WACO, TX 76791  
Phone (817) 870-4380  
www.victoriagcd.org

**MIKE BENAVIDES**  
Conservation Director

Rule 4.2: Reporting Requirement of Non-Exempt-Use Wells of the District establishes requirements related to groundwater production reports for wells classified as non-exempt wells. Well MW-00087 is classified as a non-exempt use well.

The staff of the District have reviewed the groundwater production reports submitted for calendar year 2022 and cannot locate a groundwater production report for well MW-00087.

The available information regarding well ownership and land ownership indicates that you owned well MW-00087 in calendar year 2022.

On 10/23/2023, the Board of Directors of the Calhoun County Groundwater Conservation District passed the following motion:  
1. Find that Juan Cruz Cervantes (Juan Cruz Cervantes) violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS of the Rules of the District for calendar year 2022. The violation is the failure to submit a groundwater production report for well MW-00087, unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the Board of Directors in a timely fashion.

2. authorize the General Counsel for the violation per RULE 11.10: PENALTIES of the Rules of the District and to impose a civil penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District, and  
3. assess a civil penalty for the violation (Juan Cruz Cervantes (Juan Cruz Cervantes)) in the amount of \$50.00 per day for each day of continuing violation for July 30, 2022, through October 31, 2023, and a production report for calendar year 2022.

**Calhoun County Groundwater Conservation District**  
P.O. Box 1385, Rockwall, Texas 75087  
Phone (972) 482-0337 | www.calhouncountygcd.org

October 28, 2023

Via CMRRCC: 7022 1670 0003 4383 0372  
Juan Cruz Cervantes  
145 Blyvina Rd. Seadrift, Texas 77883

RE: Enforcement Case Violation ECV-20230425-03; Well ID: MW-00087

Mr. Juan Cruz Cervantes,

On 10/23/2023, the Board of Directors of the Calhoun County Groundwater Conservation District has instructed you to attempt to notify you in the mail if the required groundwater production report for calendar year 2022 is not submitted by December 31, 2023 by the District, the Board of Directors will consider entering a finding that:

1. Find that Juan Cruz Cervantes has committed a violation of District Rule 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS for failing to report groundwater production for calendar year 2022 for non-exempt well MW-00087.
2. Find that the violation is continuing.
3. Find that each day of continuing violation for calendar year 2022 constitutes a separate violation.
4. Assess a civil penalty for this violation of \$50.00 per day of continuing violation, order until the groundwater production for calendar year 2022 is reported.
5. Assess a civil penalty for this violation of \$50.00 per day of continuing violation, order until the groundwater production for 2022 is reported.
6. Cancel any assessment permit for well No. MW-00087 and thereby prohibit production from the well until the assessment permit is reinstated by the District staff.
7. Order district staff to place a seal upon the well to prevent further production.
8. Instruct legal counsel to file suit if necessary to enforce the order.

This letter provides notice that the District (1) seeks to obtain voluntary compliance with the rules and orders of the District and (2) failing to respond, complete the groundwater production report for calendar year 2022 for well MW-00087 by December 31, 2023. Penalties or other legal remedies may be assessed against you for failure to comply with the rules and orders of the District in a timely fashion.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well MW-00087 by December 31, 2023.

Working to Conserve, Preserve, Protect, and Promote Wise Use of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



# **Calhoun County Groundwater Conservation District**

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

8/7/2023

Via CMRRC: 7021 0350 0000 2790 9427

Juan Cruz Cervantes  
145 Blevins Rd. Seadrift, Texas 77983

RE: Enforcement Case Violation ECV-20230425-03; Well ID: NW-00087

Juan Cruz Cervantes,

Rule 4.2: Reporting Requirement of Non-Exempt-Use Wells of the rules of the district establishes requirements related to groundwater production reporting for water wells classified as non-exempt use wells. Well NW-00087 is classified as a non-exempt use well.

The staff of the District have reviewed the groundwater production reports submitted for calendar year 2022 and cannot locate a groundwater production report for well NW-00087.

The available information regarding well ownership and land ownership indicates that you owned well NW-00087 in calendar year 2022.

On 4/24/2023, the Board of Directors of the Calhoun County Groundwater Conservation District passed the following motion:

1. find that Juan Cruz Cervantes (Juan Cruz Cervantes) violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well NW-00087 unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District; and
4. offer to settle the violation if Juan Cruz Cervantes (Juan Cruz Cervantes) consents to the following conditions:
  1. acknowledges the violation by June 30, 2023;
  2. pays a settlement fee of \$0.00 by June 30, 2023; and
  3. submits an administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

On 5/2/2023 and 6/1/2023 staff of the District transmitted notice of the violation to the above-mentioned address.

On 7/6/2023 staff of the District transmitted notice of need to file suit regarding this unresolved violation to the above-mentioned address.

On 7/11/2023 staff of the District published notice of the enforcement hearing scheduled for 7/24/2023, regarding this matter.

**Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment**

# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | www.calhouncountygcd.org

On 7/24/2023, the Board of Directors of the Calhoun County Groundwater Conservation District opened and recessed the enforcement hearing regarding this unresolved violation until the next regular meeting of the Board of Directors scheduled for October 20, 2023.

Based on the available information in this matter, staff will recommend that the Board adopt an order with the following elements if the violation is not resolved prior to the above meeting:

1. Find that Juan Cruz Cervantes has committed a violation of District Rule 4.2 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well NW-00087.
2. Find that the violation is continuing.
3. Find that each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
4. Assess a penalty for this violation of \$2,000.00
5. Assess additional penalties of \$50.00 per day for each day following adoption of the order until the groundwater production for 2022 is properly reported.
6. Cancel any associated permit for well No. NW-00087 and thereby prohibit production from the well until said permit is reinstated by the district.
7. Order district staff to place a seal upon the well to prevent further production.
8. Instruct legal counsel to file suit if necessary to enforce the order.

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well NW-00087 by September 30, 2023.

In accordance with Rule 11.9: NOTICE OF NEED TO FILE SUIT of the Rules of the District, provides notice to you that the District intends to seek authorization to pursue enforcement of the rules by filing a civil lawsuit against you at the next regularly scheduled meeting of the board of directors.

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Tim Andruss  
General Manager

---

## Consent to the Settlement Offer of the District

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment



**Calhoun County Groundwater Conservation District**

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0367 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

**Enforcement Case Violation – ECV-20230425-03**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**CC:Juan Cruz Cervantes**  
**145 Blevins Rd. Seadrift, Texas 77983**

**Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment**

### IMPORTANT NOTICE

The Calhoun County Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: [admin@calhouncountygcd.org](mailto:admin@calhouncountygcd.org); Mail: CCGCD, PO Box 1395, Port Lavaca, Texas 77979.

Well ID: Calhoun County GCD - NW-00087  
 Well Coordinates: 28°24'28.0"N , 96°37'39.0"W  
 Well Site Location: 145 Blevins Rd., Seadrift, Texas 77983  
 Well Owner Name: Juan Cruz Cervantes-Vega  
 Well Owner Address: 145 Blevins Rd., Seadrift, Texas 77983  
 Reporting Agent Name:  
 Reporting Agent Address:  
 Groundwater production was not reported for the previous year.



#### GROUNDWATER PRODUCTION REPORT

Well ID: Calhoun County GCD - NW-00087

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 1090 gallons

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Juan C. Cervantes  
 Signature of Well Owner or Authorized Agent

11-03-2023  
 Date

Juan Cruz Cervantes Vega  
 Printed Name

(281) 905-2778



# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

November 16, 2023

Via CMRRC: 7022 1670 0003 4383 0563

Seaport Lakes Water Systems LLC.  
P.O. Box 815, Port O'Connor, Texas, 77982-0815

Enforcement Case Violation ID: ECV-20231103-02

To: Seaport Lakes Water Systems LLC.

Rule 4.1 of the Rules of the District for the Calhoun County Groundwater Conservation District establishes provisions related to obtaining a permit authorizing groundwater production for certain uses.

## RULE 4.1: GENERAL POLICIES RELATED TO PERMITS

15. No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well.

The District has attempted to assist your organization with developing the necessary application(s) to seek a production permit for the wells operated to produce groundwater for the public water system operated by your entity.

As of September 30, 2023, the District had not received an administratively complete application for this purpose.

On October 23, 2023, the Board of Directors of the Calhoun County Groundwater Conservation District passed the following motion to:

1. find that the **Seaport Lakes Water Systems LLC.** violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the **Seaport Lakes Water Systems LLC.** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$2,000.00** penalty to be paid by the **Seaport Lakes Water Systems LLC.** for each violation per RULE 11.10: PENALTIES of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
4. offer to settle the violation without payment of the penalties if the **Seaport Lakes Water Systems LLC.** consents to the following conditions:
  1. acknowledges the violation by December 31, 2023.

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment

# Calhoun County Groundwater Conservation District

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P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

2. pays a settlement fee of **\$0.00** by December 31, 2023; and
3. submits an administratively complete production permit application and any applicable applications fees to the District by December 31, 2023.

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete application by Date.

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Mike Benavides, Compliance Specialist

---

## Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20231103-02

Signature: \_\_\_\_\_

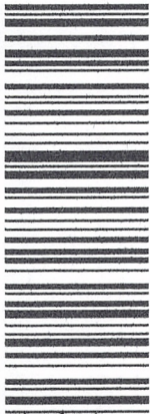
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Postage

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Total Postage and Fees

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Sent To

Seaport Lakes Water Systems

Street and Apt. No. or PO Box No.

P.O. Box 805

City, State, ZIP+4<sup>®</sup>

Port O'Connor, Texas 77982

GCD - Meeting Packet for January 22, 2024

Supplemental Documentation | Page 53 of 396

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
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1. Article Addressed to:

Seaport Lakes Water System  
 P.O. Box 815  
 Port O'Connor, Texas 77982



9590 9402 8167 3030 7554 81

2. Article Number (Transfer from service label)

CCGCD - Meeting Packet for January 22, 2024 - Supplemental Documentation | Page 54 of 396  
 7022 1670 0003 4383 0563

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**X** Agent Addressee

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***Calhoun County GCD***

PO Box 1395

Port Lavaca, TX 77979

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Port O'Connor, TX 77982

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\$	\$3.55
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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.66

Total Postage and Fees  
\$8.56



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P.O. Box 815  
City, State, ZIP+4®  
Port O'Connor, Texas 77982

2024 7222 0297 0000 4383 4950



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### Latest Update

Your item arrived at the PORT LAVACA, TX 77979 post office at 8:56 am on December 15, 2023 and is ready for pickup. Your item may be picked up at PORT O CONNOR, 611 W ADAMS ST, PORT O CONNOR, TX 779829800, M-F 0800-1600.

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### Available for Pickup

#### Available for Pickup

PORT O CONNOR  
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PORT O CONNOR TX 77982-9800  
M-F 0800-1600  
December 15, 2023, 8:56 am

#### In Transit to Next Facility

December 12, 2023

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean?](#)

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

December 6, 2023

Via CMRRC: 7022 1670 0003 4383 0594

Seaport Lakes Water Systems LLC.

P.O. Box 815, Port O'Connor, Texas, 77982

Enforcement Case Violation ID: ECV-20231103-02

To: Seaport Lakes Water Systems LLC.

Rule 4.1 of the Rules of the District for the Calhoun County Groundwater Conservation District establishes provisions related to obtaining a permit authorizing groundwater production for certain uses.

## RULE 4.1: GENERAL POLICIES RELATED TO PERMITS

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The District has attempted to assist your organization with developing the necessary application(s) to seek a production permit for the wells operated to produce groundwater for the public water system operated by your entity.

As of September 30, 2023, the District had not received an administratively complete application for this purpose.

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1. find that the **Seaport Lakes Water Systems LLC.** violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the **Seaport Lakes Water Systems LLC.** used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a **\$2,000.00** penalty to be paid by the **Seaport Lakes Water Systems LLC.** for each violation per RULE 11.10: PENALTIES of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
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  1. acknowledges the violation by December 31, 2023.

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# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org


2. pays a settlement fee of **\$0.00** by December 31, 2023; and
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Regards,



Mike Benavides, Compliance Specialist

---

## Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20231103-02

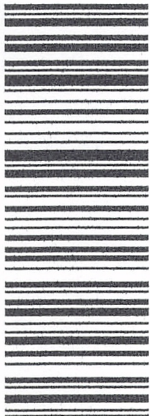
Signature: \_\_\_\_\_

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Sea Port Lakes Water Systems

Street and Apt. No. or PO Box No.

P.O. Box 815

City, State, ZIP+4®

Port O'Connor, Texas 77982



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1. Article Addressed to:

Sea Port Lakes Water System  
 P.O. Box 815  
 Port O'Connor, Texas 77982



9590 9402 8167 3030 7555 42

2. Article Number (Transfer from service label)

7022 1670 0003 4383 0594

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

**X**

- Agent
- Addressee

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**Calhoun GCD  
131-A N. Virginia St.  
Port Lavaca, Texas 77979**



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Port O'Connor, TX 77982

OFFICIAL USE

Certified Mail Fee	\$4.35
\$	\$3.55
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<input type="checkbox"/> Return Receipt (electronic)	\$ 0.00
<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	\$ 0.00
<input type="checkbox"/> Adult Signature Required	\$ 0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00

Postage \$0.66  
\$

**Total Postage and Fees**  
\$8.56  
\$

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City, State, ZIP+4®  
Port O'Connor, Texas 77982

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Product Information

# Calhoun County Groundwater Conservation District

P.O. Box 1395, Port Lavaca, Texas 77979  
Phone (361) 482-0357 | [www.calhouncountygcd.org](http://www.calhouncountygcd.org)

January 11, 2024

Via CMRRC: 7022 1670 0003 4383 0907

Seaport Lakes Water Systems LLC.  
P.O. Box 815, Port O'Connor, Texas, 77982

RE:

Enforcement Case Violation ECV-20231103-02

TO: Sea Port Lakes Water Systems

On December 12, 2023, the District attempted to provide notice of violation ECV-20231103-02 to you by certified mail (CMRRR 7022 1670 0003 4383 0594). A copy of this notice is attached to this letter.

This letter, in accordance with RULE 11.9: NOTICE OF NEED TO FILE SUIT of the Rules of the District, provides notice to you that I intend to seek authorization to pursue enforcement of the rules by filing a civil suit against you at the next regularly scheduled meeting of the board of directors.

A draft copy of the petition to be filed in relation to this violation is attached to this letter.

Regards



Tim Andruss  
General Manager



# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

December 12, 2023

Via CMRRC: 7022 1670 0003 4383 0594

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# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

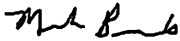
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Regards,



Mike Benavides, Compliance Specialist

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## Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20231103-02

Signature: \_\_\_\_\_

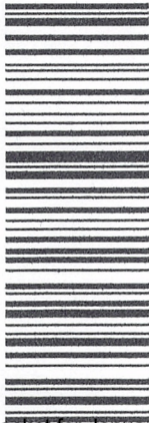
Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Calhoun County for the Benefit of Calhoun County's Landowners, Citizens, Economy, and Environment

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Total Postage and Fees

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Sea Port Lakes Water System

Street and Apt. No. PO Box No.

P.O. Box 815

City, State, ZIP+4®

Port O'Connor, Texas 77982



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**1. Article Addressed to:**

Sea Port Lakes Water System  
 P.O. Box 815  
 Port O'Connor, Texas 77982



9590 9402 8167 3030 7562 73

**2. Article Number (Transfer from service label)**

7022 1670 0003 4383 0907

**COMPLETE THIS SECTION ON DELIVERY****A. Signature****X**

- Agent
- Addressee

**B. Received by (Printed Name)****C. Date of Delivery**

- D. Is delivery address different from item 1?**  Yes  
 If YES, enter delivery address below:  No

**3. Service Type**

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- Adult Signature Restricted Delivery
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- Collect on Delivery Restricted Delivery
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- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

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# U.S. Postal Service™ CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

Port O'Connor, TX 77982

OFFICIAL USE

Certified Mail Fee \$4.35

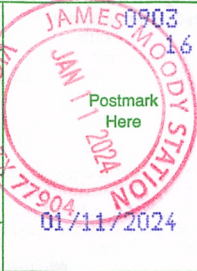
\$ 13.55

Extra Services & Fees (check box, add fee as appropriate)

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- Return Receipt (electronic) \$ 0.00
- Certified Mail Restricted Delivery \$ 0.00
- Adult Signature Required \$ 0.00
- Adult Signature Restricted Delivery \$

Postage \$0.90

Total Postage and Fees \$8.80



Sent To Sea Port Lakes Water System

Street and Apt. No. PO Box No. P.O. Box 815

City, State, ZIP+4® Port O'Connor, Texas 77982

2024 2022 029T 0000 43E4 89E3 0607



Tracking Number:

**70221670000343830907**

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Your item has been delivered and is available at a PO Box at 11:07 am on January 16, 2024 in PORT O CONNOR, TX 77982.

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Delivered, PO Box

PORT O CONNOR, TX 77982

January 16, 2024, 11:07 am

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USPS Tracking Plus®



Product Information





INTERA Incorporated  
9600 Great Hills Trail, Suite 300W  
Austin, Texas 78759 USA  
512.425.2000

December 18, 2023

Mr. Tim Andruss  
Victoria County Groundwater Conservation District  
2805 N. Navarro Street, Suite 210  
Victoria, TX 77901

**RE: Application of Geostatistical Techniques to Interpret Measured 2022 Water Levels**

Dear Mr. Andruss,

Attachment A provides INTERA's analysis of the 2022 water levels to support an assessment of compliance with GMA 15 DFCs.

As part of the transmission of this letter, INTERA has included separate presentations for Calhoun County GCD, Refugio GCD, Texana GCD and Victoria County GCD that summarize the results of the analysis of the 2022 water levels for their respective counties.

Please contact me if the District has any questions or comments on the final deliverables.

Sincerely,

A handwritten signature in black ink that reads "Steven C Young".

Steven C Young, PhD, PE, PG  
Principal Geoscientist  
INTERA, Incorporated

Cc: Lakin Beal, INTERA



## **Attachment A**

### **Application of Geostatistical Techniques to Interpret Measured 2022 Water Levels**

#### **Background**

In 2021, INTERA completed a study (Young and others, 2021) that accomplished the four tasks below for Calhoun County Groundwater Conservation District (GCD), Refugio GCD, Texana GCD, and Victoria County GCD:

1. Assembled measured groundwater elevations from GCD and Texas Water Development Board (TWDB) databases over the interval from 2000 to 2020 and integrated them into a single data set;
2. Employed geostatistical methods for interpolating annual groundwater for the Chicot and Evangeline aquifers from 2000 to 2020;
3. Evaluated the annual changes in the measured groundwater elevations across the four counties and in selected wells;
4. Provided recommendations for future work.

The geostatistical method used to develop the baseline set of results was an application of ordinary kriging. Kriging is a geostatistical interpolation technique that considers both the distance and the degree of variation between known data points when estimating values in unknown areas. Ordinary Kriging provides the best linear unbiased prediction at unsampled locations and reproduces the measured values at all sampled locations exactly. To meet underlying assumptions that were used to develop ordinary Kriging, the measured water levels were detrended prior to the application of ordinary Kriging. The measured water levels were detrended using water levels simulated by the central Gulf Coast Groundwater Availability Model (GAM) that were smoothed using an algorithm described by Young and others (2021). The method was given the acronym SSWL+KR, which stands for smoothed simulated water levels and Kriged residuals.

SSWL+KR was used to interpolate the water level residuals for the years 2000 through 2020 for both the Chicot Aquifer, the Evangeline Aquifer, and the Chicot and Evangeline Aquifer, which is created by combining the Chicot and Evangeline aquifers into single aquifer. The interpolation generated a continuous water level surface using square grid cells with a resolution of 1,000 ft. Using these surfaces, the average water levels were calculated by county and by year. In 2022, INTERA (Young, 2022) assembled the water levels measured in 2021 across the central Gulf Coast Aquifer and performed the SSWL+KR analysis for the four GCDs.

#### **Analysis of 2022 Water Level Data**

In 2023, INTERA assembled the measured water levels in 2022 and performed the SSWL+KR analysis. Table 1 lists the water levels. Figure 1 shows the location of the water levels that were used in the geostatistical analyses. Tables 2 through 5 provide the average value for the annual water levels for Calhoun County GCD, Refugio GCD, Texana GCD and Victoria County GCD from



2000 to 2022 for the Chicot Aquifer, the Evangeline Aquifer, and the combination of the Chicot and Evangeline aquifers. In addition, the average annual water levels, the tables also provide the difference in the annual water levels for each year and the year 2000. Hence, the values for water level change in the columns label 2022 represent the water level change from 2000 to 2022.

Figures 2 and 3 show water level contours for the Chicot Aquifer generated for the years 2000 and 2022, respectively. Figure 4 provides contours at 10-ft intervals that show the change in water levels from 2000 to 2022 for the Chicot Aquifer across Victoria, Jackson, Refugio, and Calhoun counties. Across these four GCDs, the contour intervals range between 30 ft (decline) and -20 ft (rebound).

Figures 5 and 6 show water level contours for the Evangeline Aquifer generated for the years 2000 and 2022, respectively. Figure 7 provides contours of the change in water levels from 2000 to 2022 for the Evangeline Aquifer. Across these four GCDs, the contour intervals range between 20 ft (decline) and -40 ft (rebound). In Figure 4, the areal extent of the Evangeline Aquifer in all four counties is based on the representation of the Evangeline Aquifer in the current Groundwater Availability Model (GAM) for GMA 15 developed by Chowdhury and others (2004).

## References

Chowdhury, A. H., S. Wade, R. E. Mace, and C. Ridgeway, 2004, Groundwater Availability Model of the Central Gulf Coast Aquifer System: Numerical Simulations through 1999 Model Report. Texas Water Development Board, 108 p.

Young, S.C., Kushnereit, R., Beal, L., Yan, T., and Pham, H. 2021. Application of Geostatistical Techniques to Quantify Changes in the Water Levels, prepared by INTERA Incorporated, prepared for the Calhoun County GCD, the Refugio GCD, the Texana GCD, and the Victory County GCD, May 2021

Young, S.C., 2022. Memorandum to Tim Andruss Titled: Application of Geostatistical Techniques to Interpret Measured 2021 Water Levels, dated June 29, 2022.

Table 1 List of Wells and Water Levels Used to Generate the Water Levels Surfaces for the Chicot and the Evangeline aquifers for 2022

INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
1927	Victoria County GCD - GW-000021	6657801	128	100	85.8	Chicot	Victoria
1928	Calhoun County GCD - GW-00003	na	35	75	21.5	Chicot	Calhoun
1946	Calhoun County GCD - NW-00033	na	6.56	560	-25.04	Chicot	Calhoun
1949	Refugio GCD - NW-00340	na	45	150	9.15	Chicot	Refugio
1957	Texana GCD - GW-00292	8004403	59	681	29	Evangeline	Jackson
1975	Victoria County GCD - GW-000767	na	57	450	24.25	Chicot	Victoria
1978	Victoria County GCD - GW-000489	8018402	56	336	24.6	Chicot	Victoria
1987	Texana GCD - GW-00385	8012502	36	330	9.8	Chicot	Jackson
1995	Victoria County GCD - GW-000510	7916608	65	327	40.4	Evangeline	Victoria
2000	Calhoun County GCD - GW-00009	8026501	39	267	7	Chicot	Calhoun
2013	Calhoun County GCD - GW-00001	na	19	175	1.4	Chicot	Calhoun
2018	Victoria County GCD - GW-000102	8019105	22	170	2.15	Chicot	Victoria
2029	Victoria County GCD - GW-000552	7907505	161	112	98.7	Evangeline	Victoria
2031	Victoria County GCD - GW-000150	8010502	57	140	33	Chicot	Victoria
2038	Victoria County GCD - GW-000578	7908403	139	100	94	Evangeline	Victoria
2039	Victoria County GCD - GW-000589	7908807	88	220	79	Evangeline	Victoria
2046	Victoria County GCD - GW-000687	7908406	125	152	89	Evangeline	Victoria
2056	Texana GCD - NW-00195	na	56	330	25.35	Chicot	Jackson

INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2058	Victoria County GCD - GW-000609	7923303	100	194	62.645	Evangeline	Victoria
2060	Victoria County GCD - GW-000494	7915305	178	190	85.3	Evangeline	Victoria
2064	Victoria County GCD - GW-000047	7916102	129	227	75.1	Evangeline	Victoria
2071	Refugio GCD - GW-00234	7932802	72	165	25.43	Chicot	Refugio
2075	Victoria County GCD - GW-000611	7924102	98	100	45.36	Chicot	Victoria
2083	Victoria County GCD - GW-000577	7908404	147	100	95.25	Evangeline	Victoria
2095	Victoria County GCD - GW-000607	7908805	111	169	62.45	Evangeline	Victoria
2096	Victoria County GCD - GW-000608	7915903	125	112	80.35	Evangeline	Victoria
2100	Refugio GCD - GW-00124	7931901	91	946	54.5	Evangeline	Refugio
2108		8017502	67	1026	35.54247191	Evangeline	Victoria
2111	Victoria County GCD - GW-000601	7916702	103	588	56.9	Evangeline	Victoria
2114		6541401	86	90	56.11	Chicot	Wharton
2115		6541402	80	338	34.23	Chicot	Wharton
2116		6541707	88	499	30.05	Chicot	Wharton
2123		6549901	58	375	24.575	Chicot	Matagorda
2124		6557802	54	315	- 2.733333333	Chicot	Matagorda
2129		6612603	298	188	202.95	Evangeline	Colorado
2133		6614703	266	90	239.63	Chicot	Colorado
2137		6619804	349	140	280.16	Chicot	Colorado
2141	Texana GCD - NW-00310	na	90	124	49.9	Chicot	Jackson
2147		6621603	239	812	173.02	Evangeline	Colorado
2150		6622201	234	995	192.6	Evangeline	Colorado
2157		6626202	260	126	207.83	Evangeline	Colorado
2161		6628702	255	565	177.38	Evangeline	Colorado



INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2173		6631107	155	450	120.089375	Chicot	Wharton
2174		6631504	142	178	101.96	Chicot	Wharton
2177		6632809	121	320	72.86	Chicot	Wharton
2183		6634201	197	90	174.42	Evangelina	Lavaca
2185		6634207	227	120	177.45	Evangelina	Lavaca
2194		6637607	163	318	121.83	Chicot	Colorado
2198		6637615	160	90	122.35	Chicot	Colorado
2202		6638202	155	90	125.19	Chicot	Wharton
2205		6638304	150	113	112.45	Chicot	Wharton
2206		6638801	127	116	101.17	Chicot	Wharton
2207		6639106	146	90	94.02	Chicot	Wharton
2210		6639801	118	300	79.85	Chicot	Wharton
2211		6640401	110	442	64.11666667	Chicot	Wharton
2212		6640505	113	90	76.23333333	Chicot	Wharton
2216		6641203	234	90	184.67	Evangelina	Lavaca
2217		6641703	222	164	154.82	Evangelina	Lavaca
2219		6641903	205	335	118.76	Evangelina	Lavaca
2225		6643704	139	90	113.24	Chicot	Lavaca
2226		6643803	151	1023	68.48	Evangelina	Lavaca
2227		6644402	164	880	88.47	Evangelina	Lavaca
2228		6644702	139	676	56.79	Evangelina	Colorado
2231		6645601	143	429	95.54	Chicot	Wharton
2233		6645916	129	125	79.05	Chicot	Wharton
2234		6646201	144	200	97.09	Chicot	Wharton
2235		6646402	134	366	78.83	Chicot	Wharton
2236		6646601	131	186	85.56	Chicot	Wharton
2238		6647101	123	319	72.44	Chicot	Wharton
2239		6647201	120	244	70.25	Chicot	Wharton
2240	Calhoun County GCD - GW-00005	na	15	490	-16.8	Chicot	Calhoun

INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2242		6647703	111	242	77.92	Chicot	Wharton
2243		6647904	99	340	43.09	Chicot	Wharton
2246		6648502	95	90	77.26666667	Chicot	Wharton
2248		6648701	98	90	64.6	Chicot	Wharton
2249		6648802	94	564	54.74	Chicot	Wharton
2250		6648907	90	630	29.2	Chicot	Wharton
2251	Calhoun County GCD - NW-00024	na	15	490	-17.4	Chicot	Calhoun
2252		6648908	90	90	63.86	Chicot	Wharton
2254		6649701	173	1082	118.16	Evangelina	Lavaca
2256		6649901	168	272	105.2	Evangelina	Lavaca
2264		6652603	106	515	40.03	Chicot	Wharton
2267		6653406	108	348	48.44292857	Chicot	Wharton
2268		6653503	94	338	46.05	Chicot	Wharton
2269	Texana GCD - GW-00294	6651505	128	627	55.35	Evangelina	Jackson
2271		6653804	82	495	41.82	Chicot	Wharton
2273		6654108	105	360	55.59	Chicot	Wharton
2276		6654906	91	461	20.15	Chicot	Wharton
2278		6655603	90	100	73.58	Chicot	Wharton
2279		6656302	81	490	15.12	Chicot	Wharton
2280		6656304	91	356	38.3	Chicot	Wharton
2283		6656403	84	275	33.21666667	Chicot	Wharton
2288		6661302	82	528	33.12524194	Chicot	Wharton
2290		6661305	81	600	41.94	Chicot	Wharton
2293		6662104	87	371	39.25	Chicot	Wharton
2294		6662307	88	180	60.63	Chicot	Wharton
2295		6662309	84	421	50.12	Chicot	Wharton
2303		6663507	68	90	59.57	Chicot	Wharton
2305		6663509	68	688	-13.07	Chicot	Wharton
2309		6664401	71	1057	-13.08	Evangelina	Matagorda

INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2328		6740301	284	90	272.09	Evangeline	Lavaca
2330		6740504	362	155	289.86	Evangeline	Lavaca
2349		6748203	288	200	197.46	Evangeline	Lavaca
2367		6755803	221	90	210.5	Evangeline	DeWitt
2374		6760905	321	90	238.4	Evangeline	DeWitt
2380		6762404	270	90	217.45	Evangeline	DeWitt
2382	Texana GCD - GW-00291	8004504	51	280	14.75	Chicot	Jackson
2392	Refugio GCD - NW-00570	na	25	320	3.5	Chicot	Refugio
2400		7905606	200	154	181.12	Evangeline	Goliad
2403	Refugio GCD - NW-00539	na	30	300	5.9	Chicot	Refugio
2405		7905903	217	280	166.19	Evangeline	Goliad
2406		7905904	199	164	173.09	Evangeline	Goliad
2407		7905905	217	314	165.33	Evangeline	Goliad
2408		7905906	269	277	178.83	Evangeline	Goliad
2409		7905907	235	261	168.48	Evangeline	Goliad
2410		7905908	271	118	192.05	Evangeline	Goliad
2411		7905909	258	143	185.66	Evangeline	Goliad
2414	Calhoun County GCD - GW-00014	8019503	27	265	10	Chicot	Calhoun
2416		7906306	232	138	153.62	Evangeline	DeWitt
2422		7906706	221	152	165.6	Evangeline	Goliad
2423		7906707	202	260	154.24	Evangeline	DeWitt
2424		7906708	220	300	156.19	Evangeline	DeWitt
2429		7906714	199	136	152.8	Evangeline	DeWitt
2430		7906715	238	150	180.1	Evangeline	Goliad
2431		7906716	238	90	181.09	Evangeline	Goliad
2445		7912602	285	350	187.23	Evangeline	Goliad
2456		7913223	240	93	183.85	Evangeline	Goliad
2458		7913225	230	90	182.6	Evangeline	Goliad
2461		7913229	233	152	177.42	Evangeline	Goliad



INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2462		7913230	250	282	173.05	Evangeline	Goliad
2464		7913304	246	317	173.31	Evangeline	Goliad
2465	Refugio GCD - GW-00085	7947702	40	200	8.7	Chicot	Refugio
2476		7913512	270	263	171.21	Evangeline	Goliad
2484		7913803	253	188	186.28	Evangeline	Goliad
2487		7913805	285	197	191	Evangeline	Goliad
2489		7913807	262	222	183.07	Evangeline	Goliad
2492		7913810	259	186	183.26	Evangeline	Goliad
2493		7913811	225	143	180.29	Evangeline	Goliad
2495		7913813	271	210	189.64	Evangeline	Goliad
2501		7914203	172	380	124.06	Evangeline	Goliad
2508	Texana GCD - GW-00285	8011201	49	579	17.35	Chicot	Jackson
2514		7915401	170	145	91.9	Evangeline	Goliad
2516		7915702	142	174	88.8	Evangeline	Goliad
2532		7920704	229	90	163.96	Evangeline	Goliad
2533		7920705	262	90	171.17	Evangeline	Goliad
2534		7921307	210	284	135.39	Evangeline	Goliad
2541		7922206	167	226	108.04	Evangeline	Goliad
2550		7922508	155	263	95.72	Evangeline	Goliad
2565	Victoria County GCD - GW-000377	8002804	63	92	33.8	Chicot	Victoria
2577		7927306	264	280	172.5	Evangeline	Goliad
2579		7928302	216	235	135.99	Evangeline	Goliad
2580		7928303	217	95	126.54	Evangeline	Goliad
2581		7928304	236	320	126.64	Evangeline	Goliad
2589		7930201	150	302	103.8	Evangeline	Goliad
2590		7930301	113	300	69.84	Evangeline	Goliad
2595		7931502	105	204	65.55	Evangeline	Goliad
2597		7931702	99	218	75.47	Evangeline	Goliad
2606	Texana GCD - NW-00451	na	14	402	-32.25	Chicot	Jackson

INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2607		7935305	226	150	167.57	Evangeline	Bee
2623		7937911	89	146	51.92	Evangeline	Goliad
2624		7937912	86	90	57.25	Chicot	Goliad
2630		7937918	92	96	52.71	Chicot	Goliad
2631		7937919	88	160	45.13	Evangeline	Goliad
2632		7938201	115	106	79.36	Evangeline	Goliad
2633		7938202	100	90	69.18	Chicot	Goliad
2635		7938301	89	90	65.95	Chicot	Goliad
2636		7938303	102	90	76.29	Chicot	Goliad
2637		7938704	86	90	52.99	Chicot	Goliad
2640		7938706	75	325	48.76	Evangeline	Goliad
2643		7939104	91	110	65.96	Chicot	Goliad
2650	Victoria County GCD - GW-000311	8017905	55	1010	27.5	Evangeline	Victoria
2655		7944103	156	150	103.91	Evangeline	Bee
2695		7964701	9	130	7.12	Chicot	Aransas
2713		8007102	59	1020	25.5	Evangeline	Matagorda
2714		8007203	55	453	- 11.81666667	Chicot	Matagorda
2715		8007312	51	350	-22.2	Chicot	Matagorda
2725		8008504	51	690	-31.11	Chicot	Matagorda
2730	Victoria County GCD - GW-000339	6657406	185	270	90.3	Evangeline	Victoria
2740		8014801	16	719	-3.55	Chicot	Matagorda
2742		8014903	12	320	-31.55	Chicot	Matagorda
2744		8015301	31	570	6.15	Chicot	Matagorda
2746		8015502	27	776	-26.52	Chicot	Matagorda
2759		8022204	15	360	-32.36	Chicot	Matagorda
2765		8024201	11	490	3.79	Chicot	Matagorda
2766		8024406	7	360	-28.43	Chicot	Matagorda
2768		8024601	4	275	-3.2	Chicot	Matagorda

INTaID	GCD Well ID	TWDB Well ID	Land Surface Elevation (ft)	Well Depth (ft)	Water Level (ft, msl)	Assigned Unit	County
2769		8024802	2	380	-26.6	Chicot	Matagorda
2772		8033205	48	98	12.15	Chicot	Refugio
2779		8049702	8	90	3.67	Chicot	Aransas
2781	Victoria County GCD - GW-000602	7916701	103	578	60.2	Evangeline	Victoria
2782		8101102	50	1032	-34.27	Evangeline	Matagorda
2783		8101205	36	480	-23.95	Chicot	Matagorda
2785		8102404	31	450	-21.03	Chicot	Matagorda
2786		8102605	25	525	-9.98	Chicot	Matagorda
2787		8102901	19	294	-23.24	Chicot	Matagorda
2788		8103406	26	530	-14.15	Chicot	Matagorda
2794		8111901	3	527	-16.5	Chicot	Matagorda
2797		8117405	5	472	-18.48	Chicot	Matagorda
3018	Pecan Valley GCD - PV-04114	na	214	240	176.6	Evangeline	DeWitt
3038	Victoria County GCD - GW-001022	na	180.4462	180	93.3312	Evangeline	Victoria
3042	Texana GCD - GW-00444	na	13.1234	300	-33.39326667	Chicot	Jackson
3043	Texana GCD - GW-00446	na	13.1234	110	-33.96993333	Chicot	Jackson
3044	Texana GCD - GW-00562	na	9.8425	430	-29.1575	Chicot	Jackson
3046	Texana GCD - GW-00566	na	45.9318	150	34.6818	Chicot	Jackson

<sup>1</sup> Used 2020 Water Level Measurement in place of 2021

<sup>2</sup> Used Average of 2020 and 2022 Water Level Measurements in place of 2021





Table 2 Average annual water level (ft, msl) and change in the average annual water level for Calhoun County for the Chicot Aquifer, the Evangeline Aquifer and the Chicot & Evangeline aquifers

Aquifer	Water Level/ Change	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Chicot	avg. WL (ft)	-7.0	-5.9	-4.9	-0.3	-1.8	1.9	-4.5	-1.0	0.8	-2.6	-2.6	-1.2	-7.6	-5.1	-6.8	-7.7	-7.8	-2.6	-4.2	-2.9	-2.6	-5.0	-1.8
	change (ft)*	0.0	1.1	2.1	6.7	5.2	8.9	2.5	6.1	7.8	4.4	4.4	5.8	-0.6	2.0	0.2	-0.6	-0.8	4.4	2.8	4.1	4.5	2.0	5.2
Evangeline	avg. WL (ft)	17.7	11.3	8.1	25.2	13.7	13.3	21.8	28.0	15.1	16.5	18.1	14.6	18.7	10.3	1.2	3.6	3.6	11.6	-8.0	15.2	16.4	9.9	6.6
	change (ft)*	0.0	-6.4	-9.6	7.5	-4.0	-4.4	4.1	10.3	-2.6	-1.2	0.4	-3.1	1.0	-7.4	-16.5	-14.2	-14.1	-6.1	-25.8	-2.5	-1.3	-7.8	-11.1
Chicot & Evangeline	avg. WL (ft)	-3.2	-3.7	-3.5	3.7	0.2	3.3	-0.2	3.7	3.1	0.2	0.4	1.0	-3.1	-2.8	-5.7	-6.1	-6.2	-0.4	-5.7	-0.1	0.5	-3.1	-1.3
	change (ft)*	0.0	-0.5	-0.3	7.0	3.4	6.6	3.1	6.9	6.3	3.4	3.6	4.2	0.1	0.4	-2.5	-2.8	-3.0	2.8	-2.5	3.1	3.7	0.1	1.9

\* change is measured relative to the year 2000; avg WL is measured relative to mean sea level

Table 3 Average annual water level (ft, msl) and change in the average annual water level for Jackson County for the Chicot Aquifer, the Evangeline Aquifer and the Chicot & Evangeline aquifers

Aquifer	Water Level/ Change	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Chicot	avg. WL (ft)	21.3	19.3	23.4	26.5	26.5	29.3	23.0	29.9	30.7	26.4	27.1	28.1	20.2	23.6	20.3	22.1	20.6	25.9	25.7	26.2	28.0	25.4	29.5
	change (ft)*	0.0	-2.0	2.1	5.2	5.2	8.0	1.7	8.6	9.4	5.1	5.8	6.8	-1.1	2.2	-1.0	0.8	-0.7	4.6	4.4	4.9	6.7	4.1	8.2
Evangeline	avg. WL (ft)	17.0	19.2	21.8	21.0	22.0	22.0	21.5	32.6	27.5	20.9	17.1	19.6	6.2	20.4	1.7	12.0	21.0	17.4	-3.5	15.4	15.9	12.1	13.0
	change (ft)*	0.0	2.3	4.9	4.0	5.1	5.1	4.6	15.7	10.6	3.9	0.1	2.6	-10.7	3.4	-15.2	-4.9	4.1	0.4	-20.4	-1.5	-1.0	-4.9	-4.0
Chicot & Evangeline	avg. WL (ft)	19.0	19.1	22.5	23.6	24.2	25.6	22.2	31.2	29.0	23.5	22.0	23.8	13.1	21.9	11.0	16.9	20.7	21.5	11.0	20.8	21.9	18.7	21.1
	change (ft)*	0.0	0.1	3.5	4.6	5.2	6.6	3.1	12.2	10.0	4.5	3.0	4.8	-5.9	2.8	-8.1	-2.1	1.7	2.5	-8.0	1.7	2.9	-0.3	2.1

\* change is measured relative to the year 2000; avg WL is measured relative to mean sea level

Table 4 Average annual water level (ft, msl) and change in the average annual water level for Refugio County for the Chicot Aquifer, the Evangeline Aquifer and the Chicot & Evangeline aquifers

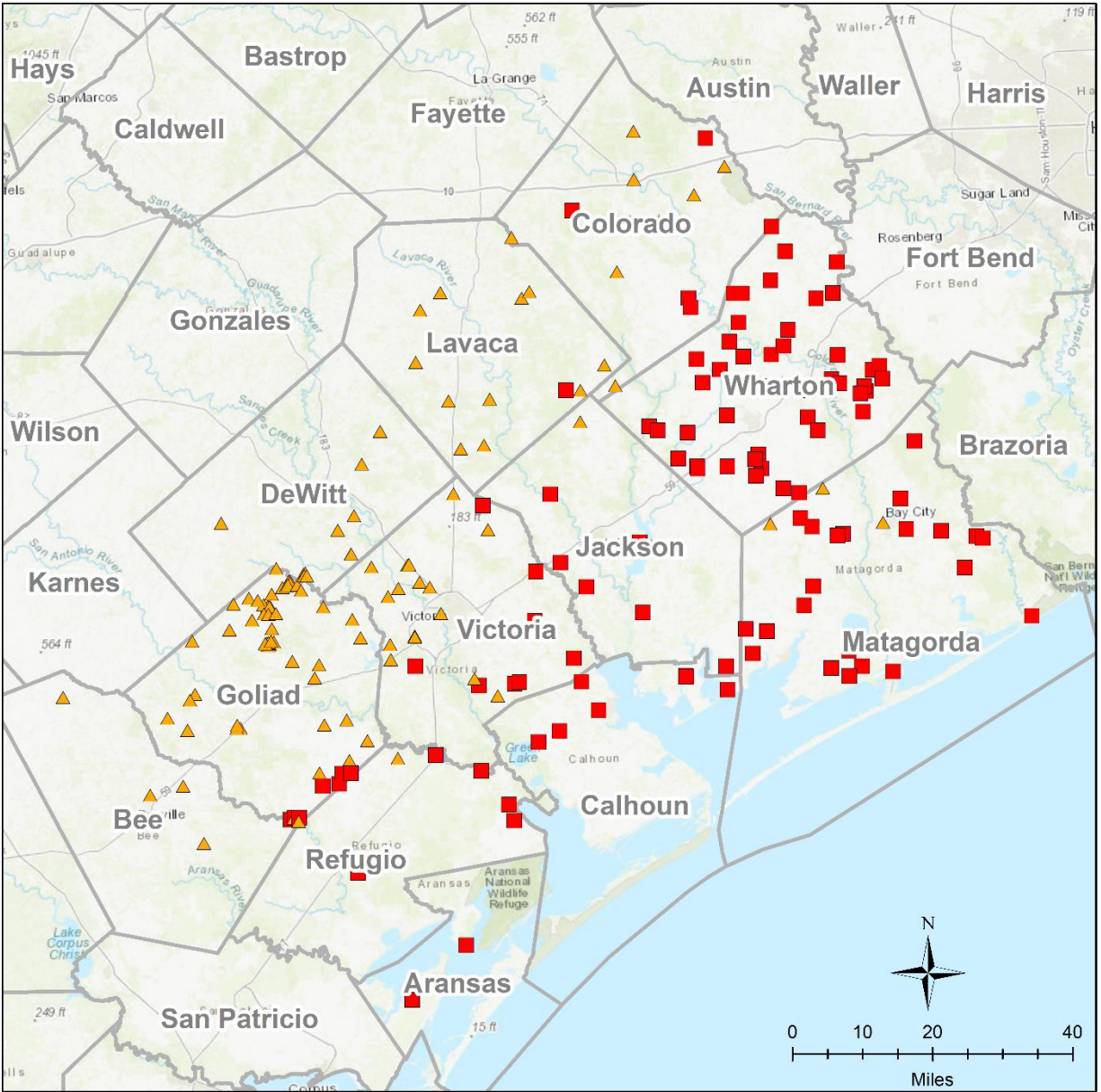
Aquifer	Water Level/ Change	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Chicot	avg. WL (ft)	24.8	23.6	28.3	27.2	24.5	28.3	24.6	27.4	29.0	24.3	22.7	23.5	23.0	19.4	4.5	14.5	19.6	19.2	19.0	20.0	18.4	14.9	19.6
	change (ft)*	0.0	-1.2	3.6	2.5	-0.2	3.5	-0.1	2.6	4.3	-0.5	-2.1	-1.2	-1.8	-5.4	-20.2	-10.3	-5.2	-5.6	-5.8	-4.8	-6.4	-9.9	-5.2
Evangeline	avg. WL (ft)	32.5	31.7	34.2	39.8	37.9	40.7	38.3	35.4	31.2	31.7	21.7	31.6	33.1	27.0	23.9	22.3	24.6	30.4	20.5	28.2	30.9	24.6	28.3
	change (ft)*	0.0	-0.8	1.6	7.2	5.3	8.1	5.8	2.8	-1.3	-0.9	-10.8	-1.0	0.5	-5.5	-8.6	-10.3	-7.9	-2.2	-12.0	-4.3	-1.7	-7.9	-4.2
Chicot & Evangeline	avg. WL (ft)	26.3	25.4	29.1	31.0	28.8	31.8	28.9	29.0	28.5	26.1	20.7	25.6	25.8	21.4	11.9	16.7	20.4	22.8	18.6	22.4	22.6	17.8	22.2
	change (ft)*	0.0	-0.9	2.8	4.7	2.5	5.6	2.6	2.7	2.2	-0.1	-5.5	-0.7	-0.5	-4.9	-14.4	-9.5	-5.8	-3.5	-7.7	-3.9	-3.7	-8.4	-4.1

\* change is measured relative to the year 2000; avg WL is measured relative to mean sea level

Table 5 Average annual water level (ft, msl) and change in the average annual water level for Victoria County for the Chicot Aquifer, the Evangeline Aquifer and the Chicot & Evangeline aquifers

Aquifer	Water Level/ Change	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Chicot	avg. WL (ft)	49.8	49.2	47.8	48.8	49.6	52.6	51.8	52.0	52.4	50.9	52.8	48.0	43.5	50.1	45.5	48.2	49.9	51.4	52.0	49.9	47.9	48.6	51
	change (ft)*	0.0	-0.6	-2.0	-1.0	-0.2	2.8	2.0	2.2	2.6	1.1	3.0	-1.7	-6.3	0.3	-4.3	-1.6	0.1	1.6	2.2	0.1	-1.9	-1.2	1.1
Evangeline	avg. WL (ft)	29.8	32.0	40.6	48.8	51.0	48.9	47.6	53.4	53.0	47.7	44.8	41.3	32.4	45.3	40.9	41.4	45.6	46.1	30.6	38.0	39.1	42.7	43.3
	change (ft)*	0.0	2.2	10.8	19.0	21.2	19.1	17.7	23.5	23.1	17.8	15.0	11.5	2.5	15.4	11.0	11.5	15.7	16.3	0.7	8.2	9.3	12.9	13.5
Chicot & Evangeline	avg. WL (ft)	41.3	42.4	46.0	50.6	51.9	52.2	51.2	54.2	54.2	50.7	50.2	46.2	39.3	49.3	44.8	46.3	49.3	50.4	42.7	45.6	45.1	47.4	48.8
	change (ft)*	0.0	1.0	4.6	9.2	10.5	10.9	9.9	12.9	12.9	9.4	8.9	4.9	-2.0	7.9	3.4	5.0	7.9	9.0	1.4	4.2	3.8	6.1	7.5

\* change is measured relative to the year 2000; avg WL is measured relative to mean sea level



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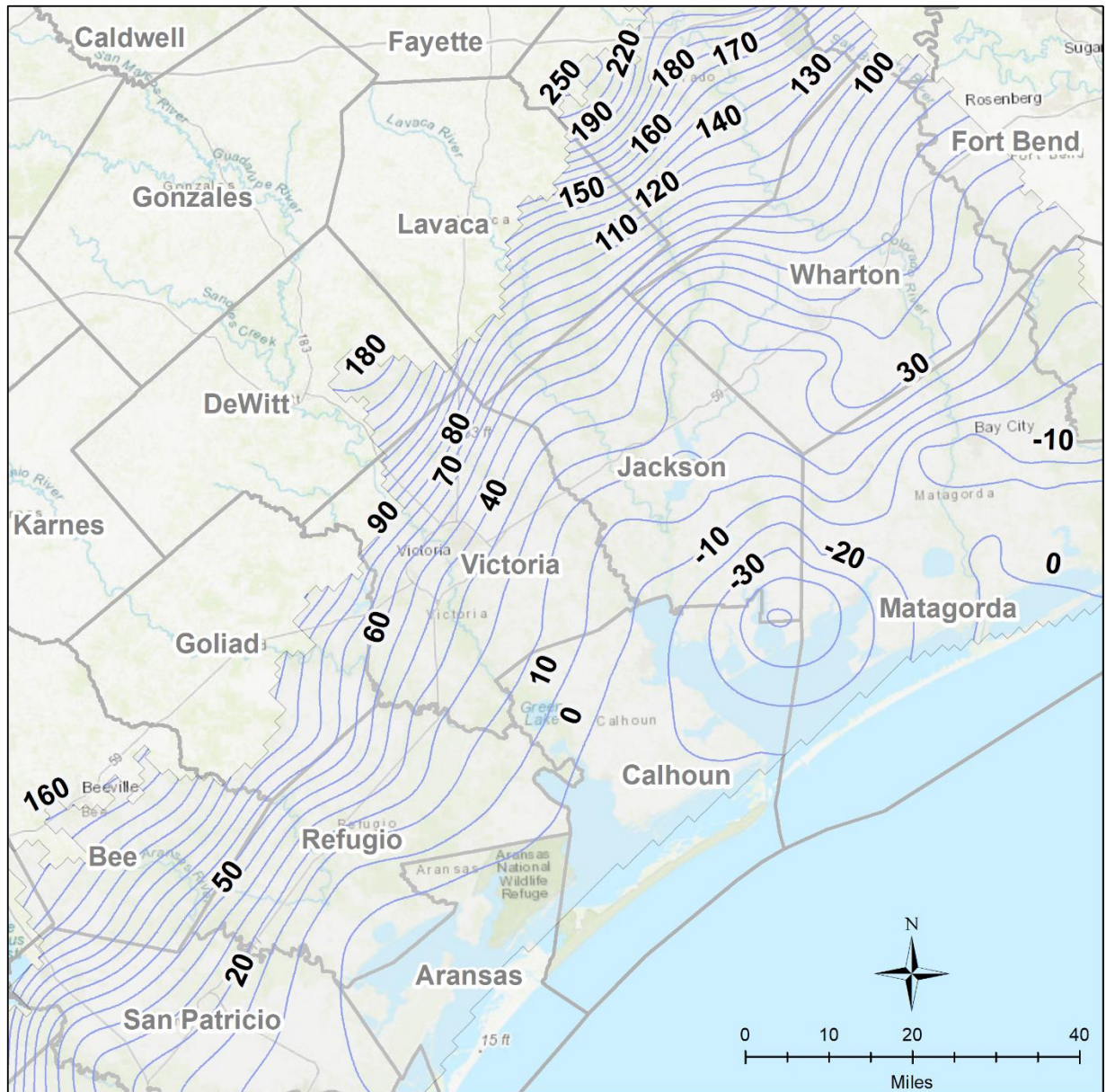
### Monitoring Well Network

- Chicot Aquifer
- ▲ Evangeline Aquifer
- County Line

Figure 1 Location of Water Levels that were Interpolated to Generate the Water Levels Surfaces for the Chicot and the Evangeline aquifers



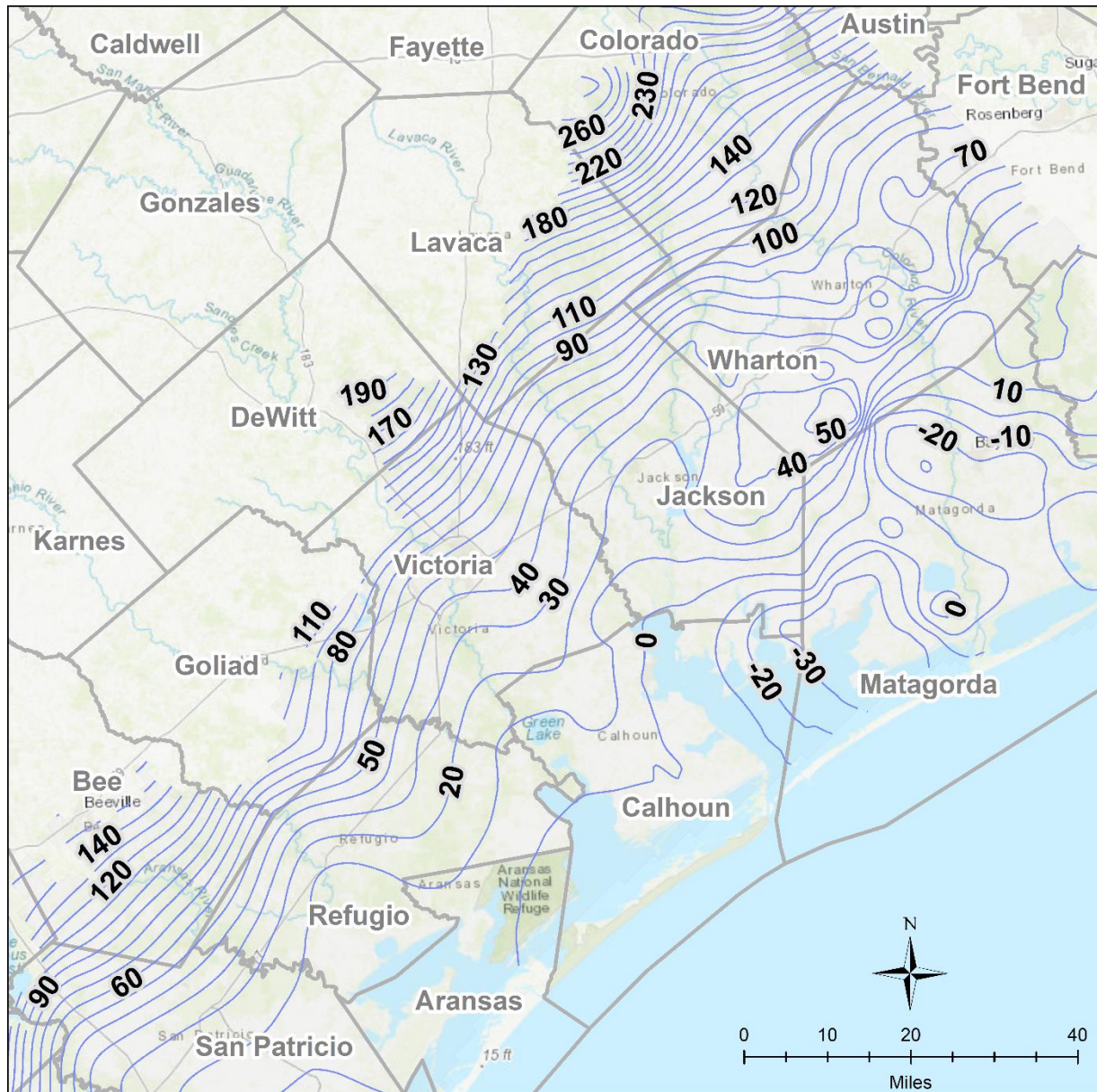




### Chicot Water Level (2000)

- 10 ft Contour
- County Line

Figure 2 Contours of the 2000 Water Levels Generated for the Chicot Aquifer.



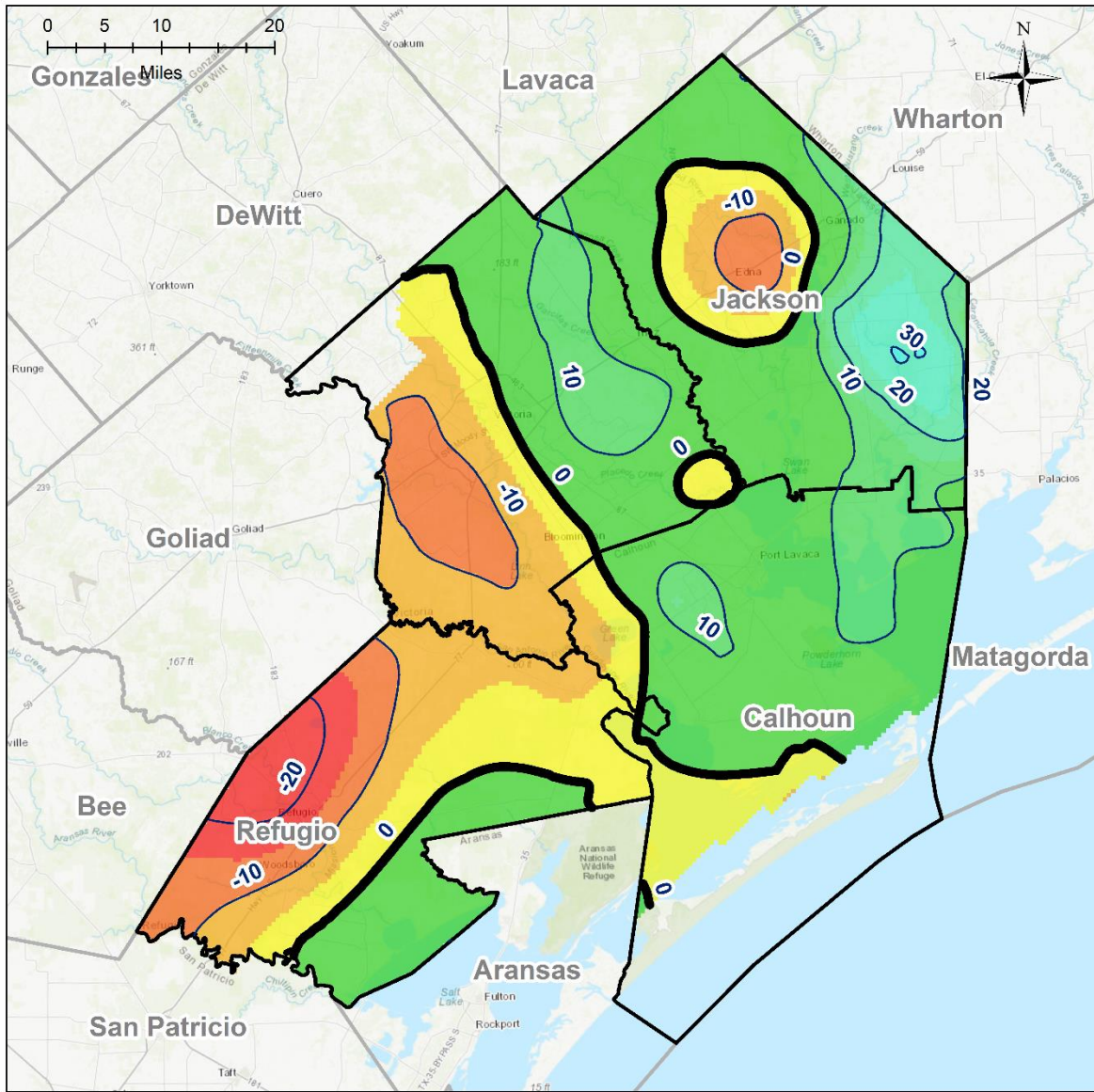
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### Chicot Water Level (2022)

- 10 ft Contour
- County Line

Figure 3 Contours of the 2022 Water Levels Generated for the Chicot Aquifer from the Water Levels in Table 1.





**Change in Water Level (ft): Chicot 2000-2022**

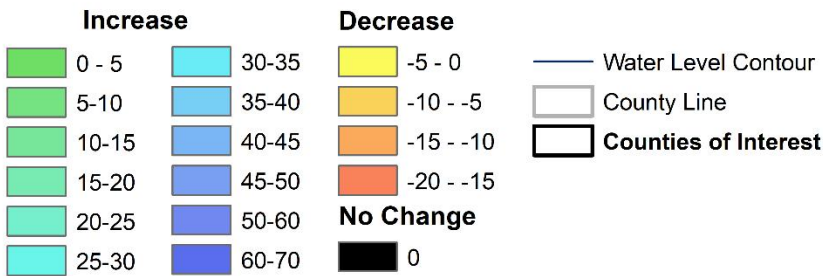
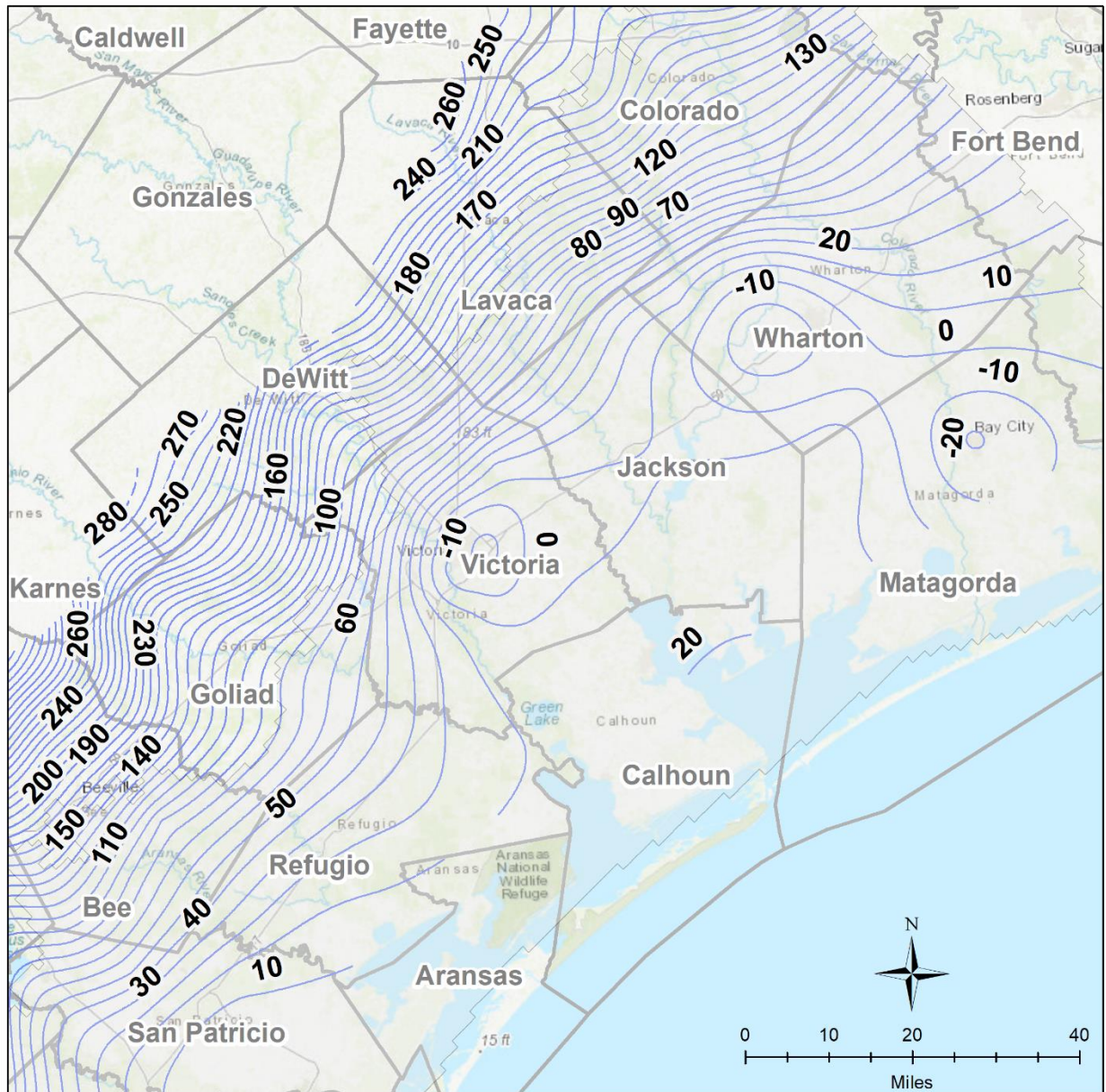


Figure 4 Contours of the change in water levels in the Chicot Aquifer from 2000 to 2022.



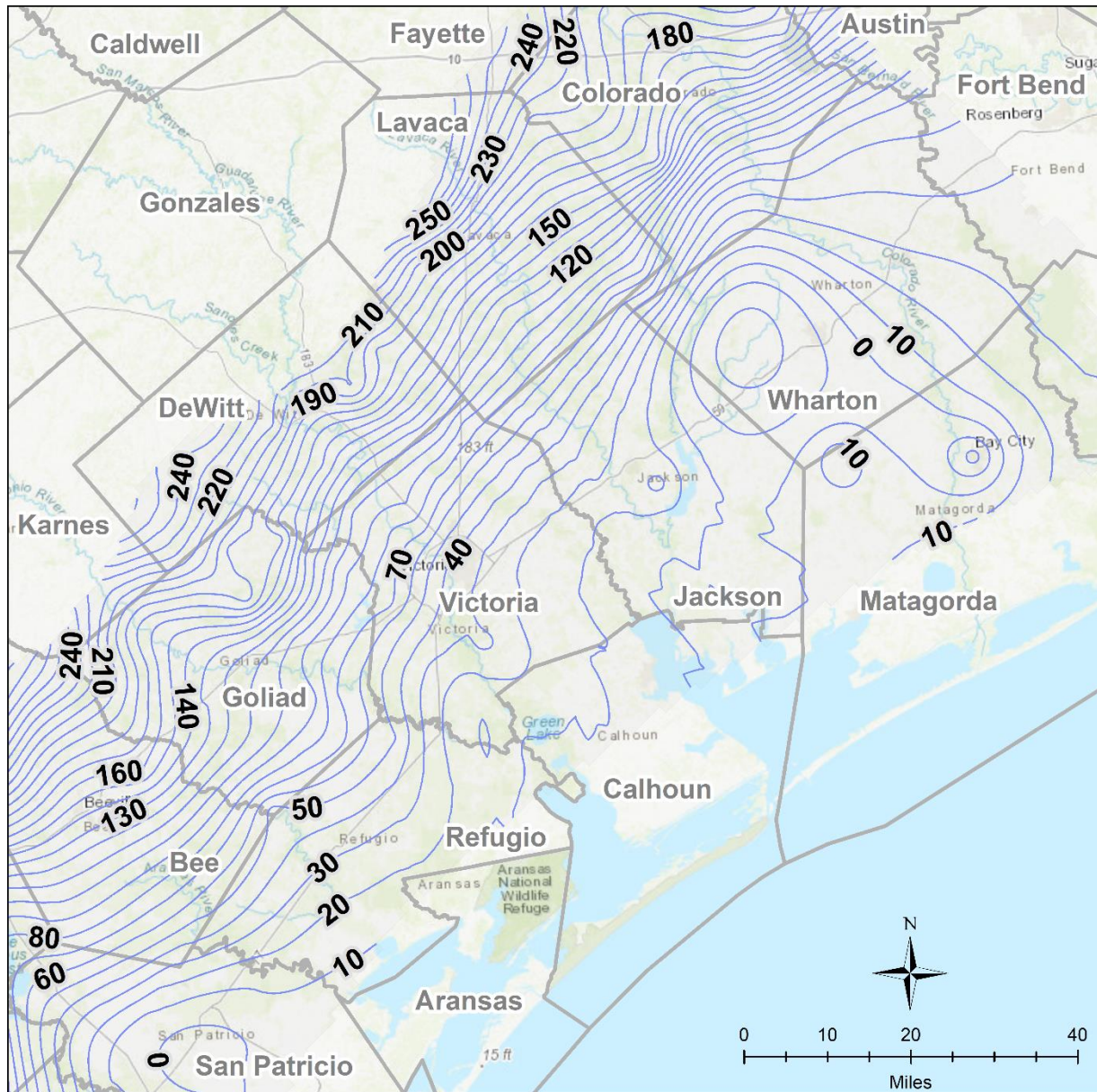


### Evangeline Water Level (2000)

- 10 ft Contour
- County Line

Figure 5 Contours of the 2000 Water Levels Generated for the Evangeline Aquifer.



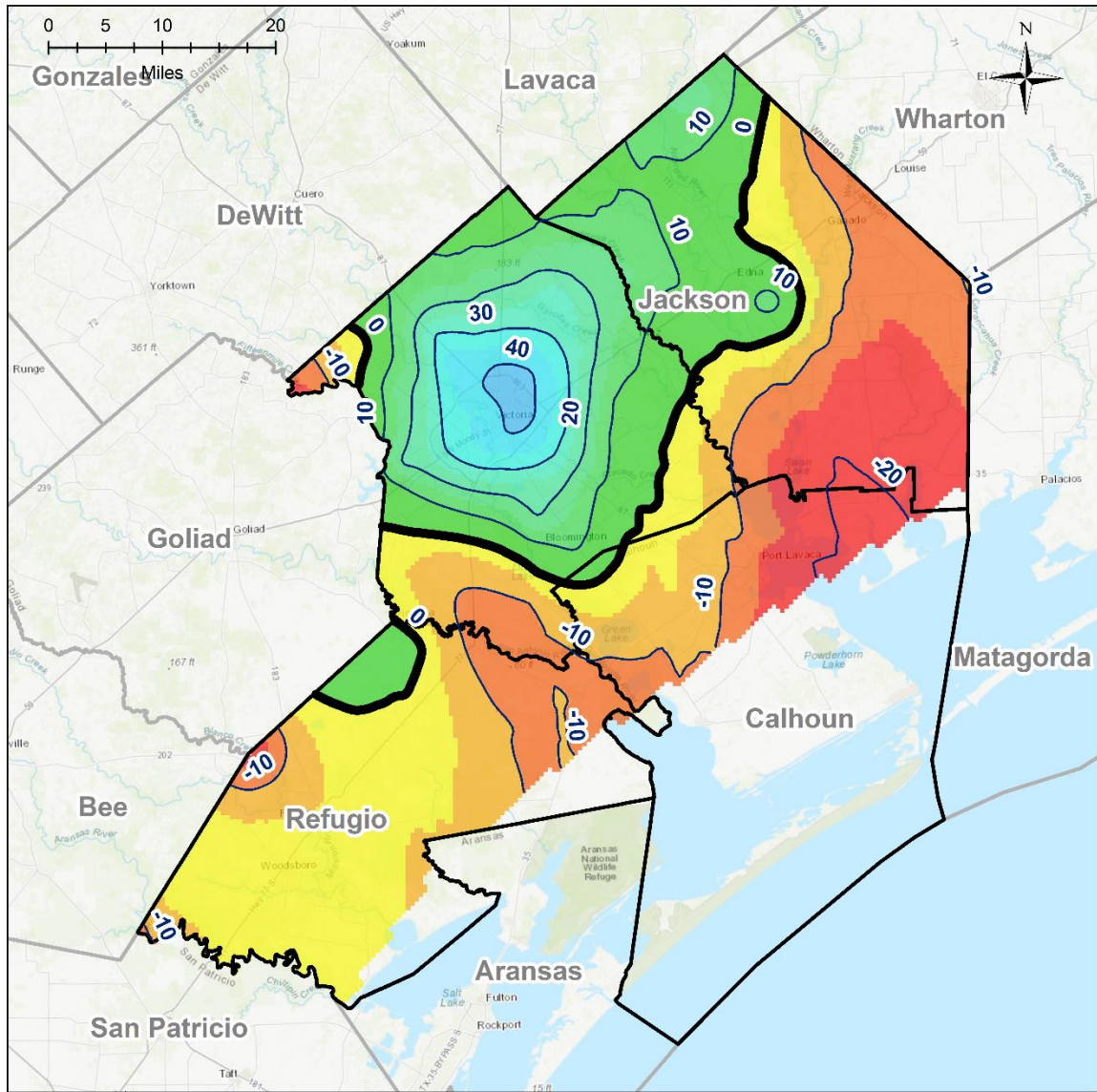


Document Path: S:\AUS\VCgcd.C008.WL23\GIS\mxd\WLContours\_Regional.mxd

### Evangeline Water Level (2022)

- 10 ft Contour
- County Line

Figure 6 Contours of the 2022 Water Levels Generated for the Evangeline Aquifer from the Water Levels in Table 1



**Change in Water Level (ft): Evangeline 2000-2022**

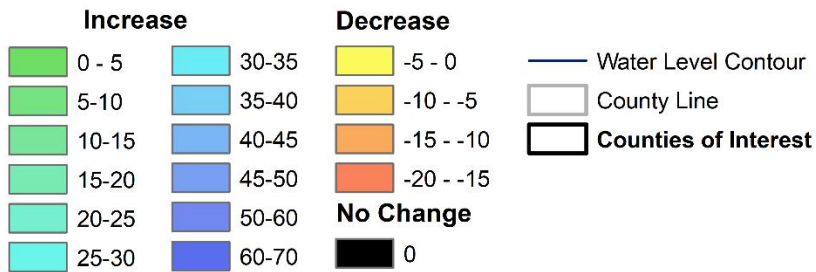


Figure7 Contours of the change in water levels in the Evangeline Aquifer from 2000 to 2022.



# Geostatistical Technique to Assess and to Evaluate Changes in Water Levels

A Presentation  
to



**December 18, 2023**

# Project Work Flow

## ■ Data Collection of Measured Water Levels

- Assemble GCD and TWDB Water Levels for 2022
- Integrate TWDB and GCD water levels into a single data set
- Assign wells to the Chicot and Evangeline Aquifer

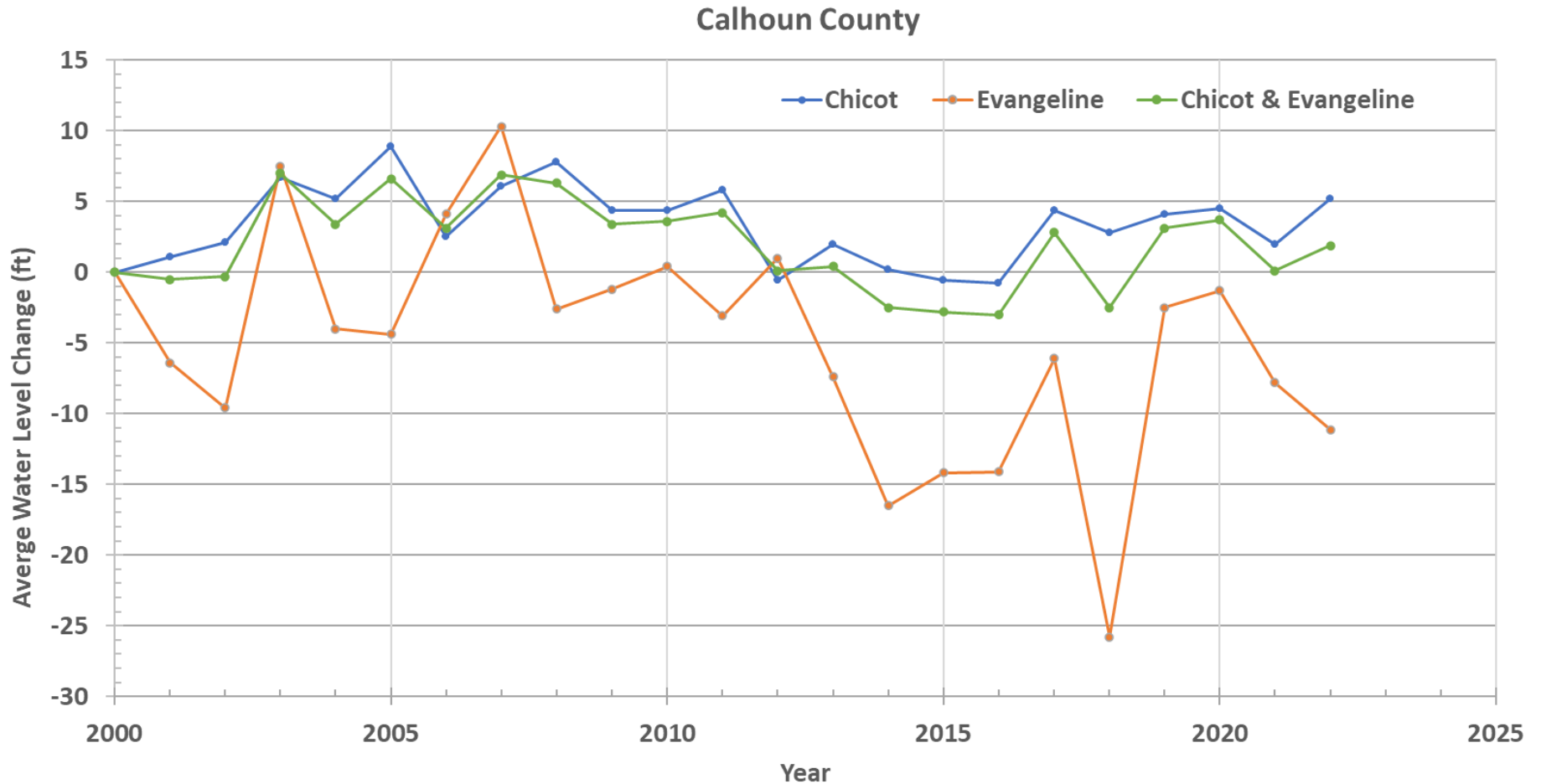
## ■ Generate Water Level Contours for Chicot and Evangeline Aquifers

- Estimate a trend in the Gulf Coast water levels using smoothed water levels from the Groundwater Availability Model
- Calculate difference between measured and modeled water level (WL)  
$$WL\ Residual = Measured\ WL - Predicted\ WL$$
- Perform geostatistics using WLs residuals to generate WL contours

## ■ Determine Water Level Change

- Apply analysis methods explained and applied in “Application of Geostatistical Techniques to Quantify Changes in Water Levels (INTERA, 2021)”
- Calculate average water by aquifer and by year (2000 to 2022)

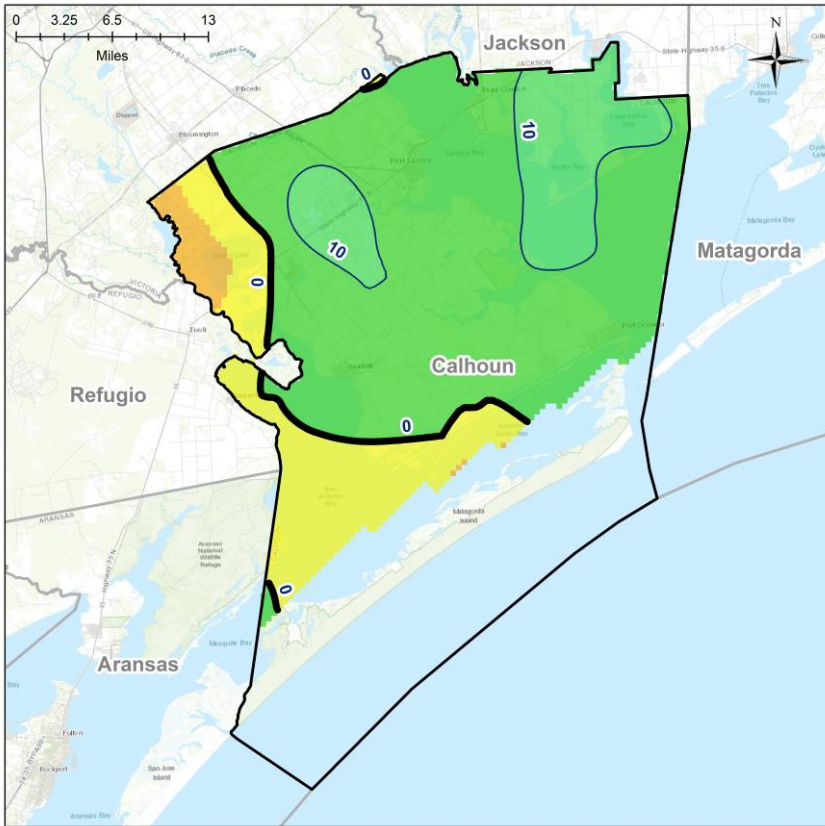
# Water Level Change Over Time



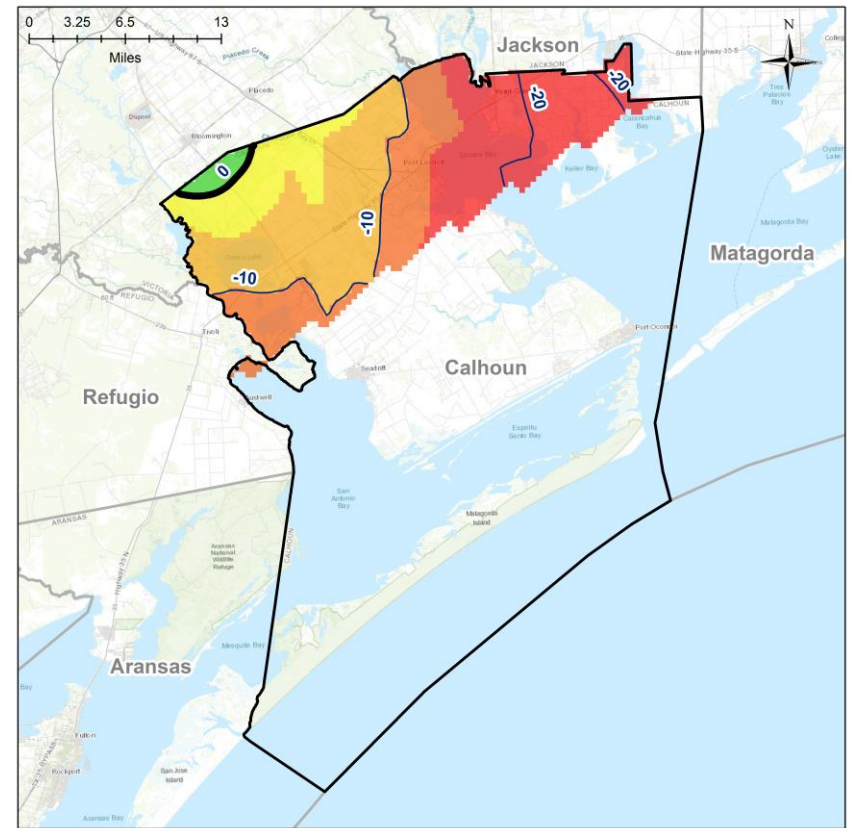
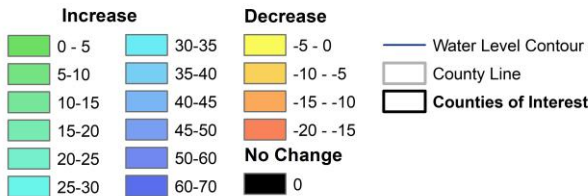
Note: positive number indicates a rebound in water levels since 2000



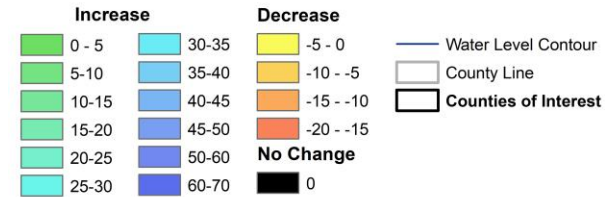
# Averaged Change in Water Levels from 2000 to 2022



Change in Water Level (ft): Chicot 2000-2022

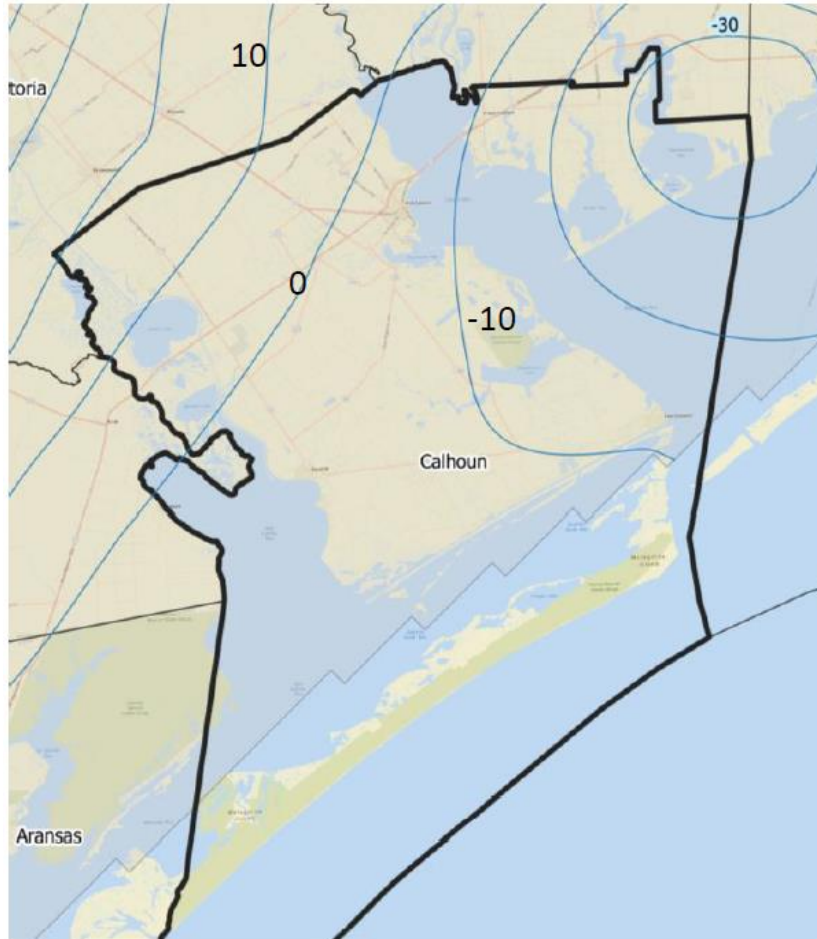


Change in Water Level (ft): Evangeline 2000-2022

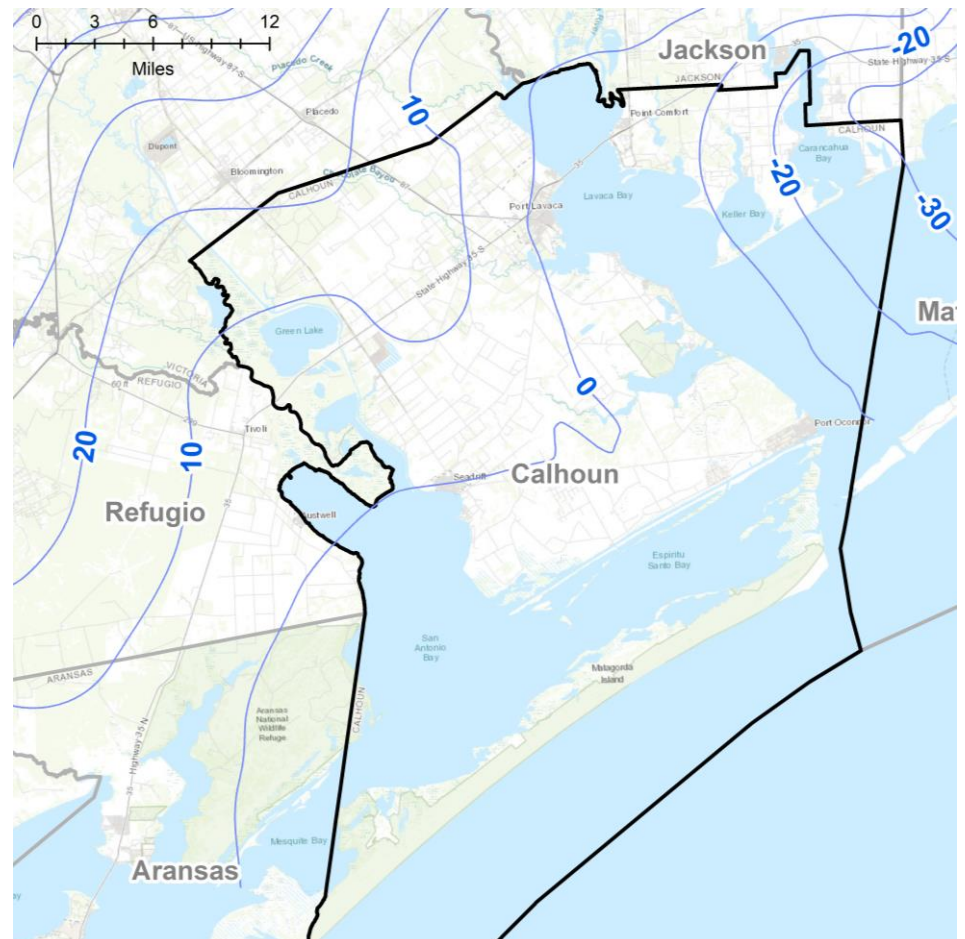


# Contoured Water Levels for Chicot

2000



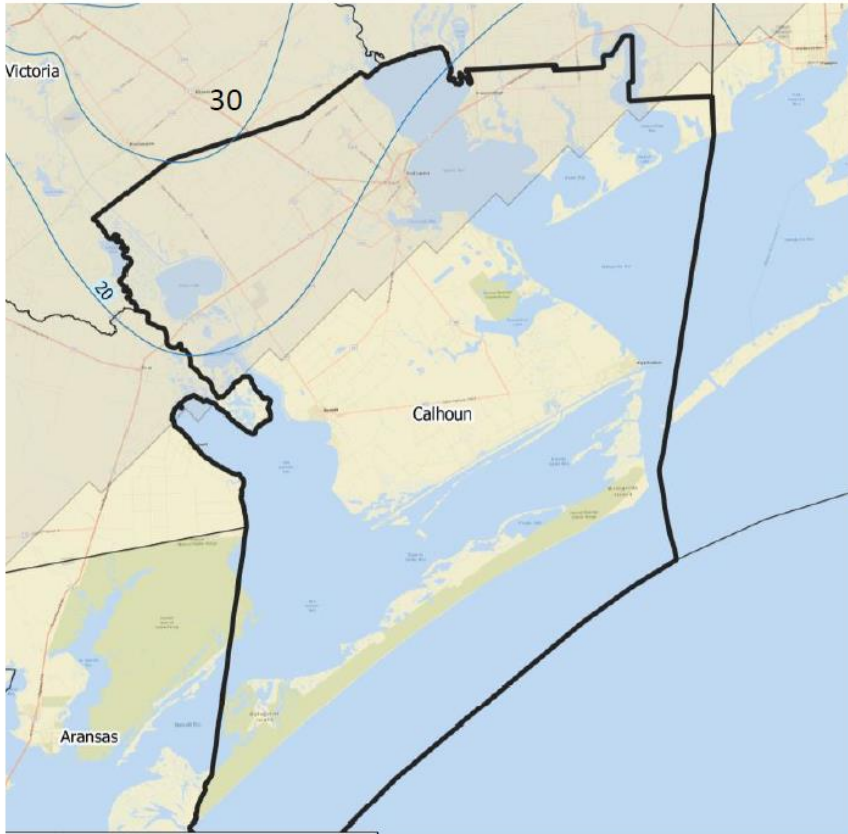
2022



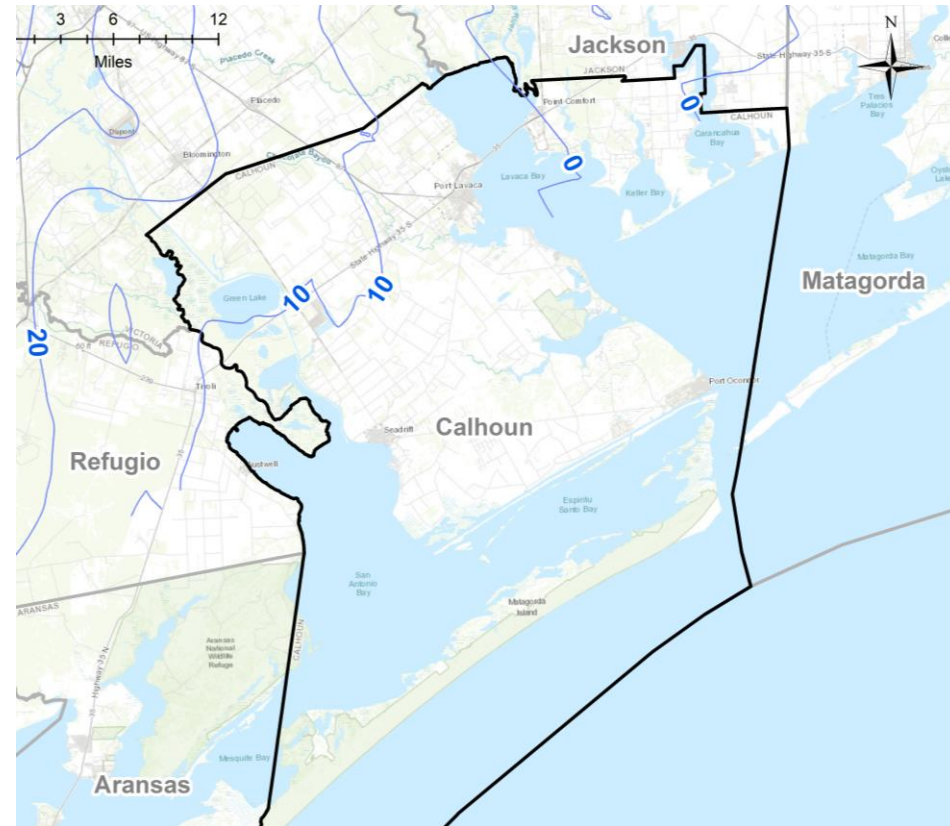


# Contoured Water Levels for Evangeline

2000



2022





RULES OF THE CALHOUN COUNTY GROUNDWATER  
CONSERVATION DISTRICT

ADOPTED: July 24, 2023

EFFECTIVE: July 24, 2023

PROPOSED REVISIONS  
(ALL MARKUP)

# PROLOGUE

## INTRODUCTION

The rules of the Calhoun County Groundwater Conservation District were originally adopted on May 31, 2017.

The rules of the Calhoun County Groundwater Conservation District were originally in effect as of October 1, 2017.

The rules of the Calhoun County Groundwater Conservation District were modified and re-adopted on April 18, 2018.

The rules of the Calhoun County Groundwater Conservation District were modified and re-adopted on January 23, 2023.

In accordance with Section 59 of Article XVI of the Texas Constitution, Chapter 8860, Special Districts and Local Laws Code and Chapter 36 of the Texas Water Code, the following rules are hereby ratified and adopted as the Rules of the Calhoun County Groundwater Conservation District by its board of directors. Each rule as worded herein has been in effect since the date of passage and as may be hereafter amended.

The rules, regulations, and modes of procedure herein contained are and have been adopted to simplify procedures, avoid delays, and facilitate the administration of the water laws of the state of Texas and the polices of the district. The rules of the district shall be construed in such a manner as to attain these objectives.

The rules of the district may be used as guides in the exercise of discretion, where discretion is vested. However, under no circumstances and in no particular case may the rules of the district be construed as a limitation or restriction upon the exercise of powers, duties, and jurisdiction conferred by law. The rules of the district will not limit or restrict the amount and accuracy of data or information that may be required for the proper administration of the law.

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PROPOSED REVISIONS  
(ALL IN PINK)

# SECTION 1: DEFINITIONS AND CONCEPTS

## RULE 1.1: DEFINITIONS OF TERMS

In the administration of its duties, the Calhoun County Groundwater Conservation District follows the definitions of terms set forth in the district act, Chapter 36 of the Texas Water Code, Chapter 76 of Title 16 of the Texas Administrative Code, and the definitions as follow:

ACRE-FOOT means the amount of water necessary to cover one acre of land one foot deep and is equal to 325,851 U.S. gallons of water.

ADMINISTRATIVELY COMPLETE means the condition of an application when all information required and requested has been provided to the district, including the information specified in the rules of the district or reasonably related to an issue that the district by law is authorized to consider.

APPLICANT means the person, who possessing sufficient legal authority to obligate the associated owners of groundwater resources, the associated owners of land, and the associated well owners to the regulations, requirements, and conditions of permits and district waivers resulting from the approval of an application, submits an application to the district.

APPLICATION means the completed forms and associated information supporting a request for authorization from the district related to the regulation of the groundwater resources within the district, including the information specified in the rules of the district or reasonably related to an issue that the district by law is authorized to consider.

AQUIFER CONDITION PARAMETERS means quantitative physical characteristics of the Gulf Coast Aquifer System required, by the district, to be monitored as a condition of a production permit.

AQUIFER CONDITION TIER 1 PARAMETERS means the following measurements:

1. water level of a well as feet below the ground surface,
2. specific conductivity of a well as  $\mu\text{S}/\text{cm}$ , and
3. temperature as  $^{\circ}\text{C}$ .

AQUIFER CONDITION TIER 2 PARAMETERS means the following measurements:

1. water level of a well as feet below the ground surface;
2. temperature as  $^{\circ}\text{C}$ ;
3. total dissolved solids, M2540C;
4. elements / metals, ICPMS (0.45u filtered and acid preserved): SW6020A;
5. specific conductivity, M2510 B;
6. alkalinity, M2320 B;
7. pH, M45000-H+ B;
8. anions, IC method, Water E300;



9. Silica, USEPA method 370.1.

AQUIFER CONDITION TIER 3 PARAMETERS means the following measurements: alkalinity, ammonia, arsenic, barium, bicarbonate, bromide, cadmium, chromium, carbonate, calcium, chloride, dissolved oxygen, fluoride, iron, iodide, lead, magnesium, mercury, molybdenum, nitrate, nitrate, oxidation reduction potential, potassium, selenium, silver, sodium, sulfate, sulfite, total dissolved solids, total hardness, total phosphorus, total organic carbon, total suspended solids, turbidity, and uranium.

ARTESIAN WELL means a well drilled through impermeable strata to reach water capable of rising to the surface by internal hydrostatic pressure.

AUTHORIZED AGENT means the person, who possessing sufficient legal authority to obligate certain owners of groundwater resources, certain owners of land, certain well owners, or certain authorized operators to the regulations, requirements, and conditions of permits and district waivers issued by the district, represents and acts for those other persons regarding matters within the jurisdiction of the district.

AUTHORIZED ANNULAR SPACE SEALANT means a material that will:

1. create a seal against the borehole wall preventing the leaking of fluids into the borehole,
2. create a seal against the well casing preventing the development of liquid flow paths along the outside of the casing, and
3. fills and sets up to fill the voids between the outside of the casing and the borehole wall having structural integrity and porosity that prevents the migration of fluids through the sealant. Authorized materials include neat cement grout, bentonite-cement grout, high-solids bentonite grout, bentonite slurry, and properly hydrated bentonite chips/pellets/granules.

AUTHORIZED GROUNDWATER PRODUCTION means the non-exempt use of a well, a well field, or well system resulting in the flowing of or extraction of groundwater from a well, a well field, or a well system as authorized by the district under a production permit.

AUTHORIZED GROUNDWATER PRODUCTION AMOUNT means the quantity of groundwater, in units of acre-foot per year, authorized to be produced from a well, a well field, or a well system by the district under a production permit.

AUTHORIZED GROUNDWATER PRODUCTION PURPOSE means the beneficial use for which groundwater produced from a well, a well field, or a well system may be put as authorized by the district under a production permit.

AUTHORIZED GROUNDWATER PRODUCTION RATE means the quantity of groundwater, in units of gallons permit or gallons per day, authorized to be produced from a well, a well field, or a well system by the district under a production permit.

AUTHORIZED GROUNDWATER TRANSFER AMOUNT means the quantity of groundwater in units of acre-foot per year, that the district has authorized to be transferred out of the district under a transfer permit.

AUTHORIZED GROUNDWATER TRANSFER LOCATION means location that the district has authorized to groundwater to be transferred by permit.

AUTHORIZED GROUNDWATER TRANSFER PERIOD means the period of time that the district has authorized groundwater to be transferred by permit.

AUTHORIZED GROUNDWATER TRANSFER PURPOSE means the beneficial use to which groundwater transferred outside of the district under a transfer permit issued by the district is authorized to be put.

AUTHORIZED OPERATOR means any person authorized by the district by permit to operate a well, well field, well system, or groundwater transfer facility.

AVERAGE AQUIFER CONDITION means the average of aquifer condition parameters calculated from measurements collected in association with an aquifer monitoring plan, approved by the district, collected during a particular period of time from a well or wells.

BENEFICIAL USE means:

1. the use of groundwater for agricultural, gardening, domestic, stock raising, municipal, mining, manufacturing, industrial, commercial, recreational, or pleasure purposes;
2. the use of groundwater for exploring for, producing, handling, or treating oil, gas, sulfur, or other minerals; or
3. the use of groundwater for any other purpose that is useful and does not constitute waste of groundwater.

BOARD OF DIRECTORS means the governing body of the district.

CONTIGUOUS OWNERSHIP OF LAND means a unit of ownership of land held by a single person, entity, or undivided interests in the unit of land surrounding a single location without interrupting ownership.

CONTIGUOUS OWNERSHIP OF GROUNDWATER RESOURCES means a unit of ownership of groundwater resources held by an individual person, entity, or undivided interests in a unit of groundwater resources surrounding a single location without interrupting ownership.

DEAF PERSON means a person who has a hearing impairment that inhibits the person's comprehension of the proceedings or communication with others.

DEDICATED AQUIFER MONITORING WELL means a well that is designed, constructed, and used solely for the purposes of monitoring aquifer conditions.

DEEP-SALINE NON-HISTORIC USE means the non-exempt use of a well, a well field, or well system, which is not validated by the district as historic use, resulting in the flowing of or extraction of groundwater from a deep-saline special groundwater management zone from a well, a well field, or a well system as authorized by the district under a production permit.

DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONE means a special groundwater management zone designated by the district comprised of a water-bearing stratum containing saline groundwater existing at least one thousand three hundred feet (1,300 feet) below ground surface.

DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONES designated by the district include:

DEEP-SALINE WELL means a well that is a non-grandfathered non-exempt-use well with well screening isolated in a deep-saline special groundwater management zone.

DEEP-SALINE WELL FIELD means a set of wells that are or would be classified as a non-grandfathered non-exempt-use wells with well screening isolated in a deep-saline special groundwater management zone located on a contiguous tract of land owned or controlled by the owners of the wells.

DESIRABLE GROUNDWATER means groundwater that is not injurious to vegetation, animals, land, or would not cause or contribute to contamination of land or water.

DETERIORATED WELL means a well that, because of its condition, will cause or is likely to cause pollution of any water in this state, including groundwater.

DISTRICT means the Calhoun County Groundwater Conservation District.

DISTRICT ACT means Chapter 8860, Special District Local Laws Code and the non-conflicting provisions of Chapter 36, Water Code.

DISTRICT OFFICE means the office of the district as established by action of the board of directors.

DISTRICT WAIVER means the modification, reduction, or elimination of a rule, requirement, or condition of the rules of the district or of a permit issued by the district that is granted by the board of directors upon a finding of good cause.

DOMESTIC means those activities related to the maintenance of a household.

DORMANT WELL means a non-exempt-use well that is not a deteriorated well or abandoned well which the authorized operator has notified the district, by submitting an application requesting the well be classified as a dormant well, that the well will not be operated for the foreseeable future and the district will be notified, by submitting an application requesting the well be classified as an active well prior to any operation of the well.



EVIDENCE OF HISTORIC USE means evidence that is material and relevant to a determination of the amount of groundwater produced for beneficial use from a grandfathered well, grandfathered well field, or grandfathered well system for a non-exempt use without waste of groundwater during the historic use validation period.

EXEMPT USE means the use or operation of a well or set of wells for exempt-use purposes.

EXEMPT-USE PURPOSES means:

1. producing groundwater for domestic use purposes;
2. producing groundwater for livestock or poultry watering purposes;
3. producing groundwater for firefighting purposes; ~~or~~
4. producing groundwater for groundwater monitoring purposes in a volume that does not exceed five thousand gallons (5,000 gallons) of water per year; ~~or~~
- 4.5. otherwise exempt under Section 36.117, Water Code.

EXEMPT-USE WELL means a well used solely for exempt-use purposes.

FEE means a charge imposed by the district pursuant to Texas Water Code Chapter 36.

FEE TYPES include:

1. ADMINISTRATIVE FEE means a fee assessed by the district on an applicant for the submittal of an application.
2. PRODUCTION FEE means a fee assessed by the district on authorized operators based on the volume of groundwater produced from a non-exempt-use well.
3. TRANSFER FEE means a fee assessed by the district on authorized operators based on the volume of groundwater transferred out of the boundary of the district.

GENERAL MANAGER means the person employed by the district assigned the responsibility of managing the district office and completing duties, actions, and tasks as directed by the board of directors.

GEOGRAPHIC COORDINATE means the latitude and longitude of a location described in measurements of World Geodetic System, WGS 1984 EPSG 4326.

GOOD CAUSE means a reasonable and rational justification for the board of directors to take an action to accomplish and achieve its management goals and objects related to preserving, conserving, recharging, and protecting groundwater resources, controlling subsidence and preventing waste of groundwater within the district.

GRANDFATHERED EXEMPT-USE WELL means a well that existed at the date of the original adoption of the rules of the district used during and after the historic use period solely for exempt-use purposes.

**GRANDFATHERED NON-EXEMPT-USE WELL** means a well that existed at the date of the original adoption of the rules of the district used for non-exempt-use purposes during the historic use period.

**GRANDFATHERED NON-EXEMPT-USE WELL FIELD** means a well field that existed, in its entirety, at the date of the original adoption of the rules of the district used for non-exempt-use purposes during the historic use period.

**GRANDFATHERED NON-EXEMPT-USE WELL SYSTEM** means a well system that existed, in its entirety, at the date of the original adoption of the rules of the district used for non-exempt-use purposes during the historic use period.

**GRANDFATHERED STATUS** means the classification, assigned by the district, of the purpose of use for a well, a well field, or a well system as a grandfathered well, a grandfathered well field, a grandfathered well system, a non-grandfathered well, a non-grandfathered well field, or a non-grandfathered well system.

**GRANDFATHERED WELL** means a well that existed at the date of the original adoption of the rules of the district and the present pattern of operation of the well is the same as the historic use of the well.

**GRANDFATHERED WELL FIELD** means a well field that existed, in its entirety, at the date of the original adoption of the rules of the district and the present pattern of operation of the well field is the same as the historic use of the well field.

**GRANDFATHERED WELL SYSTEM** means a well system that existed, in its entirety, at the date of the original adoption of the rules of the district and the present pattern of operation of the well system is the same as the historic use of the well system.

**GROUNDWATER PRODUCTION** means the operation of a well, a well field, or a well system that results in the extraction of groundwater from a well.

**GROUNDWATER RESOURCES** means the water percolating below the surface of the earth.

**GROUNDWATER QUALITY CLASSIFICATIONS** include:

1. **FRESH GROUNDWATER** means groundwater with a total dissolved solids concentration less than one thousand milligrams per liter (1,000 mg/L).
2. **SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration 1) equal to or greater than one thousand milligrams per liter (1,000 mg/L) and 2) equal to or less than ten thousand milligrams per liter (10,000 mg/L).
  - 2.1. **SLIGHTLY SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration 1) equal to or greater than one thousand milligrams per liter (1,000 mg/L) and 2) equal to or less than three thousand milligrams per liter (3,000 mg/L).
  - 2.2. **MODERATELY SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration 1) greater than three thousand milligrams per liter (3,000 mg/L) and 2) equal to or less than ten thousand milligrams per liter (10,000 mg/L).

2.3. **EXTEREMLY SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration greater than ten thousand milligrams per liter (10,000 mg/L).

**GULF COAST AQUIFER SYSTEM** means the water-bearing strata and geologic formations of the Chicot Aquifer, Evangeline Aquifer, Jasper Aquifer, or any other water-bearing geologic formation within the boundary of the district.

**HEARING EXAMINER** means a person appointed by the board of directors to conduct a hearing or other proceeding.

**HIGH-CAPACITY NON-HISTORIC USE** means the production of groundwater for non-exempt use that is:

1. produced from one or more wells located on one or more tracts of contiguous groundwater ownership associated with a permit request for a production permit for non-historic use with:
  - 1.1. the cumulative authorized groundwater production rate being greater than or equal to five hundred gallons per minute (500 GPM), excluding the authorized groundwater production rates associated with historic use or deep-saline non-exempt use; or
  - 1.2. the authorized groundwater production amount being greater than or equal to two hundred and fifty acre-foot per year (250 acre-foot per year), excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use.

**HIGH-CAPACITY NON-HISTORIC-USE PRODUCTION PERMIT** means a production permit issued by the district associated with an application requesting authorization to produce groundwater that qualifies as high-capacity non-exempt use.

**HISTORIC USE** means the specific pattern of operation of a well that has not been plugged, a well field, or a well system that occurred during the historic use validation period including the annual quantity of groundwater produced from the well, the well field, or the well system and the specific purposes of use of the produced groundwater for which evidence of the specific pattern of operation of a well, a well field, or a well system during the historic use validation period exists.

**HISTORIC USE VALIDATION PERIOD** means the time period before the date of the original adoption of the rules of the district.

**HISTORIC USE VALIDATION PERMIT** means a production permit issued by the district associated with an application requesting validation and protection of historic use.

**HISTORIC USE VALIDATION YEAR** means the calendar year during the historic use validation period for which validation of historic use is being sought for a grandfathered well, a grandfathered well field, or a grandfathered well system.



INITIAL AVERAGE AQUIFER CONDITIONS means the average aquifer condition calculated from measurements collected in association with an aquifer monitoring plan, approved by the district, before groundwater is produced under a production permit.

LANDOWNER means the person who has legal title to the land surface of a tract of land within the district.

LICENSED WELL DRILLER means a person licensed or registered by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules to perform drilling work.

MANAGEMENT PLAN OF THE DISTRICT means the foundational document developed, amended, approved, and adopted by the board of directors of the Calhoun County Groundwater Conservation District in accordance with Section 36.1071 of the Texas Water Code.

NON-EXEMPT USE means the use or operation of a well or set of wells for non-exempt-use purposes.

NON-EXEMPT-USE PURPOSES means producing or using groundwater resources for any purpose other than those defined as exempt-use purposes.

NON-EXEMPT-USE WELL means a well that used for non-exempt-use purposes.

NON-EXEMPT-USE WELL FIELD means the collection of wells located on a contiguous tract of land owned or controlled by a person or set of persons used collectively for non-exempt-use purposes.

NON-EXEMPT-USE WELL SYSTEM means the collection of wells located on multiple tracts of contiguous land owned or controlled by a person or set of persons used collectively for non-exempt-use purposes, which is connected by a transmission or distribution system.

NON-GRANDFATHERED EXEMPT-USE WELL means an exempt-use well that is not a grandfathered well or a replacement well of a grandfathered well.

NON-GRANDFATHERED NON-EXEMPT-USE WELL means a non-exempt-use well that is not a grandfathered well or a replacement well of a grandfathered well.

NON-GRANDFATHERED NON-EXEMPT-USE WELL FIELD means a non-exempt-use well field that is not a grandfathered well field.

NON-GRANDFATHERED NON-EXEMPT-USE WELL SYSTEM means a non-exempt-use well system that is not a grandfathered well system.

NON-GRANDFATHERED WELL means a well that is not a grandfathered well or a replacement well of a grandfathered well.

NON-GRANDFATHERED WELL FIELD means a well field that is not a grandfathered well field.

NON-GRANDFATHERED WELL SYSTEM means a well system that is not a grandfathered well system.

NON-HISTORIC USE means the specific pattern of operation of a well, a well field, or a well system that did not occur during the historic use validation period including the annual quantity of groundwater produced from the well, the well field, or the well system and the specific purposes of use of the produced groundwater.

OPEN MEETINGS LAW means Chapter 551, Texas Government Code.

ORIGINAL EXEMPT-USE GRANDFATHERED WELL means a well that 1) existed on the original date the rules of the district were adopted, 2) satisfied the definition of an exempt use well as defined in the version of the rules of the district adopted on October 1, 2017, and 3) an administratively complete application to register the well or well log had been submitted to or obtained by the district prior to the date the version of the rules of the district adopted on October 1, 2017, were superseded.

ORIGINAL EXEMPT-USE NON-GRANDFATHERED WELL means a well that 1) was drilled after the original date the rules of the district were adopted, 2) satisfied the definition of an exempt use well as defined in the version of the rules of the district adopted on October 1, 2017, and 3) an administratively complete application to register the well or well log had been submitted to or obtained by the district prior to the date the version of the rules of the district adopted on October 1, 2017, were superseded.

OWNER OF GROUNDWATER RESOURCES means the person or set of persons who owns and controls a defined unit of groundwater resources within the boundaries of the district.

OWNERSHIP OF GROUNDWATER RESOURCES means the possession and control of groundwater water located within a defined three-dimensional boundary within the district.

OWNERSHIP OF LAND means the possession and control of land surface located within a defined boundary within the district.

PERMIT means a document issued by the district conditionally authorizing a person to perform certain actions within the jurisdiction of the district.

PERMIT AMENDMENT means a modification of a valid permit previously issued by the district.

PERSON means a natural person, partnerships of two or more persons having a joint or common interest, corporation, organization, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association, any other legal entity, or the

combination of multiple persons to form an entity to which the rules and regulations of the district may apply.

PERSONAL RECREATION means those activities related to the recreation of an individual or a household.

PETITION TO AMEND THE RULES OF THE DISTRICT means a request to add, revise, or eliminate specific requirements or limitations established by the board of directors within the rules of the district.

PLUGGING means the activity of altering a well to prevent the production of groundwater from the production casing or the movement of water or other fluids, including injurious water, between water bearing strata intersected by the well borehole, resulting in an absolute sealing of the well bore.

PLUGGED WELL means a well that has been altered to prevent the production of groundwater from the production casing or the movement of water or other fluids, including injurious water, between water bearing strata intersected by the well borehole, and to result in an absolute sealing of the well bore.

PRESIDING OFFICER means the President, Vice-President, Secretary, or other director of the district presiding at any hearing or other proceeding or a hearing examiner conducting any hearing or other proceeding of the district.

PRODUCED GROUNDWATER means water that has been pumped, flowed, or extracted from a well.

PRODUCTION AREA means the spatial boundary and extent of the area within the boundary of ownership or control of groundwater resources associated with a production permit that:

1. encompasses the location of the subject well, subject well field, or subject well system; and encompasses sufficient area to satisfy the associated groundwater production limitations under which the permit was issued by the district if the production permit authorizes non-historic use; or
2. encompasses the location of the subject well, subject well field, or subject well system; and encompasses the portion of the ownership or control of groundwater resources associated with the validated historic use of the permit if the production permit authorizes historic use.

PRODUCTION CAPACITY means the rate at which a well, a well field, or a well system can produce groundwater.

PRODUCTION PERMIT means the authorization issued by the district to use a well, a well field, or a well system for non-exempt use that specifies the authorized groundwater production purpose, the authorized groundwater production rate, the authorized groundwater production amount, and any special conditions for a designated period of time.



PRODUCTION ZONE means the water-bearing stratum or strata that a well is completed in and from which groundwater is released into the water well.

PROTECTION OF HISTORIC USE means authorizing the continued operation of a grandfathered well, a grandfathered well field, or a grandfathered well system in a manner consistent with the validated historic use of the grandfathered well, the grandfathered well field, or the grandfathered well system.

PUBLIC WATER SUPPLY ENTITY means any natural person, partnerships of two or more persons having a joint or common interest, corporation, organization, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association, any other legal entity, or the combination of multiple persons to form an entity that provides water service to another person.

PURPOSE OF USE means the reason for utilizing a well, a well field, or a well system to produce groundwater resources or to access groundwater resources for specific beneficial uses.

PURPOSE OF BENEFICIAL USE TYPES include:

1. AGRICULTURAL USE means production or use of groundwater for activities involving agriculture as defined in Texas Water Code Section 36.001, including but not limited to:
  - 1.1. aquaculture;
  - 1.2. irrigation to cultivate the soil to produce crops;
  - 1.3. the practice of floriculture, viticulture, silviculture, and horticulture, including nursery grower operations;
  - 1.4. raising, feeding, or keeping animals for breeding or production of food or fiber or other products with a tangible value;
  - 1.5. planting cover crops;
  - 1.6. wildlife management; or
  - 1.7. raising or keeping equine animals.
2. DOMESTIC USE means the production or use of groundwater for domestic purposes for an individual or a household including groundwater used:
  - 2.1. for drinking, washing, or culinary purposes;
  - 2.2. for irrigating lawns, a family garden, or a family orchard;
  - 2.3. for watering domestic animals; and
  - 2.4. for personal recreation including aquatic and wildlife enjoyment; but
  - 2.5. domestic use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold or used by or for a public water system.
3. INDUSTRIAL USE means the production or use of groundwater integral to the production of primary goods or services provided by industrial or manufacturing facilities and used primarily in the building, production, manufacturing, or alteration of a product or goods, or the use of groundwater to wash, cleanse, cool, or heat such goods or products, and the use of water in the generation of electricity by means other than hydroelectric, including the use of water for cooling purposes, and the uses associated with plant personnel, fire

protection at the facility, and in maintaining associated property and facilities including mitigation and habitat areas but does not include agricultural use.

4. INJECTION USE means the use of a well for the following purposes:
  - 4.1. to return water used for heating or cooling;
  - 4.2. to inject water previously used for cooling;
  - 4.3. to drain surface fluid into a subsurface formation;
  - 4.4. to recharge the water in an aquifer;
  - 4.5. to inject water into a freshwater aquifer to prevent the intrusion of salt water into the freshwater;
  - 4.6. to inject a mixture of water and sand, mill tailings, or other solids into subsurface mines;
  - 4.7. to inject fluids into a non-oil or gas producing zone to reduce or eliminate subsidence associated with the overdraft of water; or
  - 4.8. used to circulate water, other fluids, or gases through the earth as a heat source or heat sink.
5. MONITORING USE means to use a well for the purpose of measuring one or more properties of the groundwater resources or aquifer it penetrates, provided the well does not produce more than five thousand gallons (5,000 gallons) of groundwater per year.
6. MUNICIPAL USE means the production and use of groundwater for a public water system for residential, commercial, or public and institutional uses, including the application of potable water for irrigation of golf courses, parks and recreational uses but does include water for industrial uses when the industrial user is receiving potable water from the municipality.
7. REMEDIATION USE means the production or use of groundwater to either extract or inject materials for the purpose of remediating or removing a subsurface contaminant.
8. OIL, GAS, AND MINERALS USE means the use of groundwater for exploring for, producing, handling, or treating oil, gas, sulphur, or other minerals; or
9. OTHER USE means any other purpose that is useful and beneficial to the user.

RECHARGE means the process of replenishment of groundwater by infiltration of water from sources such as precipitation, streams, rivers, and reservoirs.

REGISTRATION means the process through which the district assigns an identification number, grandfathered status, and use exemption status to a well.

REGISTERED WELL means a well registered by the district in accordance with the rules of the district.

REPLACEMENT WELL means a well drilled for the purposes of replacing a registered well that is deteriorated provided the new well is drilled within one hundred yards (100 yards) of and constructed in a manner consistent with the construction of the well being replaced including the production zones and the production capacity.

RULES OF THE DISTRICT mean the rules compiled in this document and as may be supplemented or amended from time to time by the district.

**SPECIAL GROUNDWATER MANAGEMENT ZONE** means a geographic area, aquifer, subdivision of an aquifer, or geologic strata within the district in which conditions in or use of an aquifer differ substantially from other geographic areas or for which different rules may be adopted for better management of the groundwater resources in accordance with Section 36.116(d) of the Texas Water Code.

**SPECIAL WELL CONSTRUCTION AREA** means a special groundwater management zone for which well construction requirements are established to prevent negative impacts such as groundwater contamination and commingling of undesirable water with desirable water through well boreholes and well casing.

**STANDARD-CAPACITY NON-HISTORIC USE** means the production of groundwater for non-exempt use that is:

1. produced from with one or more wells located on one or more tracts of contiguous groundwater ownership associated with a permit request for a production permit for non-historic use with:
  - 1.1. the cumulative authorized groundwater production rate being less than five hundred gallons per minute (500 GPM), excluding the authorized groundwater production rates associated with historic use or deep-saline non-exempt use; or
  - 1.2. the authorized groundwater production amount being less than two hundred and fifty acre-foot per year (250 acre-foot), excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use.

**STANDARD-CAPACITY NON-HISTORIC-USE PRODUCTION PERMIT** means a production permit issued by the district associated with an application requesting authorization to produce groundwater that qualifies as standard-capacity non-historic use.

**SUBJECT TRACT OF CONTIGUOUS OWNERSHIP OF LAND** means the tract or tracts of land ownership that 1) are spatially connected and 2) owned by any of the owners of land associated with a particular application, a particular permit issued by the district, or a particular district waiver issued by the district.

**SUBJECT TRACT OF CONTIGUOUS OWNERSHIP OF GROUNDWATER RESOURCES** means the tract or tracts of groundwater ownership that 1) are spatially connected and 2) owned by any of the owners of groundwater resources associated with a particular application, a particular permit issued by the district, or a particular district waiver issued by the district.

**SUBJECT WELL** means a specific well, proposed or existing, associated with an application related to a permit or district waiver or the subject of a permit or district waiver issued by the district.

**SUBJECT WELL FIELD** means a specific well field and related wells, proposed or existing, associated with an application related to a permit or district waiver or the subject of a permit or district waiver issued by the district.



**SUBJECT WELL SYSTEM** means the specific well system and related wells, proposed or existing, associated with an application related to a permit or district waiver or the subject of a permit or district waiver issued by the district.

**TEXAS RULES OF CIVIL PROCEDURE AND TEXAS RULES OF EVIDENCE** means the civil procedure and evidence rules as amended and in effect at the time of the action or proceeding.

**TRANSFER OF GROUNDWATER** means the transporting of groundwater out of the district.

**TRANSFER PERMIT** means an authorization issued by the district allowing the transfer of groundwater produced under a production permit out of the district to a location for a designated period of time.

**UNDESIRABLE GROUNDWATER** means groundwater that is injurious to vegetation, animals, land, or would cause or contribute to contamination of land or water.

**UNWANTED LOSS OF GROUNDWATER** means the loss of groundwater from a water-bearing strata to another water-bearing strata determined to be unwanted or wasteful by the district.

**USE EXEMPTION STATUS** means the classification assigned, by the district, of the purpose of use for which a well, well field, or well system as either exempt use or non-exempt use.

**VALID PRODUCTION PERMIT** means a production permit that has not been terminated by the district, suspended by the district, surrendered by the one or all of the associated owners of groundwater resources, or voided by the actions of the authorized operator.

**WASTE OF GROUNDWATER** means:

1. The withdrawal of groundwater from a groundwater reservoir at a rate and in an amount that causes or threatens to cause intrusion into the reservoir of water unsuitable for agricultural, gardening, domestic, or stock raising purposes.
2. The use of that amount of groundwater in excess of that which is economically reasonable for an authorized purpose when reasonable intelligence and reasonable diligence are used in applying the water to that purpose constitutes waste.
3. The flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose.
4. The escape of groundwater from one groundwater reservoir to any other reservoir or geologic strata that does not contain groundwater.
5. The pollution or harmful alteration of groundwater in a groundwater reservoir by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground.
6. Willfully or negligently causing, suffering, or allowing groundwater to escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch, or onto any land other than that of the owner of the well unless such discharge is authorized by permit, rule, or order issued by the Commission under Chapter 26 "Water Quality Control".

7. Groundwater pumped for irrigation that escapes as irrigation tailwater onto land other than that of the owner of the well unless permission has been granted by the occupant of the land receiving the discharge.
8. For water produced from an artesian well, "waste" also has the meaning assigned by Section 11.205 of the Texas Water Code.

WATER-BEARING STRATA means a geologic formation from which groundwater is or could be produced from a water well.

WELL means any facility, device, or method used to produce or access groundwater from any groundwater reservoir or water-bearing strata that has not been plugged.

WELL FIELD means the collection of wells located on a contiguous tract of land owned or controlled by a person or set of persons operated collectively to produce groundwater.

WELL LOCKOUT SEAL means an official seal, tag, or label placed on a well or its equipment, or the act of placing the tag or label, to indicate that further production of groundwater, or operation of the well, or continuing with other activities regulated by the district is not authorized by the district, shall be in violation of rules of the district, and may subject the owner of groundwater resources, authorized agent, or authorized operator to civil suit or penalties.

WELL OWNER means the person or persons who owns the subject well of an application, certificate, or permit.

WELL FIELD OWNER means the person or persons who owns the subject well field of an application, certificate, or permit.

WELL SYSTEM OWNER means the person or persons who owns the subject well system of an application, certificate, or permit.

WELL SYSTEM means the collection of wells located on multiple tracts of contiguous land owned or controlled by a person or set of persons operated collectively to produce groundwater which is connected by a transmission or distribution system.

WELL WITH HISTORICALLY LOW PRODUCTION means a non-exempt-use well operated under a valid production permit with an authorized annual production rate equal to or less than two acre-foot (2 acre-foot) per year for which the volume of groundwater produced annually has either remained stable or declined for the five-year period preceding the submittal of the application requesting the well be designated as a well with historically low production.

## **RULE 1.2: GENERAL POLICIES REGARDING THE RULES OF THE DISTRICT**

1. The board of directors shall adopt rules pursuant to the authority of Section 36.101, Texas Water Code, for the purpose of conserving, preserving, protecting, and recharging groundwater in the district in order to control subsidence, prevent degradation of water quality, or prevent waste of groundwater, and protect the rights of owners of groundwater resources.
2. The district shall endeavor to maintain the groundwater resources in the boundary of the district on a sustainable basis (i.e., the regulation of the development and use of groundwater in a manner that can be maintained in perpetuity) in fulfilling the stated purpose of the rules of the district.
3. The district shall use the rules of the district as guides in the exercise of the powers conferred by law and in the accomplishment of the purposes of the district act.
4. No person shall construe the rules of the district as a limitation or restriction on the exercise of any discretion or to deprive the district or board of directors of the exercise of any powers, duties or jurisdiction conferred by law, nor be construed to limit or restrict the amount and character of data or information that may be required to be collected for the proper administration of the district act.
5. The board of directors may delegate authority, responsibility, or requirement of the rules of the district to other persons by separate policy.
6. The board of directors may, following notice and hearing, amend the rules of the district or adopt new rules from time to time.
7. All persons shall use section and other headings and captions contained in the rules of the district for reference purposes only.
8. No person shall consider section and other headings and captions within the rules of the district as affecting the meaning or interpretation of the rules of the district in any way.
9. All persons shall consider a reference to a title, chapter or section within the rules of the district without further identification as a reference to a title, chapter or section of the Texas Water Code or the rules of the district.
10. All persons shall consider the construction of words and phrases within the rules of the district as governed by the Code Construction Act, Subchapter B, Chapter 311, Government Code.
11. All persons may serve or deliver any notice or documents in connection with the rules of the district to the recipient, or the recipient's authorized representative, in person, by agent, by courier receipted delivery, by certified mail sent to the recipient's last known address, by telephonic document transfer to the recipient's current telecopier number, or by electronic mail to the recipient's current electronic email address except as otherwise expressly provided in the rules of the district.
12. All persons shall consider service in connection with the rules of the district by mail complete upon deposit in a post office or other official depository of the United States Postal Service.
13. All persons shall consider service in connection with the rules of the district by telephonic document transfer complete upon transfer, except that any transfer occurring after 5:00 p.m. will be deemed complete on the following business day.
14. The recipient of a notice or document served or delivered by mail associated with a right or requirement to do some act in connection with the rules of the district shall have three days (3-days) added to the prescribed period of time.

15. All persons shall consider service in connection with the rules of the district complete upon notice published in a newspaper with general circulation within the boundary of the District when one or more other methods has been attempted and failed.
16. All persons shall construe the rules of the district as if any provisions contained in the rules of the district held to be invalid, illegal, or unenforceable are not contained within the rules of the district and do not affect any other provisions within the rules of the district.

PROPOSED REVISIONS  
(ALL MARKUP)



## **SECTION 2: POLICIES RELATED TO DRILLING, REWORKING, REPLACING, AND PLUGGING WELLS**

### **RULE 2.1: DRILLING WELLS**

1. A person may drill a well without authorization from the district.
2. A person drilling a well shall provide written notice of intent to drill a well to the district at least two (2) hours before and not more than twenty-four (24) hours commencing well drilling activities.
3. A person drilling a well shall provide written notice of intent to drill a well to the district using a form prescribed by the district that includes:
  - 3.1. the name and address of the person drilling the well;
    - 3.1.1. well driller license number if the person drilling the well is a licensed well driller;
  - 3.2. the name and address of the person that will own the subject well;
  - 3.3. the geographic coordinate of the subject well;
  - 3.4. the date the well drilling activities will commence;
  - 3.5. a statement certifying that the person drilling the well notified the person that will own the subject well was notified of the of the existence of regulations established by the district related to:
    - 3.5.1. well spacing;
    - 3.5.2. limitations for producing groundwater for non-exempt-use purposes;
    - 3.5.3. registration of non-grandfathered and replacement wells; and
    - 3.5.4. permitting of groundwater production for non-exempt-use purposes;
  - 3.6. the dated signature of the person drilling the well.
4. A person drilling a well shall adhere to the well spacing requirements of the rules of the district when locating the well.
5. A person drilling, deepening, or otherwise altering a well shall adhere with the well completion requirements of the rules of the district when locating the well to be drilled.
6. A person drilling a well shall satisfy all applicable requirements of the Texas Commission on Environmental Quality and the Texas Department of Licensing and Regulation related to the construction and completion of a well.
7. A person drilling a well shall construct and complete the well in accordance with the well completion standards set forth under the requirements promulgated by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules.
8. No person drilling a well shall locate a well closer than fifty feet (50 feet) to any potential source of contamination.
9. No person shall locate a potential source of contamination closer than fifty feet (50 feet) to any well.
10. A person drilling a well shall submit a complete and accurate well drilling report to the district within ninety days (90 days) of concluding well drilling activities associated with the well.

11. A person drilling a deep-saline well shall submit, within 2 months of well completion, a geophysical log for the well that includes temperature, spontaneous potential, and shallow and deep resistivity surveys from the land surface to the bottom of the well.

## **RULE 2.2: WELL SPACING REQUIREMENTS OF WELLS**

1. The district shall regulate the spacing of non-grandfathered wells and replacement wells in order to:
  - 1.1. prevent or limit the drawdown of the water table or the reduction in artesian pressure,
  - 1.2. prevent or limit interference between wells,
  - 1.3. prevent or limit the degradation of water quality, or
  - 1.4. prevent waste of groundwater.
2. A person drilling or having drilled a non-grandfathered well or a replacement well for a non-grandfathered well that is not a deep-saline well shall locate the non-grandfathered well in a position that is offset from the boundary of the subject tracts of contiguous ownership of land by at least one half foot (1/2 foot) of separation per one gallon per minute of production capacity of the non-grandfathered well.
3. A person drilling or having drilled a non-grandfathered well or replacement well for a non-grandfathered well may locate the well in a position that encroaches upon spacing requirements from the property of any landowner or any owner of groundwater resources from whom a written waiver of the spacing requirements is obtained provided the waiver contains:
  - 3.1. the printed name and signature of the landowner and the owner of groundwater resources or the authorized agent of the landowner and the owner of groundwater resources, and
  - 3.2. states that the landowner and the owner of groundwater resources have no objection to the proposed position of the non-grandfathered well or the replacement well for a non-grandfathered well.
4. A person drilling or having drilled a non-grandfathered well or a replacement well for a non-grandfathered well on a lot of a platted subdivision shall locate the non-grandfathered well in a position that is offset from the perimeter of the subdivision by, at least, one foot (1 foot) of separation per one gallon per minute of production capacity of the non-grandfathered well.
5. A person drilling or having drilled a non-grandfathered well or a replacement well for a non-grandfathered well on a lot of a platted subdivision with an area defined as the "Authorized Drilling Area" shall locate the well in the authorized drilling area.
6. A person drilling or having drilled a replacement well for a grandfathered well may locate the replacement well in a position that does not encroach upon the spacing requirements from the property of any landowner or any owner of groundwater resources to a greater degree than the well being replaced.
7. The board of directors may waive, vary, or establish special conditions related to spacing requirements for a well provided good cause is found by the board of directors for doing so.

8. The board of directors may establish special conditions or limit the rate of groundwater production of a well if a district waiver related to spacing requirements of the well is granted to minimize any potential injury to other landowners, owner of groundwater resources, or groundwater.

### **RULE 2.3: WELL SPACING REQUIREMENTS OF DEEP-SALINE WELLS**

1. A person drilling or having drilled a deep-saline well shall locate the deep-saline well in a position that is offset from the boundary of the subject tracts of contiguous ownership of land by, at least, one-half foot (1/2 foot) of separation per one gallon per minute of production capacity of the deep-saline well.
2. A person drilling or having drilled a deep-saline well shall locate the deep-saline well in a position that is offset from the boundary of the subject tracts of contiguous ownership of groundwater resources, by at least, one-half foot (1/2 foot) of separation per one gallon per minute of production capacity of the deep-saline well.

### **RULE 2.4: STANDARDS FOR CONSTRUCTING WELLS**

1. A person drilling a well shall construct the well using methods and materials to minimize the potential for contamination, degradation, or commingling of waters of different chemical quality.
2. A person drilling a well shall construct the well in accordance with the well construction specifications established by the State of Texas, County of Calhoun, and relevant city ordinance.
3. A person drilling a well shall construct the well so that undesirable groundwater is not allowed to commingle with desirable groundwater through the well casing or annular space of the well.
4. A person drilling a well shall construct the well so that any groundwater resources allowed to commingle through the annulus space between the casing and borehole wall does not degrade or diminish the quality of any groundwater resources in any other water-bearing strata.
5. A person drilling a well shall construct the well so that the casing is centered in annular space for the portion of the borehole that will be sealed prior to emplacing the authorized annular space sealant.
6. A person drilling a well shall construct the well so that the authorized annular space sealant is emplaced to produce an annular seal that is absent of significant voids.
7. A person drilling a well shall not use the bentonite slurry or any other material used in the actual drilling of the well to seal the annular space between the borehole wall and the casing.
8. A person drilling or repairing a well shall place a seal on the casing that will prevent pollutants from entering the well.
9. A person drilling a well shall seal the annular space between the wall of the borehole and casing from a depth of one hundred feet (100 feet) below the surface to the ground surface.

10. A person drilling a deep-saline well shall not install the well screen of a the well above a depth of one thousand two hundred feet (1,200 feet) below the land surface.
11. A person drilling or having drilled a well may apply for a district waiver of the well completion requirements of the rules of the district, in accordance with the waiver procedures of the rules of the district.
12. The board of directors may designate special well construction areas, by order of the board of directors, for the purposes of establishing construction standards designed to prevent groundwater contamination or commingling of undesirable groundwater and desirable groundwater by non-grandfathered wells and replacement wells in locations and zones where undesirable groundwater overlays or is adjacent to desirable groundwater.

## **RULE 2.5: COMMINGLING OF UNDESIRABLE WATER WITH DESIRABLE GROUNDWATER**

1. The owner of a well shall have the continuing responsibility of ensuring a well does not allow commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater through the wellbore to other porous strata.
2. The board of directors may require and direct an owner of a well to take steps to prevent the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater.
3. The owner of a well allowing the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater shall, within sixty days (60 days) of receiving notice from the district that board of directors found the well is allowing the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater, either:
  - 3.1. cement the casing of the well in a manner that will permanently seal the annular space and casing and prevent the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater, or
  - 3.2. repair the well in a manner that will prevent the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater through the annular space or casing of the well.

## **RULE 2.6: REPLACING WELLS**

1. The owner of a deteriorated well shall repair or plug the deteriorated well in accordance with rules and regulations of the state of Texas.
2. The owner of a non-exempt-use well may replace the non-exempt-use well with a replacement well, in accordance with the rules of the district and without authorization from the district, if such replacement will not violate or cause a violation of any conditions of the associated production permits under which the non-exempt-use well is operated.



## **RULE 2.7: PLUGGING WELLS**

1. The owner of a well may plug the well without authorization from district if such plugging will not violate or cause a violation of any conditions of any associated production permits.
2. The district may plug the casing and seal the annular space of a non-grandfathered well or replacement well that was not constructed and completed in accordance with the well completion standards set forth under the requirements promulgated by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules.
3. The district may require the person that drilled a non-grandfathered well or replacement well that was not constructed and completed in accordance with the well completion standards set forth under the requirements promulgated by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules to reimburse the district for all costs incurred by the district to plug the well.
4. The owner of a deteriorated well shall plug the deteriorated well within sixty days (60 days) of receiving notice from the district that the well is deteriorated.
5. The owner of a deteriorated well may repair the condition of a deteriorated well to eliminate the probability the well will cause or is likely to cause pollution of any water in the state, including groundwater in lieu of plugging the well.
6. A person plugging a deteriorated well, a well allowing the commingling of undesirable groundwater and desirable groundwater, or a well allowing the unwanted loss of groundwater shall provide notice of intent to plug a well to the district, including the geographic coordinate of the well location, the name and address of the person plugging the well, and the well driller license number, if applicable, at least two (2) hours before and not more than twenty-four (24) hours before commencing the plugging activities associated with the well.
7. A person plugging a well shall submit a complete and accurate well plugging report to the district within ninety days (90 days) of concluding the well plugging activities associated with the well or within one hundred and twenty days (120 days) of commencing plugging activities, whichever condition occurs first.
8. The well owner of a properly located and constructed replacement well of a plugged well used for non-exempt use associated with valid production permits shall, within ninety days (90 days) of concluding the well construction activities, submit an application to amend the valid production permits to associate the authorized groundwater production of the plugged well to the replacement well.
9. The well owner of a plugged well associated with valid production permits or district waivers surrenders the valid production permits and district waivers if the well owner fails to complete the construction of the replacement well within ten years (10 years) of the initiation of the plugging process.
10. The district shall not issue production permits associated with plugged wells.

## **SECTION 3: POLICIES RELATED TO REGISTRATION OF WATER WELLS, WELL FIELDS, AND WELL SYSTEMS**

### **RULE 3.1: GENERAL POLICIES RELATED TO REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS**

1. The district shall maintain a registry of wells within the boundary of the district.
2. The owner of a grandfathered exempt-use well within the boundary of the district may apply for the registration of the grandfathered exempt-use well.
3. The well owner or authorized agent of a grandfathered non-exempt-use well within the boundary of the district shall apply for the registration of the grandfathered non-exempt-use well prior to operating the subject well for non-exempt use.
4. The well owner or authorized agent of a grandfathered non-exempt-use well field within the boundary of the district shall submit an application for the registration of the grandfathered non-exempt-use well field prior to operating the subject well field for non-exempt use.
5. The well owner or authorized agent of a grandfathered non-exempt-use well system within the boundary of the district shall submit an application for the registration of the grandfathered non-exempt-use well system prior to operating the subject well system for non-exempt use.
6. The well owner or authorized agent of a non-grandfathered well within the boundary of the district shall submit an application for the registration of the non-grandfathered well accompanied by the well drilling log within ninety days (90 days) of concluding the well construction activities.
7. The district shall assign a use exemption status classification and a grandfathered status classification to all wells registered with the district.
8. The district may register, on its own initiative, any well, well field, or well system within the district that is subject to an investigation of potential violations of the rules of the district or an enforcement proceeding established under the rules of the district.

### **RULE 3.2: APPLICATION REQUIREMENTS RELATED TO THE REGISTRATION OF A WELL**

1. The applicant for an application for the registration of a well shall submit the registration request on the form prescribed by the district.
2. The applicant for an application for the registration of a well shall specify that the subject well existed at the date of the original adoption of the rules of the district in order to be classified as a grandfathered well by the district.
3. The applicant for an application for the registration of a well shall specify that the subject well qualifies as an exempt-use well as defined in the rules of the district in order to be classified as an exempt-use well by the district.
4. The applicant for an application for the registration of a well shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:

- 4.1. the name and address of the applicant;
  - 4.2. the name and address of the person that owns the subject well;
  - 4.3. the geographic coordinate of the subject well;
  - 4.4. the date the subject well was constructed;
  - 4.5. the purpose of use of the produced groundwater from the subject well;
  - 4.6. the maximum production rate of the subject well expressed in gallons-per-minute;
  - 4.7. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well.
  - 4.8. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 4.9. a statement certifying, under penalty of law, that the subject well shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
  - 4.10. the dated signature of the applicant.
5. The applicant for an application for the registration of a non-grandfathered well associated with an application for a high-capacity non-historic-use production permit shall provide the location, construction details, screened intervals, and total depth of dedicated aquifer monitoring wells to be used to monitor the impacts of the non-grandfathered well that is being registered.

### **RULE 3.3: APPLICATION REQUIREMENTS RELATED TO THE REGISTRATION OF A WELL FIELD**

1. The applicant for an application for the registration of a well field shall submit the registration request on the form prescribed by the district.
2. The applicant for an application for the registration of a well field shall submit registration requests for the associated non-exempt-use wells with the application for the registration of the subject well field.
3. The applicant for an application for the registration of a well field shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 3.1. the name and address of the applicant;
  - 3.2. the name and address of the person that owns the subject well field;
  - 3.3. the geographic coordinate of each of the subject wells;
  - 3.4. the date the subject well field was established;
  - 3.5. the purpose of use of the produced groundwater from the subject well field;
  - 3.6. the maximum production rate of the subject well field expressed in gallons-per-minute;
  - 3.7. a statement certifying, under penalty of law, that the well field owner possesses the legal authority to produce groundwater resources from the subject well field.
  - 3.8. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;

- 3.9. a statement certifying, under penalty of law, that the subject well field shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 3.10. the dated signature of the applicant.
4. The applicant for an application for the registration of a non-grandfathered well field associated with an application for a high-capacity non-historic-use production permit shall provide the location, construction details, screened intervals, and total depth of dedicated aquifer monitoring wells to be used to monitor the impacts of the non-grandfathered well field that is being registered.

### **RULE 3.4: APPLICATION REQUIREMENTS RELATED TO THE REGISTRATION OF A WELL SYSTEM**

1. The applicant for an application for the registration of a well system shall submit the registration request on the form prescribed by the district.
2. The applicant for an application for the registration of a well system shall submit registration requests for the associated non-exempt-use wells with the application for the registration of the subject well system.
3. The applicant for an application for the registration of a well system shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 3.1. the name and address of the applicant;
  - 3.2. the name and address of the person that owns the subject well system;
  - 3.3. the geographic coordinate of each of the subject wells;
  - 3.4. the date the subject well system was established;
  - 3.5. the purpose of use of the produced groundwater from the subject well system;
  - 3.6. the maximum production rate of the subject well system expressed in gallons-per-minute;
  - 3.7. a statement certifying, under penalty of law, that the well system owner possesses the legal authority to produce groundwater resources from the subject well system;
  - 3.8. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 3.9. a statement certifying, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
  - 3.10. the dated signature of the applicant.
4. The applicant for an application for the registration of a non-grandfathered well system associated with an application for a high-capacity non-historic-use production permit shall provide the location, construction details, screened intervals, and total depth of dedicated aquifer monitoring wells to be used to monitor the impacts of the non-grandfathered well system that is being registered.



## **SECTION 4: POLICIES RELATED TO PERMITTING**

### **RULE 4.1: GENERAL POLICIES RELATED TO PERMITS**

1. The district shall only grant permits that are consistent with the mission of the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district shall only grant permits that are consistent with the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
3. The district shall only grant permits that are consistent with the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
4. The district shall grant permits with conditions, restrictions, limitations, and requirements determined to be necessary by the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
5. The district shall grant permits in accordance with and subject to the rules of the district, the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
6. The district shall grant permits with conditions, restrictions, limitations, and requirements determined to be necessary by the district to achieve the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
7. The district may modify or amend the restrictions, conditions, and requirements of a permit pursuant to the provisions of the rules of the district.
8. The board of directors may order the immediately suspension of activities authorized by a permit or district waiver issued by the district if the board of directors finds that false information has been supplied regarding the permit or related district waiver by the applicant, the authorized agent, the authorized operator, or owner of groundwater resources.
9. The board of directors may revoke a permit or district waiver if it finds that false information has been supplied regarding the permit or district waiver by the applicant, the authorized agent, the authorized operator, or owner of groundwater resources.
10. The district expressly prohibits the activities authorized by a permit or district waiver upon termination, expiration, violation, or revocation of the permit or district waiver by the board of directors.
11. No person shall be required to obtain a permit to drill a well from the district.
12. No person shall consider a permit issued by the district as granting authority to a person to drill wells within the incorporated limits of an incorporated municipality in violation of the ordinances of that municipality.
13. The district shall grant production permits for the sole purpose of conferring the authority to operate a well, a well field, or a well system for beneficial use under the provisions of the rules of the district.
14. The district shall require groundwater produced under a production permit to originate from non-exempt-use wells located within the production area of the production permit.

15. The district shall grant production permits and limit the authorized groundwater production amounts of wells, well fields, and well systems operated for non-exempt use in order to conserve, preserve and protect the groundwater resources within the boundary of the district.
16. The district may issue production permits that include conditions related to aggregating the authorized groundwater production amounts of the non-exempt-use wells of a well field or well system.
17. No person shall operate a well, a well field, or a well system in a manner that constitutes waste of groundwater.
18. No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well.
19. No person shall operate a non-exempt-use well unless the groundwater production is monitored in a manner to satisfy the reporting requirements of the rules of the district.
20. The applicant for an application related to a production permit shall make the subject well, subject well field, or subject well system accessible to the representatives of the district for inspection and agrees to cooperate fully in any reasonable inspection of the subject well, subject well field, or subject well system by the representatives of the district.
21. Any special terms and conditions of a production permit or related district waiver shall prevail whenever those special permit terms and conditions are found to be inconsistent with other permit provisions of the rules of the district.
22. Violations of the terms, conditions, requirements, or special provisions of a permit or related district waiver, including producing amounts of groundwater in excess of authorized groundwater production amount, are punishable by civil penalties as provided by the rules of the district and state statutes and the revocation of the associated production permit.
23. The board of directors may amend a permit or related district waiver to reflect any necessary changes to the restrictions, conditions, and requirements of the permit resulting from the failure of the well owner to construct a replacement well for any of the associated non-exempt-use wells that was plugged or abandoned.
24. All associated permits and related district waivers are void and terminated upon operation or use of the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system for any purpose of use other than the authorized groundwater production purpose.
25. The district shall grant transfer permits for the sole purpose of conferring the authority to transfer produced groundwater under production permits issued by the district under the provisions of the rules of the district.
26. The district shall grant transfer permits and limit the authorized groundwater transfer amount in order to conserve, preserve and protect the groundwater resources within the boundary of the district.
27. No person shall transfer produced groundwater out of the district prior to obtaining a transfer permit from the district if a permit is required according to the rules of the district.

28. The applicant for an application related to a transfer permit shall make the transfer facilities accessible to the representatives of the district for inspection and agrees to cooperate fully in any reasonable inspection of the transfer facilities by the representatives of the district.
29. The district shall continue to require satisfaction of and enforce any special terms and conditions of a production permit, a transfer permit, or any related district waivers whenever those special permit terms and conditions are found to be inconsistent with other permit provisions of the rules of the district.
30. The district may suspend, revoke, or terminate a permit for violations of the terms, conditions, requirements, or special provisions of a permit or related district waiver.
31. The district may impose on a person that is found, by the board of directors, to have violated the terms, conditions, requirements, or special provisions of a permit or related district waiver civil penalties as provided by the rules of the district and state statutes and the revocation of the associated transfer permit.

#### **RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS**

1. The authorized operator of a permit shall report to the district any monitoring data required under the permit within thirty days (30 days) of the close of the relevant reporting period unless specified otherwise within the rules of the district or the permit.
2. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well to the district on an annual basis.
3. The well owner, authorized agent, or the authorized operator of a production permit shall measure the volume of produced groundwater from each of the subject wells using a device or method that is accurate within ten percent (10%) of the actual volume produced.
4. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well that is accurate within ten percent (10%) of the actual volume of groundwater produced by the non-exempt use during the calendar year.
5. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well for the previous calendar year (January 1 to December 31) during January of the current calendar year.
6. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well using a form provided by the district.
7. The well owner of a non-exempt-use well shall include the following information when reporting the volume of groundwater produced from a non-exempt-use well:
  - 7.1. the well registration number assigned by the district;
  - 7.2. the production permit identification number;
  - 7.3. the reporting period;
  - 7.4. the volume of groundwater produced during the reporting period in acre-foot;
  - 7.5. the method used to determine the volumes of groundwater produced during the reporting period;
  - 7.6. a statement certifying, under penalty of law, that the information reported on and attached to the report was prepared under the direction or supervision of the well

owner and is, to the best of the knowledge and belief of the well owner, true, accurate and complete;

- 7.7. the printed name of the person submitting the report; and
- 7.8. the dated signature of the person submitting the report.
8. The well owner of a non-exempt-use well may request that the district designate the non-exempt-use well as a dormant well.
9. The well owner of a non-exempt-use well shall be exempt from reporting the volume of groundwater produced from a non-exempt-use well if the non-exempt-use well is designated as a dormant well by the district for more than twelve months (12 months) until such time as the well no longer satisfies the definition of a dormant well.
10. The well owner of a non-exempt-use well may request that the district designate the non-exempt-use well as a well with historically low production.
11. The well owner of a non-exempt-use well shall be exempt from reporting the volume of groundwater produced from a non-exempt-use well if the non-exempt-use well has been designated as a well with historically low production by the district for more than twelve months (12 months) until such time as the well no longer satisfies the definition of a well with historically low production.
12. The district shall remove the designation of a non-exempt-use well as a well with historically low production after five year (5 years).
13. The well owner of the non-exempt-use well may request the renewal of the designation as a well with historically low production.
14. A person producing groundwater resources from a well under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code, that authorized the production of groundwater resources from a well shall report monthly to the district the following:
  - 14.1. the total amount of water withdrawn during the month;
  - 14.2. the quantity of water necessary for mining activities; and
  - 14.3. the quantity of water withdrawn for other purposes.

### **RULE 4.3: GENERAL PROCEDURES RELATED TO PERMITTING**

1. An applicant for a permit shall submit the permitting request on the form prescribed by the district.
2. The general manager shall designate an application related to a permit as administratively complete when all necessary information to fully consider the application has been submitted to the district by the applicant.
3. The general manager shall contest an application related a permit that does not satisfy the regulations and requirements established by the rules of the district.
4. The general manager may schedule a hearing and action on as many applications related to permits at one meeting as deemed practical and appropriate.
5. The board of directors may refer any application related to a permit requesting protection of historic use to a hearing examiner for a hearing.
6. The application for a permit is incorporated into the permit approved by the district.
7. The district issues, approves, and grants a permit on the basis of and contingent upon the accuracy of the information supplied in the associated application.



8. Acceptance of a permit by the applicant, the authorized agent, the authorized operator, or the owner of groundwater resources constitutes acknowledgement and acceptance of the conditions, limitations, and restrictions of the permit and the rules of the district.
9. A decision regarding the permit is final if the applicant, the authorized agent, the authorized operator, or the owner of groundwater resources fail to file a request for rehearing within twenty days (20 days) of the decision.
10. An application shall be automatically withdrawn from the district if the applicant fails to provide any information requested by the general manager needed to fully consider the application relative to the rules of the district within 60 days of the request being sent to the applicant.

#### **RULE 4.4: GENERAL PROCEDURES RELATED TO RENEWAL AND AMENDMENT OF PERMITS**

1. The district shall not renew a permit that has expired before an administratively complete application requesting the renewal of the permit has been submitted to the district .
2. The well owner, authorized agent, or the authorized operator of a permit shall submit an application requesting the renewal of the permit at least ninety days (90 days) prior to the permit expiration date.
3. The general manager may authorize an authorized operator of a permit for which an administratively complete application requesting the renewal of the permit has been submitted to the district to continue authorized activities of the permit under the conditions of the permit, subject to any changes necessary under the rules of the district, or the Management Plan of the district, for the period of time during which the application requesting the renewal of the permit is the subject of a contested case hearing.
4. The district shall, without a hearing, consider an application to renew a permit submitted to the district provided that:
  - 4.1. the application, if required by the district, is submitted in a timely manner and accompanied by any required fees in accordance with rules of the district; and
  - 4.2. the authorized operator is not requesting an amendment to the permit in conjunction with the request to renew the permit.
5. The district shall not renew a permit if the owner of groundwater resources or authorized operator:
  - 5.1. is delinquent in paying a fee required by the district;
  - 5.2. is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district that has not been settled by agreement with the district or a final adjudication; or
  - 5.3. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a permit, order, or rule of the district.
6. The district shall consider a permit that the district did not renew because the applicant or authorized operator of the is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district, which has not been settled by

agreement with the district or a final adjudication, to be in effect until the final settlement or adjudication on the matter of the substantive violation.

7. The district shall consider a request to renew a permit, as it existed prior to the initiation of an amendment process, without penalty if the amendment process results in a denial of the amendment unless the applicant or authorized operator of the permit:
  - 7.1. is delinquent in paying a fee required by the district;
  - 7.2. is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district that has not been settled by agreement with the district or a final adjudication; or
  - 7.3. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a permit, order, or rule of the district.
8. The well owner, well field owner, or well system owner of a non-exempt-use well, a non-exempt-use well field, or a non-exempt-use well system shall submit to the district an application to amend any registrations or permits within ninety days (90 days) of acquiring the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system.
9. The district shall consider the permit associated with an application requesting an amendment to the permit as being in effect as the permit existed before the submittal of the administratively complete application requesting an amendment to the permit until the later of:
  - 9.1. the conclusion of the permit amendment or renewal process, as applicable; or
  - 9.2. final settlement or adjudication on the matter of whether the change to the permit requires a permit amendment.
10. The district may initiate the process for amending a permit in connection with the renewal of a permit.
11. The district shall consider the permit associated with an amendment process initiated by the district as being in effect as the permit existed before the district initiated the amendment process until the conclusion of the permit amendment process.

## **SECTION 5: POLICIES RELATED TO HISTORIC USE OF GROUNDWATER**

### **RULE 5.1: GENERAL POLICIES RELATED TO PROTECTION OF HISTORIC USE PERMITTING**

1. No person shall produce groundwater from a grandfathered well, grandfathered well field, or grandfathered well system without obtaining and maintaining ownership or control of the groundwater resources from the subject well, well field, or well system.
2. The district shall allow well owners to apply for production permits protecting the continued operation of grandfathered wells, grandfathered well fields, and grandfathered well systems used for non-exempt-use prior to the adoption of the rules of the district.
3. The district shall provide for the protection of historic use of grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems through the validation the evidence of historic use and issuing production permits for the protection of historic use authorizing the continued operation of grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems based on validated evidence of historic use.
4. The district shall limit the amount of groundwater validated as historic use to the volume of produced groundwater by a grandfathered non-exempt-use well, a grandfathered non-exempt-use well field, or a grandfathered non-exempt-use well system produced for a particular purpose of use in a particular calendar year in the historic use validation period.
5. The district shall grant production permits for the protection of historic use with conditions related to aggregating the authorized groundwater production amounts of the non-exempt-use wells of a grandfathered well field or a grandfathered well system that are consistent with the validated pattern of operation of the grandfathered well field or the grandfathered well system during the historic use validation period.
6. The district shall not grant production permits for the protection of historic use with an aggregate authorized groundwater production amount of a grandfathered well field or a grandfathered well system exceeding the validated sum of all groundwater produced from the subject wells operated during the validation year.
7. The well owner, well field owner, or well system owner of a grandfathered non-exempt-use well, a grandfathered non-exempt-use well field, or a grandfathered non-exempt-use well system shall maintain the ownership or control of groundwater rights associated with the groundwater resources from which the subject grandfathered non-exempt-use well, subject grandfathered non-exempt-use well field, or subject grandfathered non-exempt-use well system historically produced groundwater.

### **RULE 5.1.1: GROUNDWATER PRODUCTION LIMITATIONS OF GRANDFATHERED NON-EXEMPT-USE WELLS**

1. The board of directors shall not issue a historic use validation permit for a grandfathered non-exempt-use well that is inconsistent with the validated historic use of the grandfathered non-exempt-use well.
2. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well to that amount and purpose of use validated, by the district, as historic use of the grandfathered non-exempt-use well.

### **RULE 5.1.2: GROUNDWATER PRODUCTION LIMITATIONS OF GRANDFATHERED WELL FIELDS**

1. The board of directors shall issue a historic use validation permit for a grandfathered non-exempt-use well field that is consistent with the validated historic use of the grandfathered non-exempt-use well field.
2. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well field to that amount and purpose of use validated, by the district, as historic use of the grandfathered non-exempt-use well field.
3. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well field to that amount and purpose of use validated, by the district, as historic use of the associated grandfathered non-exempt-use wells that exist on the date the associated application for the protection of historic use of a grandfathered well field was designated as administratively complete by the district.

### **RULE 5.1.3: GROUNDWATER PRODUCTION LIMITATIONS OF GRANDFATHERED WELL SYSTEMS**

1. The board of directors shall issue a historic use validation permit for a grandfathered non-exempt-use well system that is consistent with the validated historic use of the grandfathered non-exempt-use well system.
2. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of historic use validation permit for a grandfathered non-exempt-use well system to that amount and purpose of use validated, by the district, as historic use of the grandfathered non-exempt-use well system.
3. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well system to that amount and purpose of use validated, by the district, as historic use of the associated grandfathered non-exempt-use wells that exist on the date the associated application for a production permit for the protection of



historic use of a grandfathered well system was designated as administratively complete by the district.

## **RULE 5.2: GENERAL PROCEDURES RELATED TO PROTECTION OF HISTORIC USE PERMITTING**

1. The board of directors, representatives of the district, and other interested parties may scrutinize the evidence of historic use associated with an application for a production permit for the protection of historic use during the associated public hearing to assess the validity and reliability related to the permitting request.
2. The board of directors, on its own initiative, may issue production permits for the protection of historic use for grandfathered non-exempt-use well, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems within the district for which the well owners or authorized agents have not submitted administratively complete applications for production permits for the protection of historic use provided that such wells were not drilled, equipped and operated in such a manner as to violate any other rules and regulations of the district.
3. The well owners or authorized agents of grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems shall provide all available information requested by the district regarding the historic use of subject wells, subject well fields, or subject well systems associated with production permit for historic use.
4. The general manager shall review and determine the administrative completeness of an application for a production permit for the protection of historic use within sixty days (60 days) of date of receipt of application for a production permit for the protection of historic use.
5. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a production permit for the protection of historic use within sixty days (60 days) of the date of receipt of the supplemental information.
6. The general manager shall issue and post written notice indicating a date and time for a hearing regarding an application for a production permit for protection of historic use within thirty days (30 days) of determining the application for a production permit for protection of historic use is administratively complete.
7. The applicant of an application for a production permit for the protection of historic use shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a production permit for the protection of historic use.
8. The board of directors shall consider applications for a production permit for the protection of historic use that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
9. The district shall specify the operational requirements and special conditions of production permits for the protection of historic use including:
  - 9.1. the identification number assigned by the district for the production permit;

- 9.2. the identification number assigned by the district for the associated application for a production permit for the protection of historic use;
- 9.3. the subject non-grandfathered wells, non-grandfathered well fields and non-grandfathered well systems;
- 9.4. the authorized groundwater production amount;
- 9.5. the authorized groundwater production purpose;
- 9.6. the owners of groundwater resources;
- 9.7. the authorized operator; and
- 9.8. the reporting requirements.

### **RULE 5.2.1: APPLICATION REQUIREMENTS RELATED TO PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL**

1. The applicant for an application for the protection of historic use of a grandfathered well shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well;
  - 1.3. the geographic coordinate of the subject well;
  - 1.4. a statement confirming the subject well was used in a manner that qualifies as non-exempt use during the historic use validation period;
  - 1.5. the specification of the historic use validation year;
  - 1.6. the specification of the volume of groundwater resources produced in acre-foot by the subject well during the historic use validation year;
  - 1.7. the specification of the purpose of use of the groundwater resources produced by the subject well during the historic use validation year;
  - 1.8. a description of the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well;
  - 1.9. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well.
  - 1.10. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 1.11. a statement certifying, under penalty of law, that the subject well shall be operated in accordance with the rules of the district and regulations of the State of Texas;
  - 1.12. the dated signature of the applicant; and
  - 1.13. an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the subject well is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well during the historic use validation year has been provided to the district.

## **RULE 5.2.2: APPLICATION REQUIREMENTS RELATED TO PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL FIELD**

1. The applicant for an application for the protection of historic use of a grandfathered well field shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well field;
  - 1.3. the geographic coordinate of each of the subject wells;
  - 1.4. a statement confirming the subject well field was used in a manner that qualifies as non-exempt use during the historic use validation period;
  - 1.5. the specification of the historic use validation year;
  - 1.6. the specification of the volume of groundwater resources produced in acre-foot by the subject well field during the historic use validation year;
  - 1.7. the specification of the purpose of use of the groundwater resources produced by the subject well field during the historic use validation year;
  - 1.8. a description of the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well field;
  - 1.9. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well field.
  - 1.10. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 1.11. a statement certifying, under penalty of law, that the subject well field shall be operated in accordance with the rules of the district and regulations of the State of Texas;
  - 1.12. the dated signature of the applicant; and
  - 1.13. an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the subject well field is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well field during the historic use validation year has been provided to the district.

## **RULE 5.2.3: APPLICATION REQUIREMENTS RELATED TO PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL SYSTEM**

1. The applicant for an application for the protection of historic use of a grandfathered well system shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;

- 1.2. the name and address of the person that owns the subject well system;
- 1.3. the geographic coordinate of each of the subject wells;
- 1.4. a statement confirming the subject well system was used in a manner that qualifies as non-exempt use during the historic use validation period;
- 1.5. the specification of the historic use validation year;
- 1.6. the specification of the volume of groundwater resources produced in acre-foot by the subject well system during the historic use validation year;
- 1.7. the specification of the purpose of use of the groundwater resources produced by the subject well system during the historic use validation year;
- 1.8. a description of the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well system;
- 1.9. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well system.
- 1.10. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.11. a statement certifying, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas;
- 1.12. the dated signature of the applicant; and
- 1.13. an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the subject well system is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well system during the historic use validation year has been provided to the district.



## **SECTION 6: POLICIES RELATED TO NON-HISTORIC USE OF GROUNDWATER**

### **RULE 6.1: GENERAL POLICIES RELATED TO NON-HISTORIC-USE PERMITTING**

1. No person shall produce groundwater from a non-grandfathered well, non-grandfathered well field, or non-grandfathered well system without obtaining and maintaining ownership or control of the groundwater resources from the subject well, well field, or well system.
2. The district shall consider a request to aggregate the authorized groundwater production amounts validated for any grandfathered non-exempt-use well with authorized groundwater production for any non-grandfathered non-exempt-use well as a permitting request for non-historic use associated with a non-grandfathered non-exempt-use well field or a non-grandfathered non-exempt-use well system.
3. An applicant permanently changes the grandfathered status of a grandfathered well, a grandfathered well field, or a grandfathered well system to non-grandfathered well, a non-grandfathered well field, or a non-grandfathered well system if the applicant requests, and the district grants, a production permit for non-historic use or a permit amendment to a production permit for non-historic use in which the authorized groundwater production purpose is changed from the purpose of use validated by the district for the grandfathered well, the grandfathered well field, or the grandfathered well system.
4. The well owner, well field owner, or well system owner of a non-grandfathered non-exempt-use well, a non-grandfathered non-exempt-use well field, or a non-grandfathered non-exempt-use well system shall maintain the ownership or control of groundwater rights associated with the subject tracts of contiguous ownership of groundwater resources sufficient to produce the authorized groundwater production amount specified in the production permit for non-historic use.
5. An incorporated municipality, as an applicant for a production permit for non-historic use, may request that the district consider all contiguous land within its corporate limits that is located within the district and not associated with other production permits to be under its control for the purposes of evaluating the spacing requirements, production limitations, and performance conditions of the district.
6. A public water supply entity, as an applicant for a production permit for non-historic use, may request that the district consider all contiguous land within the boundary of its certificate of convenience and necessity (CCN) that is located within the district and not associated with other production permits to be under its control for the purposes of evaluating the spacing requirements, production limitations, and performance conditions of the district.
7. The district shall amend a production permits for non-historic use issued by the district if a well owner, well field owner, or well system owner of a non-grandfathered non-exempt-use well, a non-grandfathered non-exempt-use well field, or a non-grandfathered non-exempt-use well system fails to maintain the ownership or control of groundwater rights associated with the subject tracts of contiguous ownership of groundwater resources sufficient to produce the authorized groundwater production

amount specified in the production permit for non-historic use associated with the non-grandfathered non-exempt-use well, the non-grandfathered non-exempt-use well field, or the non-grandfathered non-exempt-use well system.

8. The district may amend a production permit for non-historic use issued by the district associated with production areas based on contiguous land within the corporate limit of an incorporated municipality or contiguous land within the boundary of a certificate of convenience and necessity (CCN) of a public water supply entity in conjunction with issuing production permits with production areas that intersect or overlap the corporate limit of an incorporated municipality or the certificate of convenience and necessity (CCN) of a public water supply entity.
9. The applicant for an application related to a production permit for non-historic use shall submit applications to register any wells not registered with the district within the subject tracts of contiguous ownership of groundwater resources.
10. The applicant for an application related to a production permit for non-historic use may be required to provide groundwater management information including a water conservation plan and drought management plan.

#### **RULE 6.1.1: GROUNDWATER PRODUCTION LIMITATIONS OF NON-GRANDFATHERED NON-EXEMPT-USE WELLS**

1. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well to an amount that does not exceed one hundred gallons per minute (100 GPM) per contiguous acre controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well.
2. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well, excluding production permit for deep-saline non-historic use, to an amount that does not exceed one-half acre-foot (1/2 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well.
3. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well to the degree the board of directors determines to be necessary to ensure the groundwater production from the subject well will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.
4. The district shall establish special conditions related to authorized groundwater production of a production permit for non-historic use of a non-exempt-use well as determined to be necessary by the board of directors to ensure the groundwater production from the subject well will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.

## **RULE 6.1.2: GROUNDWATER PRODUCTION LIMITATIONS OF NON-GRANDFATHERED NON-EXEMPT-USE WELLS FIELDS**

1. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well field to an amount that does not exceed one hundred gallons per minute (100 GPM) per contiguous acre controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well field.
2. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well field, excluding production permit for deep-saline non-historic use, to an amount that does not exceed one-half acre-foot (1/2 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well field.
3. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well field to the degree the board of directors determines to be necessary to ensure the groundwater production from the subject wells of the non-exempt-use well field will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.
4. The district shall establish special conditions related to authorized groundwater production of a production permit for non-historic use of a non-exempt-use well field as determined to be necessary by the board of directors to ensure the groundwater production from the subject wells of the non-exempt-use well field will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.

## **RULE 6.1.3: GROUNDWATER PRODUCTION LIMITATIONS OF NON-GRANDFATHERED NON-EXEMPT-USE WELL SYSTEMS**

1. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well system to an amount that does not exceed one hundred gallons per minute (100 GPM) per contiguous acre controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well field.
2. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well system to an amount that does not exceed one-half acre-foot (1/2 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous

ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well system.

3. The district shall limit the authorized groundwater production amount of each well within a non-exempt-use well system production permit for non-historic use to an amount that does not exceed three-quarters acre-foot (3/4 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well system surrounding the well.
4. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well system to the degree the board of directors determines to be necessary to ensure the groundwater production from the subject wells of the non-exempt-use well system will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.

## **RULE 6.2: GENERAL PROCEDURES RELATED TO NON-HISTORIC USE PERMITTING**

1. The general manager shall review and determine the administrative completeness of an application for a production permit for standard-capacity non-historic use within thirty days (30 days) of date of receipt of the application for a production permit for non-historic use.
2. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a production permit for non-historic use within thirty days (30 days) of date of receipt of the supplemental information.
3. The general manager shall issue and post written notice indicating a date and time for a hearing regarding an application for a production permit for non-historic use within thirty days (30 days) of determining that an application for a production permit for non-historic use is administratively complete, if required by the rules of the district.
4. The general manager may issue and post written notice indicating the proposed date of permit issuance for a production permit for standard-capacity non-historic use, if such issuance is authorized by the rules of the district, after the application is determined by the general manager to be administratively complete.
5. The board of directors shall consider applications requesting a production permit for high-capacity non-historic use that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
6. The board of directors shall consider applications requesting a deep-saline production permit that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
7. The general manager may consider and may issue production permits and production permit amendments associated with applications requesting a production permit for standard-capacity non-historic use, after providing public notice of the proposed permit issuance for not less than ten days (10 days), that:



- 7.1. are designated administratively complete;
- 7.2. satisfy the regulations and requirements established by the rules of the district; and
- 7.3. are not contested by any party.
8. The general manager shall not issue production permits or production permit amendments associated with applications requesting a production permit for standard-capacity non-historic use that are contested by any party.
9. The general manager may authorize a well owner to perform an aquifer test, as described in the aquifer test plan with a pumping period not to exceed twenty days (20 days), for the purposes of investigating:
  - 9.1. the production zone including type of aquifer, position and extent of aquicludes, aquitards, and hydrogeologic boundaries;
  - 9.2. the radius of influence and the radius of separation of the subject well and observation wells, the cone of depression, the static water level, and the drawdown curve;
  - 9.3. the drawdown-time relationship of the subject well;
  - 9.4. drawdown-distance relationship of the subject well; and
  - 9.5. the hydraulic properties and derived parameters of the production zone of the subject well.
10. The board of directors shall consider applications requesting a production permit for standard-capacity non-historic use, after providing public notice of the proposed permit issuance for not less than ten days (10 days), that:
  - 10.1. are designated administratively complete and are contested by any party; or
  - 10.2. have not been considered by the general manager resulting in the issuance of a production permit for standard-capacity non-historic use as requested by the applicant of an application for a production permit for standard-capacity non-historic use.
11. The district shall specify the operational requirements and special conditions of production permits for non-historic use including:
  - 11.1. the identification number assigned by the district for the production permit for non-historic use;
  - 11.2. the identification number assigned by the district for the associated application for a production permit for non-historic use;
  - 11.3. the identification number assigned by the district for the subject non-grandfathered wells, non-grandfathered well fields and non-grandfathered well systems;
  - 11.4. the authorized groundwater production amount;
  - 11.5. the authorized groundwater production purpose;
  - 11.6. the owners of groundwater resources;
  - 11.7. the authorized operator;
  - 11.8. the monitoring requirements;
  - 11.9. the reporting requirements;
  - 11.10. the special conditions established by the board of directors;
  - 11.11. the permit issuance date; and
  - 11.12. the permit expiration date.
12. A permit shall be automatically terminated if the construction of the proposed well is not completed within 365 days of the date the production permit was issued by the district.

## **RULE 6.2.1: APPLICATION REQUIREMENTS RELATED TO PRODUCTION PERMIT REQUESTS FOR NON-HISTORIC USE FOR A NON-EXEMPT-USE WELL**

1. The applicant for an application for a production permit for non-historic use of a non-exempt-use well shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well;
  - 1.3. the geographic coordinate of the subject well;
  - 1.4. the name and address of the landowner of the subject tracts of contiguous ownership of land;
  - 1.5. documentation demonstrating ownership of the subject tracts of contiguous ownership of land;
  - 1.6. the name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.7. documentation demonstrating ownership of the subject tracts of contiguous ownership of groundwater resources;
  - 1.8. the specification of the requested authorized groundwater production amount for the subject well in gallons per minute and acre-foot per year;
  - 1.9. the specification of the requested authorized groundwater production purpose for the subject well;
  - 1.10. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of land;
  - 1.11. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.12. the documentation of any district waiver being requested in association with the application;
  - 1.13. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.14. a scaled map of:
    - 1.14.1. the subject well;
    - 1.14.2. the boundary of the subject tracts of contiguous ownership of land;
    - 1.14.3. the boundary of the subject tracts of contiguous ownership of groundwater resources;
    - 1.14.4. the boundaries of any production areas associated with other valid production permits overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
    - 1.14.5. the nearest public roads; and
    - 1.14.6. the locations of any existing water wells within the boundary of the subject tracts of contiguous ownership of groundwater resources;

- 1.15. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.16. a statement certifying, under penalty of law, that the subject well shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.17. the dated signature of the applicant.

## **RULE 6.2.2: APPLICATION REQUIREMENTS RELATED TO NON-HISTORIC USE PRODUCTION PERMITS FOR NON-EXEMPT-USE WELL FIELDS**

1. The applicant for an application for a production permit for standard-capacity non-historic use of a non-exempt-use well field shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well field;
  - 1.3. the geographic coordinate of the subject wells;
  - 1.4. The name and address of the landowner of the subject tracts of contiguous ownership of land;
  - 1.5. The name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.6. the specification of the requested aggregate authorized groundwater production amount for the subject well field in gallons per minute and acre-foot per year;
  - 1.7. the specification of the requested authorized groundwater production purpose for the subject well field;
  - 1.8. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of land;
  - 1.9. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.10. the documentation of any district waiver being requested in association with the application;
  - 1.11. a statement certifying, under penalty of law, that the well field owner possesses the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.12. a scaled map of:
    - 1.12.1. the subject wells of the subject well field;
    - 1.12.2. the boundary of the subject tracts of contiguous ownership of land;
    - 1.12.3. the boundary of the subject tracts of contiguous ownership of groundwater resources;

- 1.12.4. the boundaries of any production areas overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.12.5. the nearest public roads; and
- 1.12.6. the locations of any existing water wells within the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.13. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.14. a statement certifying, under penalty of law, that the subject well field shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.15. the dated signature of the applicant.

### **RULE 6.2.3: APPLICATION REQUIREMENTS RELATED TO NON-HISTORIC USE PRODUCTION PERMITS FOR NON-EXEMPT-USE WELL SYSTEMS**

1. The applicant for an application for a production permit for standard-capacity non-historic use of a non-exempt-use well system shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well system;
  - 1.3. the geographic coordinate of the subject wells;
  - 1.4. The name and address of the landowners of the subject tracts of contiguous ownership of land;
  - 1.5. The name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.6. the specification of the requested aggregate authorized groundwater production amount for the subject well system in gallons per minute and acre-foot per year;
  - 1.7. the specification of the requested authorized groundwater production purpose for the subject well system;
  - 1.8. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of land;
  - 1.9. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.10. the documentation of any district waiver being requested in association with the application;
  - 1.11. a statement certifying, under penalty of law, that the well system owner possesses the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.12. a scaled map of:



- 1.12.1. the subject wells of the subject well system;
- 1.12.2. the boundaries of the subject tracts of contiguous ownership of land;
- 1.12.3. the boundaries of the subject tracts of contiguous ownership of groundwater resources;
- 1.12.4. the boundaries of any production areas overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.12.5. the nearest public roads; and
- 1.12.6. the locations of any existing water wells within the boundaries of the subject tracts of contiguous ownership of groundwater resources;
- 1.13. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.14. a statement certifying, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.15. the dated signature of the applicant.

### **RULE 6.3: SPECIAL POLICIES RELATED TO HIGH-CAPACITY NON-HISTORIC USE PERMITTING**

1. The district shall condition production permits for high-capacity non-historic use with the following performance conditions:
  - 1.1. the operation of the subject well, subject well field, or subject well system shall not cause drawdown of the water table or artesian pressure in the associated production zones of the Gulf Coast Aquifer System greater than five feet (5 feet) at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells will be located.
  - 1.2. the operation of the subject well, subject well field, or subject well system shall not cause or contribute to the intrusion of saline groundwater or saltwater into zones or water-bearing strata of fresh groundwater or areas by causing the interface between saline groundwater or saltwater and freshwater to migrate inland or upward.
  - 1.3. the operation of the subject well, subject well field, or subject well system shall not cause the water flow gradients to be altered between the Gulf Coast Aquifer System and those portions of the Guadalupe River and Green Lake water bodies located within the district.
  - 1.4. the operation of the subject well, the subject well field, or the subject well system shall not adversely affect groundwater quality at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells are or will be located as follows:
    - 1.4.1. result in an increase of total dissolved solids concentration beyond one thousand five hundred milligrams per liter (1,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand three hundred milligrams per liter (1,300 mg/L); or

- 1.4.2. result in an increase of total dissolved solids concentration above one thousand seven hundred milligrams per liter (1,700 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand five hundred milligrams per liter (1,500 mg/L); or
- 1.4.3. result in an increase of total dissolved solids concentration above two thousand milligrams per liter (2,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand seven hundred milligrams per liter (1,700 mg/L); or
- 1.4.4. result in an increase of total dissolved solids concentration above two thousand five hundred milligrams per liter (2,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand milligrams per liter (2,000 mg/L); or
- 1.4.5. result in an increase of total dissolved solids concentration above three thousand milligrams per liter (3,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand five hundred milligrams per liter (2,500 mg/L).
- 1.5. the proposed operation of the subject well, subject well field, or subject well system shall not cause land subsidence measured within the boundary of the subject tracts of contiguous ownership of groundwater resources in excess of one foot (1 foot).
2. The district shall require the well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use to monitor aquifer conditions for impacts associated with groundwater production authorized under a production permit for high-capacity non-historic use.
3. The district shall specify monitoring requirements for a production permit for high-capacity non-historic use including requirements related to installation and use of dedicated aquifer monitoring wells.
4. The district shall specify performance criteria and performance standards for a production permit for high-capacity non-historic use including the requirements related to water level impacts and water quality impacts.
5. The district shall consider the failure to collect less than sixty percent (60%) of any required aquifer measurements by the well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use as a failure to achieve the performance conditions of the production permit for high-capacity non-historic use.
6. The district may require the well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use to curtail or reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use in response to a failure to achieve the performance conditions of the production permit for high-capacity non-historic use.
7. The general manager shall review and determine the administrative completeness of an application for a production permit for high-capacity non-historic use within sixty days (60 days) of date of receipt of the application for a production permit for non-historic use.
8. The applicant of an application for a production permit for high-capacity non-historic use shall attend the meetings at which the board of directors conducts hearings or considers

action related to the application for a production permit for high-capacity non-historic use.

## **RULE 6.3.1: APPLICATION REQUIREMENTS RELATED TO HIGH-CAPACITY NON-HISTORIC-USE PRODUCTION PERMIT REQUESTS**

1. The applicant for an application for a production permit for high-capacity non-historic use shall submit the following information with the application for a production permit for high-capacity non-historic use in addition to the required information associated with an application for a production permit for standard-capacity non-historic use:
  - 1.1. the name and address of the applicant;
  - 1.2. the description of the production zones of the subject wells including:
    - 1.2.1. the depths to the top and bottom of the production zones;
    - 1.2.2. the thickness of the production zones;
  - 1.3. an aquifer test analysis report documenting:
    - 1.3.1. a conceptual description and diagram of the subject wells and observation wells including the well screening;
    - 1.3.2. a conceptual description and diagram of the production zones including type of aquifer, position and extent of aquicludes, aquitards, and hydrogeologic boundaries;
    - 1.3.3. a description and diagram of the radius of influence, the radius of separation of the subject wells and observation wells, the cones of depression, the static water levels, and the drawdown curves;
    - 1.3.4. a description and diagram of the drawdown-time relationships;
    - 1.3.5. a description and diagram of the drawdown-distance relationships;
    - 1.3.6. the hydraulic properties and derived parameters of the production zones;
    - 1.3.7. a description of the methods, assumptions, equations, and data used to calculate the hydraulic properties and derived parameters of production zones;
  - 1.4. diagrams of, and a description of the method used to develop, 5-foot contours of predicted water levels of the production zone of the subject wells and any water-bearing strata that exist between the top of the production zone of the subject wells and the ground surface in relation to the subject wells, to the outer edge of the cone-of-depression, and the boundary of the subject tracts of contiguous ownership of groundwater resources for the time intervals of five years, ten years, and thirty years of proposed operation;
  - 1.5. information demonstrating achievement of the following performance conditions to a reasonable scientific certainty:
    - 1.5.1. the proposed operation of the subject well, subject well field, or subject well system shall not cause drawdown of the water table or artesian pressure in the associated production zones of the Gulf Coast Aquifer System greater than five feet (5 feet) at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells will be located.
    - 1.5.2. the proposed operation of the subject well, subject well field, or subject well system shall not cause or contribute to the intrusion of saline groundwater or saltwater into zones or water-bearing strata of fresh groundwater or areas by

causing the interface between saline groundwater or saltwater and freshwater to migrate inland or upward.

- 1.5.3. the proposed operation of the subject well, subject well field, or subject well system shall not cause the water flow gradients to be altered between the Gulf Coast Aquifer System and those portions of the Guadalupe River and Green Lake water bodies located within the district.
- 1.5.4. the proposed operation of the subject well, subject well field, or subject well system shall not adversely affect groundwater quality at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells will be located as follows:
  - 1.5.4.1. result in an increase of total dissolved solids concentration beyond one thousand five hundred milligrams per liter (1,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand three hundred milligrams per liter (1,300 mg/L); or
  - 1.5.4.2. result in an increase of total dissolved solids concentration above one thousand seven hundred milligrams per liter (1,700 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand five hundred milligrams per liter (1,500 mg/L); or
  - 1.5.4.3. result in an increase of total dissolved solids concentration above two thousand milligrams per liter (2,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand seven hundred milligrams per liter (1,700 mg/L); or
  - 1.5.4.4. result in an increase of total dissolved solids concentration above two thousand five hundred milligrams per liter (2,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand milligrams per liter (2,000 mg/L); or
  - 1.5.4.5. result in an increase of total dissolved solids concentration above three thousand milligrams per liter (3,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand five hundred milligrams per liter (2,500 mg/L).
- 1.6. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.7. a statement certifying, under penalty of law, that the subject well, well field, or well system shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.8. the dated signature of the applicant.

## **RULE 6.3.2: SPECIAL MONITORING AND REPORTING REQUIREMENTS RELATED TO PERMITTING HIGH-CAPACITY NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall construct and maintain a monitoring well network



comprised of at least three dedicated aquifer monitoring wells designed to accurately monitor impacts associated with production of groundwater under subject production permit positioned within the perimeter of the subject tracts of contiguous ownership of groundwater resources and bounding the subject well, subject well field, or subject well system.

2. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall construct and maintain a permanent survey monument for vertical control within two hundred feet (200 feet) of the center of groundwater production of the production permit for high-capacity non-historic use if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
3. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall make provisions for and grant access to the district to for the purpose of installing and operating a mobile subsidence monitoring station on the well site at the survey monument if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
4. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall design and implement an aquifer monitoring plan, approved by the district, which includes the following:
  - 4.1. a description of the production area with a map depicting all non-exempt-use wells and dedicated aquifer monitoring wells within the production area;
  - 4.2. provisions to monitor and report production volumes, as daily totals, from the subject wells associated with the production permit for high-capacity non-historic use;
  - 4.3. provisions to establish initial average aquifer conditions for aquifer condition tier 1 parameters and aquifer condition tier 2 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use;
  - 4.4. provisions to measure and report aquifer condition tier 1 parameters, the aquifer condition tier 2 parameters, and aquifer condition tier 3 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use in accordance with the rules of the district and the special conditions of the production permit for high-capacity non-historic use; and
  - 4.5. provisions to evaluate and report the average aquifer condition and the rolling average of the measurements of aquifer condition parameters to the initial average aquifer conditions.
5. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall measure and record from the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use the aquifer condition tier 1 parameters on an hourly basis, the aquifer condition tier 2 parameters on a weekly basis, and aquifer condition tier 3 parameters once, during a period of not less than thirty days (30 days) prior to operating the subject wells, subject well field, or subject well system.

6. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall calculate, record and report to the district, as the initial average aquifer conditions of the production permit for high-capacity non-historic use, the average aquifer condition based on the data collected from the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use during the period of not less than ten days (10 days) prior to operating the subject wells, subject well field, or subject well system that the aquifer condition parameters were monitored.
7. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall measure, record and report to the district the volume of groundwater produced on a daily-basis from each of the subject wells of the production permit for high-capacity non-historic use on a monthly basis.
8. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall measure and record from the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use the aquifer condition parameters continuously from the end of the period during with the data was collected to calculate the initial average aquifer conditions until the expiration of the production permit for high-capacity non-historic use.
9. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall develop and submit quarterly reports to the district, within thirty days (30 days) of the end of the reporting period, which includes sections addressing:
  - 9.1. aquifer monitoring data and groundwater production data collected during the preceding 3-month reporting period;
  - 9.2. technical issues, if any, regarding aquifer monitoring or groundwater production monitoring experienced during the reporting period;
  - 9.3. statistical calculations of aquifer conditions calculated from aquifer monitoring data collected during the reporting period including the rolling average of the aquifer condition parameters;
  - 9.4. comparison of reporting period aquifer conditions to initial aquifer conditions;
  - 9.5. evaluation of achievement of performance standards of the production permit for high-capacity non-historic use; and
  - 9.6. corrective actions including production curtailment, if any, to be completed to achieve compliance with of performance standards of the production permit for high-capacity non-historic use not achieved during the reporting period performance standards of the production permit for high-capacity non-historic use not anticipated to be achieved during subsequent reporting periods.

### **RULE 6.3.3: SPECIAL OPERATIONAL REQUIREMENTS RELATED TO PERMITTING HIGH-CAPACITY NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use, in response to a failure to achieve the performance conditions of the production permit for high-capacity non-historic use, shall:
  - 1.1. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater

resources associated with the production permit for high-capacity non-historic use during the current and subsequent reporting periods to fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use during the previous reporting period until the performance conditions are achieved for two consecutive reporting periods.

2. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use, in response to a achieving the performance conditions of the production permit for high-capacity non-historic use for two consecutive reporting periods following a failure to achieve the performance conditions of the production permit for high-capacity non-historic use, may:
  - 2.1. increase the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use during the current reporting period, upon the renewed and continued achievement of the performance conditions, by fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use during the most recent reporting period with authorized groundwater production until the volume of groundwater resources eligible to be produced is equal to the authorized groundwater production amount.

#### **RULE 6.4: SPECIAL POLICIES RELATED TO DEEP-SALINE NON-HISTORIC USE PERMITTING**

1. The district shall limit the combined authorized groundwater production amounts of production permits for authorizing production of slightly saline groundwater to twenty thousand acre-foot (20,000 acre-foot) per year.
2. The district shall limit the combined authorized groundwater production amounts of production permits for authorizing production of moderately saline groundwater to fifteen thousand acre-foot (15,000 acre-foot) per year.
3. The district shall require the well owner, authorized agent, or the authorized operator of a production permits for deep-saline non-historic use to monitor aquifer conditions for impacts associated with groundwater production authorized under a production permit for deep-saline non-historic use.
4. The district shall condition production permits for deep-saline non-historic use with the following performance conditions:
  - 4.1. the proposed operation of the subject well or subject well field shall not cause or contribute to the intrusion of saline groundwater or saltwater into zones or water-bearing strata of fresh groundwater or areas by causing the interface between saline groundwater or saltwater and freshwater to migrate inland or upward;
  - 4.2. the average of the daily average specific conductivity calculated for the subject well or subject well field, calculated for any reporting period, shall not exceed fifteen

- thousand microsiemens per centimeter (15,000  $\mu\text{S}/\text{cm}$ ) during any reporting period;
- 4.3. the average total dissolved solids for the subject well or subject well field, calculated for any reporting period, shall not exceed ten thousand milligrams per liter (10,000 mg/L) during any reporting period;
  - 4.4. the modeled drawdown caused by the operation of the subject well or subject well field, calculated for any reporting period, shall not exceed ten feet (10 feet) at any registered well outside the production area relative to the initial average aquifer conditions established under the production permit for deep-saline non-historic use;
  - 4.5. the maximum of the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed thirty feet (30 feet) relative to the initial average aquifer conditions established under the production permit for deep-saline non-historic use;
  - 4.6. the average of the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed twenty feet (20 feet) relative to the initial average aquifer conditions established under the production permit for deep-saline non-historic use;
  - 4.7. the maximum of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed two thousand three hundred microsiemens per centimeter (2,300  $\mu\text{S}/\text{cm}$ );
  - 4.8. the average of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed one thousand five hundred and fifty microsiemens per centimeter (1,550  $\mu\text{S}/\text{cm}$ );
  - 4.9. the maximum of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of saline groundwater, calculated for any reporting period, shall not exceed the initial average aquifer conditions established under the production permit for deep-saline non-historic use by more than fifty percent (50%);
  - 4.10. the average of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of saline groundwater, calculated for any reporting period, shall not exceed the initial average aquifer conditions established under the production permit for deep-saline non-historic use by more than twenty five percent (25%); and
  - 4.11. land subsidence measured within the boundary of the subject tracts of contiguous ownership of groundwater resources shall not exceed one foot (1 foot).
5. The district shall require the well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use to monitor aquifer conditions for impacts associated with groundwater production authorized under a production permit for deep-saline non-historic use.
  6. The district shall specify monitoring requirements for a production permit for deep-saline non-historic use including requirements related to installation and use of dedicated aquifer monitoring wells.



7. The district shall specify performance criteria and performance standards for a production permit for deep-saline non-historic use including the requirements related to water level impacts and water quality impacts.
8. The district shall consider the failure to collect less than sixty percent (60%) of any required aquifer measurements by the well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use as a failure to achieve the performance conditions of the production permit for deep-saline non-historic use.
9. The district may require the well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use to curtail or reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use in response to a failure to achieve the performance conditions of the production permit for deep-saline non-historic use.
10. The general manager shall review and determine the administrative completeness of an application for a production permit for deep-saline non-historic use within ninety days (90 days) of date of receipt of the application for a production permit for non-historic use.
11. The applicant of an application for a production permit for deep-saline non-historic use shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a production permit for deep-saline non-historic use.

#### **RULE 6.4.1: GROUNDWATER PRODUCTION LIMITATIONS RELATED TO DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONES**

#### **RULE 6.4.2: APPLICATION REQUIREMENTS RELATED TO DEEP-SALINE PRODUCTION PERMIT REQUESTS**

1. The applicant for an application for a production permit for deep-saline non-historic use shall submit the following information with the application for a production permit for deep-saline non-historic use in addition to the required information associated with an application for a production permit for standard-capacity non-historic use:
  - 1.1. the name and address of the applicant;
  - 1.2. the description of the production zones of the subject wells including:
    - 1.2.1. the depths to the top and bottom of the production zones;
    - 1.2.2. the thickness of the production zones;
  - 1.3. the identification of the specific deep-saline special groundwater management zone from which the subject wells would produce groundwater resources;
  - 1.4. the cumulative production volume from the subject wells proposed for the first five-year period of the production permit for deep-saline non-historic use;
  - 1.5. the maximum proposed production rate of the subject wells in gallons per minute and acre-foot per year;
  - 1.6. the distance between the nearest registered water well and each of the subject wells;
  - 1.7. identification of any wells with 1) a total depth of eight hundred feet (800 feet) or 2) a screen below eight hundred feet (800 feet) located within two thousand six hundred and forty feet (2,640 feet) of any of the subject wells; and

1.8. the dated signature of the applicant.

**RULE 6.4.3: SPECIAL MONITORING AND REPORTING REQUIREMENTS RELATED TO PERMITTING DEEP-SALINE NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall construct and maintain a dedicated aquifer monitoring well within three hundred feet (300 feet) of each deep-saline well with a continuous 50-foot screen isolated in the deepest zone with fresh groundwater.
2. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall construct and maintain a dedicated aquifer monitoring well within one hundred feet (100 feet) of the boundary of the subject tract of contiguous ownership of groundwater resources, closest to the greatest level of predicted drawdown, with continuous 100-foot screens intersecting the major sand units of the deep-saline special groundwater management zone associated with the production permit for deep-saline non-historic use if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
3. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall construct and maintain a permanent survey monument for vertical control within two hundred feet (200 feet) of the center of groundwater production of the production permit for deep-saline non-historic use if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year;
4. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall make provisions for and grant access to the district to for the purpose of installing and operating a mobile subsidence monitoring station on the well site at the survey monument if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
5. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall design and implement an aquifer monitoring plan, approved by the district, which includes the following:
  - 5.1. a description of the production area with a map depicting all non-exempt-use wells and dedicated aquifer monitoring wells within the production area;
  - 5.2. provisions to monitor and report production volumes, as daily totals, from the subject wells associated with the production permit for deep-saline non-historic use;
  - 5.3. provisions to establish initial average aquifer conditions for aquifer condition tier 1 parameters and aquifer condition tier 2 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for deep-saline non-historic use;
  - 5.4. provisions to measure and report hourly measurements of aquifer condition tier 1 parameters, semi-annual measurements of aquifer condition tier 2 parameters, and

- annual measurements of aquifer condition tier 3 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for deep-saline non-historic use in accordance with the rules of the district and the special conditions of the production permit for deep-saline non-historic use.
- 5.5. a list of equipment and specifications to be used to collect aquifer monitoring data including field protocols for sample collection and preservation; and
  - 5.6. methodologies and protocols for the following:
    - 5.6.1. calibrating and installing aquifer monitoring equipment;
    - 5.6.2. collecting and storing aquifer monitoring data;
    - 5.6.3. controlling and assuring data quality;
    - 5.6.4. post-process aquifer monitoring data;
    - 5.6.5. statistical processing of aquifer monitoring data; and
    - 5.6.6. modeling impacts of groundwater production from the deep-saline wells outside the boundary of the production area.
  6. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall develop and submit quarterly reports to the district, within thirty days (30 days) of the end of the reporting period, which includes sections addressing:
    - 6.1. aquifer monitoring data and groundwater production data collected during the preceding 3-month reporting period;
    - 6.2. technical issues, if any, regarding aquifer monitoring or groundwater production monitoring experienced during the reporting period;
    - 6.3. statistical calculations of aquifer conditions calculated from aquifer monitoring data collected during the reporting period;
    - 6.4. comparison of reporting period aquifer conditions to initial aquifer conditions;
    - 6.5. evaluation of achievement of performance standards of the production permit for deep-saline non-historic use; and
    - 6.6. corrective actions including production curtailment, if any, to be completed to achieve compliance with of performance standards of the production permit for deep-saline non-historic use not achieved during the reporting period performance standards of the production permit for deep-saline non-historic use not anticipated to be achieved during subsequent reporting periods.

#### **RULE 6.4.4: SPECIAL OPERATIONAL REQUIREMENTS RELATED TO PERMITTING DEEP-SALINE NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall develop and conduct an aquifer test in accordance with an aquifer test plan approved by the district.
2. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall submit, within two months after completing the subject wells and before commencing operation of the subject wells under the production permit for deep-saline non-historic use, an aquifer test analysis report documenting:
  - 2.1. a conceptual description and diagram of the subject wells and observation wells including the well screening;

- 2.2. a conceptual description and diagram of the production zones including type of aquifer, position and extent of aquicludes, aquitards, and hydrogeologic boundaries;
  - 2.3. a description and diagram of the radius of influence, the radius of separation of the subject wells and observation wells, the cones of depression, the static water levels, and the drawdown curves;
  - 2.4. a description and diagram of the drawdown-time relationships;
  - 2.5. a description and diagram of the drawdown-distance relationships;
  - 2.6. the hydraulic properties and derived parameters of the production zones;
  - 2.7. the methods, assumptions, equations, and data used to calculate the hydraulic properties and derived parameters of production zones; and
  - 2.8. diagrams of, and a description of the method used to develop, 5-foot contours of predicted water levels of the production zone of the subject wells and any water-bearing strata that exist between the top of the production zone of the subject wells and the ground surface in relation to the subject wells, to the outer edge of the cone-of-depression, and the boundary of the subject tracts of contiguous ownership of groundwater resources for the time intervals of five years, ten years, and thirty years of proposed operation.
3. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use, in response to failures to achieve the performance conditions of the production permit for deep-saline non-historic use shall:
    - 3.1. adjust volumes of groundwater resources produced and the production schedules of the subject well or subject well field to prevent the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater from exceeding twenty feet (20 feet) relative to initial average aquifer conditions established under the production permit for deep-saline non-historic use during the subsequent reporting period if the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater exceeds fifteen feet (15 feet) relative to relative to initial average aquifer conditions established under the production permit for deep-saline non-historic use during the preceding reporting period;
    - 3.2. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to ninety percent (90%) of the production volume during the subsequent reporting period if performance conditions are not achieved during a reporting period;
    - 3.3. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the subsequent reporting period if performance conditions are not achieved for two consecutive reporting periods;
    - 3.4. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to



- twenty five percent (25%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the subsequent reporting period if performance conditions are not achieved for three consecutive reporting periods; and
- 3.5. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to the lesser of two hundred gallons per minute (200 GPM), eighty acre-foot (80 acre-foot), or ten percent (10%) of the of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the subsequent reporting period if performance conditions are not achieved for four consecutive reporting periods.
  4. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use, in response to a achieving the performance conditions of the production permit for deep-saline non-historic use for two consecutive reporting periods following a failure to achieve the performance conditions of the production permit for deep-saline non-historic use, may:
    - 4.1. increase the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the current reporting period, upon the renewed and continued achievement of the performance conditions, to fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the most recent reporting period with authorized groundwater production until the volume of groundwater resources eligible to be produced is equal to the authorized groundwater production amount.

## **SECTION 7: POLICIES RELATED GROUNDWATER TRANSFER**

### **RULE 7.1: GENERAL POLICIES RELATED PERMITTING TRANSFER**

1. A person shall not be required to obtain a transfer permit for:
  - 1.1. the transfer of less than ten acre-foot (10 acre-foot) of produced groundwater per year,
  - 1.2. the transfer of produced groundwater that is part of a manufactured product manufactured within the district,
  - 1.3. the transfer of groundwater produced from and put to use solely on real property that presently and historically straddles the boundary of the district as of the date of the original adoption of the rules of the district,
  - 1.4. the transfer of groundwater produced from real property within the boundary of the district and put to use solely within a certificate of convenience and necessity (CCN) that presently and historically straddled the boundary of the district as of the date of the original adoption of the rules of the district, or
  - 1.5. the transfer of groundwater produced from and put to use to hydrotest pipeline provided at least fifty percent (50%) of the pipeline to be tested exists within the boundary of the district and the pipeline presently and historically straddled the boundary of the district as of the date of the original adoption of the rules of the district.
2. The board of directors shall consider the following information when deciding to grant or deny a transfer permit:
  - 2.1. the availability of water in the district and in the proposed receiving area during the period for which the water supply is requested;
  - 2.2. the projected effect of the proposed transfer on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the district; and
  - 2.3. the approved regional water plan and approved district management plan.

### **RULE 7.2: GENERAL PROCEDURES RELATED TRANSFER PERMITTING**

1. The general manager shall review and determine the administrative completeness of an application for a transfer permit within thirty days (30 days) of the date of receipt of the application for a transfer permit.
2. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a transfer permit within thirty days (30 days) of date of receipt of the supplemental information.
3. The general manager shall designate an application for a transfer permit as administratively complete when all necessary information to fully consider the application has been submitted to the district by the applicant.

4. The general manager shall issue and post written notice, within thirty days (30 days) of determining an application for a transfer permit is administratively complete, indicating a date and time for a hearing regarding the application for a transfer permit.
5. The applicant of an application for a transfer permit shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a transfer permit.
6. The board of directors shall consider applications requesting a transfer permit that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
7. The district shall specify the operational requirements and special conditions of transfer permits including:
  - 7.1. the identification number assigned by the district for the transfer permit;
  - 7.2. the identification number assigned by the district for the subject production permit;
  - 7.3. the authorized groundwater transfer amount;
  - 7.4. the authorized groundwater transfer purpose;
  - 7.5. the authorized operator of the transfer permit;
  - 7.6. the authorized groundwater transfer location;
  - 7.7. the monitoring requirements;
  - 7.8. the reporting requirements;
  - 7.9. the special conditions established by the board of directors;
  - 7.10. the permit issuance date; and
  - 7.11. the permit expiration date.
8. The district shall specify monitoring requirements for a transfer permit including the requirements related to installation and use of meters to record the volumes of groundwater transferred.

### **RULE 7.3: GENERAL MONITORING AND REPORTING REQUIREMENT RELATED TO TRANSFER PERMITS**

1. The authorized operator of a transfer permit shall measure the volume of produced groundwater transferred out of the district under the transfer permit using a device or method that is accurate within ten percent (10%) of the actual volume produced.
2. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district under the transfer permit to the district on an annual basis.
3. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district that is accurate within ten percent (10%) of the actual volume of groundwater transferred during the calendar year.
4. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district for the previous calendar year during January of the subsequent calendar year.
5. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district using a form developed by the district.
6. The authorized operator of a transfer permit shall include the following information when reporting the volume of groundwater transferred out of the district:
  - 6.1. the transfer permit identification number;

- 6.2. the reporting period;
- 6.3. the volume of groundwater transferred out of the district during the reporting period in acre-foot;
- 6.4. the method used to determine the volumes of groundwater transferred out of the district during the reporting period; and
- 6.5. a statement certifying, under penalty of law, that the information reported on and attached to the report was prepared under the direction or supervision of the authorized operator and is, to the best of the knowledge and belief of the authorized operator, true, accurate and complete;
- 6.6. the printed name of the person submitting the report; and
- 6.7. the dated signature of the person submitting the report.

## **RULE 7.4: APPLICATION REQUIREMENTS RELATED TO TRANSFER PERMIT REQUESTS**

1. The applicant for an application for a transfer permit shall submit the permitting request on the form prescribed by the district.
2. The applicant for an application for a transfer permit shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 2.1. the name and address of the applicant;
  - 2.2. the identification number assigned by the district of the associated production permit;
  - 2.3. the name and address of the authorized operator of the associated production permit;
  - 2.4. the requested authorized groundwater transfer amount in acre-foot per year;
  - 2.5. the requested authorized groundwater transfer purpose;
  - 2.6. the requested authorized groundwater transfer period;
  - 2.7. the name and address of the requested authorized operator of the transfer permit;
  - 2.8. the requested authorized groundwater transfer location;
  - 2.9. a description of the existing and proposed transfer facilities and method to be used to transfer groundwater from the district to the authorized groundwater transfer location;
  - 2.10. a description of any anticipated loss of water resulting from the transfer of groundwater from the district to the authorized groundwater transfer location;
  - 2.11. a description of the availability of water in the district and in the proposed receiving area during the period for which the water supply is requested;
  - 2.12. a description of the projected effect of the proposed transfer on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the district;
  - 2.13. a plan specifying:
    - 2.13.1. the quantified objectives to be achieved by reducing groundwater transfer from the district during periods of water shortages and drought in the district;
    - 2.13.2. actions to be completed by the authorized operator at the authorized groundwater transfer location and receiving area to reduce groundwater



- transfer from the district during periods of water shortages and drought to achieve the quantified objectives for reducing groundwater transfer from the district during periods of water shortages and drought in the district;
- 2.13.3. actions to be completed by the authorized operator to monitor and assess achievement of the quantified objectives for reducing groundwater transfer from the district during periods of water shortages and drought in the district;
- 2.13.4. actions to be completed by the authorized operator to report to the district the assessment of the achievement of the quantified objectives for reducing groundwater transfer from the district during periods of water shortages and drought in the district; and
- 2.14. Proof of notification of the proposed groundwater transfer that includes the name and address of the applicant, the identification number assigned by the district of the associated production permit, the name and address of the authorized operator of the associated production permit, the requested authorized groundwater transfer amount in acre-foot per year, the requested authorized groundwater transfer purpose, the requested authorized groundwater transfer period, the name and address of the requested authorized operator of the transfer permit, and the requested authorized groundwater transfer location, by certified mail, of all landowners and all owners of groundwater resources within two miles (2 miles) of the production area of the associated production permit.
- 2.15. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 2.16. a statement certifying, under penalty of law, that the transfer of groundwater shall be conducted in accordance with the rules of the district and regulations of the State of Texas; and
- 2.17. the dated signature of the applicant.

## **SECTION 8: POLICIES RELATED TO DISTRICT WAIVERS AND PETITIONS TO AMEND THE RULES OF THE DISTRICT**

### **RULE 8.1: GENERAL POLICIES RELATED TO WAIVERS**

1. The district shall only grant district waivers to rules or requirements of the district that are consistent with the mission of the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district shall only adopt waivers to rules or requirements of the district that are consistent with the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
3. The district shall only adopt waivers to rules or requirements of the district that are consistent with the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
4. The district shall grant district waivers with conditions, restrictions, limitations, and requirements determined to be necessary by the district to achieve the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
5. The district shall grant district waivers in accordance with and subject to the rules of the district, the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
6. The district shall not grant district waivers for which the board of directors has not found good cause.
7. The board of directors may modify, reduce, or eliminate any rule or requirement of the district associated with a permitting request for which the board of directors has found good cause.
8. The board of directors may establish and incorporate special conditions and requirements in district waivers and associated permits.

### **RULE 8.2: GENERAL PROCEDURES RELATED TO DISTRICT WAIVERS**

1. The general manager shall contest all permitting requests associated with requests for a district waiver that have not been granted by the board of directors.
2. A person drilling or having drilled a well may apply for a district waiver of the well completion requirements of the rules of the district.
3. An applicant for an application for a permit may request a district waiver of the permitting requirements established by the rules of the district.
4. The applicant requesting a district waiver of the permitting requirements established by the rules of the district shall provide evidence of good cause with the application.
5. The general manager shall review and determine the administrative completeness of an application for a district waiver within sixty days (60 days) of date of receipt of the application for a district waiver.

6. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a district waiver within thirty days (30 days) of date of receipt of the supplemental information.
7. The general manager shall designate an application for a district waiver as administratively complete when all necessary information to fully consider the application has been submitted to the district by the applicant.
8. The general manager shall schedule applications for a district waiver determined to be administratively complete for consideration by the board of directors at the next regularly scheduled meeting of the board of directors.
9. The general manager shall issue and post written notice, within thirty days (30 days) of determining an application for a district waiver is administratively complete, indicating a date and time for a hearing regarding the application for a district waiver.
10. The applicant of an application for a district waiver shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a district waiver.
11. The applicant for an application for a district waiver shall provide, to the district, any waivers related to spacing requirements obtained from other persons in relation to the district waiver being requested or associated permitting request.
12. The applicant for an application for a district waiver shall identify any waivers related to spacing requirements sought but not obtained from other persons in relation to the district waiver being requested or associated permitting request.
13. The applicant for an application for a district waiver shall provide the information and evidence the board of directors determines to be necessary to evaluate the district waiver request.
14. The board of directors shall consider an application for a district waiver that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
15. The board of directors shall consider an application for a district waiver designated administratively complete in advance of associated permit requests.
16. The board of directors may consider a district waiver request at the same meeting that a permitting request is considered.
17. The board of directors may refer any application for a district waiver to a hearing examiner for a hearing.
18. The district incorporates the application for a district waiver into any associated district waiver approved by the district.
19. The district issues, approves, and grants a district waiver on the basis of and is contingent upon the accuracy of the information supplied in the associated application for a district waiver.
20. The district shall specify the operational requirements and special conditions of district waivers including:
  - 20.1. the identification number assigned by the district for the district waiver;
  - 20.2. the identification number assigned by the district for the associated application for a district waiver;
  - 20.3. the identification number assigned by the district for the associated production permit or transfer permit;

- 20.4. the identification of the rules and requirements associated with the district waiver;
- 20.5. the authorized operator;
- 20.6. the finding of the board of directors regarding good cause associated with the district waiver;
- 20.7. the special conditions established by the board of directors; and
- 20.8. the expiration date.

### **RULE 8.3: APPLICATION REQUIREMENTS RELATED TO DISTRICT WAIVERS**

1. The applicant for an application for a district waiver shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. a description of the associated applications for a permit;
  - 1.3. the identification of the specific rules and specific requirements of the rules of the district from which an applicant seeks relief;
  - 1.4. a detailed description of the basis for board of directors to find good cause exists for granting the district waiver request;
  - 1.5. a detailed description of the impact if the district waiver request is not granted by the board of directors;
  - 1.6. a detailed description of any conditions, restrictions, limitations, and requirements the applicant would find acceptable if the request were to be approved;
  - 1.7. the duration of time the district waiver would be necessary;
  - 1.8. a list of documentation, if any, included with the district waiver request supporting district waiver request;
  - 1.9. the name and address of the person that owns the subject well, the subject well field or the subject well system;
  - 1.10. the geographic coordinate of the subject wells;
  - 1.11. the name and address of the landowners of the subject tracts of contiguous ownership of land;
  - 1.12. the name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.13. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of land;
  - 1.14. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.15. a statement certifying, under penalty of law, that the well owners possess the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.16. a scaled map of:
    - 1.16.1. the subject wells;
    - 1.16.2. the boundaries of the subject tracts of contiguous ownership of land;



- 1.16.3. the boundaries of the subject tracts of contiguous ownership of groundwater resources;
- 1.16.4. the boundaries of any production areas overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.16.5. the nearest public roads; and
- 1.16.6. the locations of any existing water wells within the boundary of the subject tracts of contiguous ownership of groundwater resources; and
- 1.17. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.18. a statement certifying, under penalty of law, that the subject wells shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.19. the dated signature of the applicant.

#### **RULE 8.4: GENERAL POLICIES RELATED TO PETITIONS TO AMEND THE RULES OF THE DISTRICT**

1. The district shall only adopt amendments to rules of the district that are consistent with the mission of the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district shall only adopt amendments to rules of the district that are consistent with the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
3. The district shall only adopt amendments to rules of the district that are consistent with the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.

#### **RULE 8.5: GENERAL PROCEDURES RELATED TO PETITIONS TO AMEND THE RULES OF THE DISTRICT**

1. A person with a real property interest in groundwater within the district may petition the board of directors to adopt, modify, or amend the rules of the district.
2. The petitioner shall articulate the good cause to add, revise, or eliminate specific requirements or limitations within the rules of the district, utilizing a form provided by the district.
3. The general manager shall review and determine the administrative completeness of a petition to amend the rules of the district within ninety days (90 days) of date of receipt of the petition to amend the rules of the district.
4. The general manager shall review the supplemental information requested by the general manager and received by the district associated with a petition to amend the rules of the district within ninety days (90 days) of date of receipt of the supplemental information.

5. The general manager shall designate a petition to amend the rules of the district as administratively complete when all necessary information to fully consider the petition to amend the rules of the district has been submitted to the district by the petitioner.
6. The general manager shall schedule a petition to amend the rules of the district determined to be administratively complete for consideration by the board of directors at a regularly scheduled meeting of the board of directors.
7. The general manager shall issue and post written notice, within thirty days (30 days) of determining a petition to amend the rules of the district is administratively complete, indicating a date and time for a hearing regarding the petition to amend the rules of the district.
8. The petitioner of a petition to amend the rules of the district shall attend the meetings at which the board of directors conducts hearings or considers action related to the petition to amend the rules of the district.
9. The petitioner of a petition to amend the rules of the district shall provide the information and evidence the board of directors determines to be necessary to evaluate the petition.
- ~~10.~~ 10. The board of directors shall consider petitions to amend the rules of the district within ninety days (90 days) of receipt of an administratively complete petition form and shall:
  - 10.1. deny the petition and provide an explanation for the denial, or
  - 10.2. engage in rulemaking consistent with the petition.
- ~~11.~~ 11. ~~The board of directors shall deny the petition and provide an explanation for the denial or engage in rulemaking consistent with the granted petition.~~
- ~~12.~~ 12. ~~11.~~ The board of directors shall consider petitions that are designated as administratively complete, after providing public notice of the rulemaking hearing for not less than twenty days (20 days) as required by Section 36.101(d), Water Code.
- ~~13.~~ 13. ~~12.~~ The board of directors may refer any petition to amend the rules of the district to a hearing examiner for a hearing.

## **RULE 8.6: APPLICATION REQUIREMENTS RELATED TO PETITIONS TO AMEND THE RULES OF THE DISTRICT**

1. The petitioner of a petition to amend the rules of the district shall include the following information:
  - 1.1. the name and address of the petitioner;
  - 1.2. the identification of the specific rules and specific requirements of the rules of the district the petitioner request to be eliminated from the rules of the district;
  - 1.3. the identification of the specific rules and specific requirements of the rules of the district the petitioner request to be added in the rules of the district;
  - 1.4. the identification of the specific rules and specific requirements of the rules of the district the petitioner request to be revised within the rules of the district;
  - 1.5. a detailed description of the basis for board of directors to find good cause to amend the rules of the district;
  - 1.6. a detailed description of the impact if the petition is not granted by the board of directors;
  - 1.7. a list of documentation, if any, included with the petition supporting the request;
  - 1.8. the names and addresses of the persons petitioning the district;

- 1.9. a statement certifying, under penalty of law, that the information reported on and attached to the petition to amend the rules of the district was prepared under the direction or supervision of the petitioner and is, to the best of the knowledge and belief of the petitioner, true, accurate and complete; and
- 1.10. the dated signature of the petitioner.

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(ALL MARKUP)

## **SECTION 9: POLICIES RELATE TO CURTAILMENT OF GROUNDWATER PRODUCTION**

### **RULE 9.1: CURTAILMENT OF GROUNDWATER PRODUCTION**

1. The district may curtail groundwater production of wells, well fields, and well systems in order to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district may curtail groundwater production of wells, well fields, and well systems in order to control or prevent subsidence within the boundary of the district.
3. The district may curtail groundwater production of non-exempt-use wells, non-exempt-use wells fields, or non-exempt-use well systems based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district will reduce the degree to which the district is failing to achieve the desired future conditions of the district.
4. The district may impose new and additional monitoring requirements for non-exempt-use wells, non-exempt-use well fields, or non-exempt-use well systems based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district may reduce the degree to which the district is failing to achieve the desired future conditions of the district.
5. Any curtailment of groundwater production shall consider all groundwater uses and needs and be fair and impartial.

### **RULE 9.2: REDUCTION OF AUTHORIZED GROUNDWATER PRODUCTION AMOUNT OF PRODUCTION PERMITS**

1. The district may reduce the authorized groundwater production amount of production permits based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district will reduce the degree to which the district is failing to achieve the desired future conditions of the district.
2. The district may reduce the authorized groundwater production amount of production permits of non-exempt-use wells, well fields, or well systems based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district will control or prevent subsidence the district
3. Any reduction of groundwater production shall consider all groundwater uses and needs and be fair and impartial.



## **SECTION 10: POLICIES RELATED TO DISTRICT FEES**

### **RULE 10.1: ADMINISTRATIVE AND APPLICATION FEE**

1. The board of directors, by resolution, shall establish a schedule of fees for administrative acts of the district, including the cost of reviewing and processing applications related to permitting and the cost of hearings for applications related to permitting.
2. The board of directors shall not establish administrative fees that unreasonably exceed the cost to the district for performing administrative acts.
3. The district may assess a fee to reimburse the district for the costs of publishing notices of hearings related to a permit matter for each notice published for an application.
4. The applicant of an application related to permitting shall pay any required administrative fees when the application is submitted to the district.

### **RULE 10.2: REGISTRATION APPLICATION FEE**

1. The district shall not assess fees for filing and processing of an application to register a well, well field, or well system associated with grandfathered wells, grandfathered well fields, or grandfathered well systems.

### **RULE 10.3: TRANSFER FEE**

1. The board of directors, by resolution, shall establish a schedule of fees for the transfer of groundwater.
2. The authorized operator of a transfer permit shall pay the fees associated with the transfer of groundwater under the transfer permit during the previous calendar year by January 31 of each year.

### **RULE 10.4: PRODUCTION FEE**

1. The district shall not establish a schedule of fees for the production of groundwater from grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, or grandfathered non-exempt-use well systems.
2. The board of directors, by resolution, shall establish a schedule of fees for the production of groundwater from non-grandfathered non-exempt-use wells.
3. The board of directors, by resolution, shall establish fees for the production of groundwater on the amount of groundwater produced from the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system.
4. The well owner of a well that produced groundwater resources for non-exempt-uses shall pay the production fees, if any, associated with the non-exempt-use during the previous calendar year by January 31 of each year.

## **RULE 10.5: PENALTIES AND LATE FEES**

1. The board of directors, by resolution, may establish penalties for the production of groundwater in excess of the authorized groundwater production amount specified on a production permit.
2. The board of directors, by resolution, shall establish a fee schedule related to payments that remain unpaid by the related due date equal to one percent of the amount due per month following the due date in addition to any penalty assessed by the board of directors.

PROPOSED REVISIONS  
(ALL MARKUP)

## **SECTION 11: POLICIES RELATED TO WASTE, VIOLATIONS, INVESTIGATIONS, AND ENFORCEMENT**

### **RULE 11.1: GENERAL POLICIES RELATED TO WASTE PREVENTION**

1. No person shall produce groundwater resources within the district that is used in such a manner as to constitute waste of groundwater as defined in the rules of the district.
2. No person shall pollute or harmfully alter the character of the groundwater resources of the district by causing or allowing undesirable water or other deleterious matter to enter strata beneath the surface of the ground.
3. No person shall produce groundwater in excess of that amount which is economically reasonable for a beneficial purpose when reasonable intelligence and reasonable diligence are used in applying the groundwater to that purpose.
4. No person shall commit waste of groundwater as that term is defined in the rules of the district.

### **RULE 11.2: GENERAL POLICIES RELATED VIOLATIONS**

1. No person shall violate the provisions of Chapter 36 of the Texas Water Code or any other state law related to wells or groundwater resources within the district.
2. No person shall violate the rules and regulations adopted by the Texas Department of Licensing and Regulation related to wells or groundwater resources within the district.
3. Any person that violates the permit conditions of a permit issued by the district is subject to the enforcement provisions of the rules of the district.
4. Any person that fails to satisfy any requirements and provisions of a permit issued by the district violates the rules of the district.
5. Any person that produces groundwater from a well for non-exempt uses in any amount without a valid production permit authorizing the groundwater production violates the rules of the district.
6. Any person that produces groundwater from a well for non-exempt uses for any purpose of use not authorized by production permits associated with well violates the rules of the district.
7. Any person that produces groundwater from a well for non-exempt uses in an amount that exceeds one-hundred and ten percent (110%) of the authorized groundwater production amount of the valid production permits associated with well violates the rules of the district.
8. Any person that tampers, alters, damages, or removes the well lockout seal affixed on a well or the associated equipment by the district or that diminishes the integrity of the well lockout seal violates the rules of the district.
9. Any person that produces groundwater from a well with well lockout seal affixed on a well or the associated equipment by the district violates the rules of the district.
10. Any person that engages in an activity that requires a permit from the district under the rules of the district prior to receiving such permit violates the rules of the district.

11. Any person that is responsible for and fails to report groundwater production as required by the rules of the district violates of the rules of the district.
12. Any person that is responsible for and fails to register with the district, a well that the person drilled or had drilled after the original date on which this policy is adopted and within 60 days of completing the water well violates the rules of the district.
13. Any person that is responsible for and fails to properly plug or cap an abandoned well in accordance with state standards within the required period of time violates the rules of the district.
14. Any person that is responsible for and fails to properly plug or remediate a deteriorated well within the required period of time violates the rules of the district.
15. Any person that fails to prevent waste of groundwater produced from a well within control of the person violates the rules of the district.
16. A landowner, an owner of groundwater resources, or an authorized operator inhibiting or prohibiting access to any representatives of the district attempting to conduct an investigation under the rules of the district:
  - 16.1. violates the rules of the district; and
  - 16.2. subjects the person performing that action, as well as any owner of groundwater resources, well owner, or authorized operator who authorizes or allows that action to the enforcement provisions of the rules of the district including penalties set forth in Chapter 36.102 of the Texas Water Code.

### **RULE 11.3: RIGHT TO INSPECT, TEST, AND LOCATE WELLS**

1. The district shall give notice, in writing or in person or by telephone, to the owner of a property or the owner of a well of the intention of the district and the representatives of the district to access property to investigate or evaluate conditions and circumstances related to groundwater resources at the property or well.
2. The district may forego giving notice, in writing or in person or by telephone, to the owner of a property or the owner of a well of the intention of the district and the representatives of the district to access to property to investigate or evaluate conditions and circumstances related to groundwater resources at the property or well if prior permission was granted by the owner of a property or the owner of a well to enter without notice.
3. The district shall have the right at all reasonable times to enter upon the lands on which a well or wells may be located within the boundaries of the district upon notice as provided for in the rules of the district, and in accordance with provisions of the rules of the district, to:
  - 1.1. inspect any existing well, well fields, or well systems;
  - 1.2. read or interpret any meter or other instrument for the purpose of measuring the production of groundwater from any existing wells, well fields, or well systems;
  - 1.3. determine the production capacity of groundwater from any existing wells, well fields, or well systems;
  - 1.4. measure the water level or obtain water samples for determining the water quality of groundwater from any existing wells, well fields, or well systems;
  - 1.5. test the pump and the power unit of any existing wells, well fields, or well systems;

- 1.6. determine the accurate geographic coordinates of any existing or proposed wells, well fields, or well systems using global positions systems (GPS) or other available methods; or
- 1.7. make any other reasonable and necessary inspection or test that may be required or necessary for the enforcement of the rules and regulations of the district.
2. The board of directors may enjoin the operation of wells, well fields, or well systems located on a property upon which access for investigating or evaluating conditions and circumstances related to groundwater resources was refused to the district, after notice as required by the rules of the district, was provided to the associated landowner or well owner.

#### **RULE 11.4: CONDUCT ASSOCIATED WITH INVESTIGATIONS AND INSPECTIONS**

1. The district shall conduct investigations and inspections that require entrance upon a property at reasonable times and in a manner consistent with the regulations and requirements concerning safety, internal security, and fire protection of the landowner, the owner of groundwater resources, or the authorized operator of the well, well field, or well system.
2. The representatives of the district conducting investigations and inspections shall present identification and credentials upon request of the landowner, the owner of groundwater resources, or the authorized operator of the well, well field, or well system of a property on which the representatives of the district are located.

#### **RULE 11.5: RULE ENFORCEMENT**

1. The board of directors may institute and conduct a suit in the name of the district for enforcement of rules through the provisions of Chapter 36.102 of the Texas Water Code if board of directors conclude that a person has violated, is violating, or is threatening to violate any provision of the rules of the district.
2. The board of directors may assess penalties in accordance with chapter 36 of the Texas Water Code against any person violating any provision of the rules of the district.

#### **RULE 11.6: SEALING OF WELLS**

1. The district may, following due-process and upon orders from a court, affix a well lockout seal on wells and associated equipment that are prohibited from producing groundwater within the district to ensure that a well is not operated in violation of the rules of the district.
2. The district may affix a well lockout seal on wells and associated equipment when:
  - 2.1. no application has been made for a production permit to produce groundwater from an existing well that is not excluded or exempted from the requirement that a production permit be obtained in order to lawfully produce groundwater; or



- 2.2. the board of directors has denied, canceled or revoked a production permit.
3. The district may affix a well lockout seal on wells and associated equipment of a well by physical means and other appropriate action as necessary to prevent the operation of the well authorized to be sealed under the provisions of the rules of the district.
4. The district shall tag any well authorized to be sealed under the provisions of the rules of the district to indicate that the well has been sealed by the district and operation of the well is prohibited.

## **RULE 11.7: GENERAL PROCEDURES RELATED TO RULE ENFORCEMENT**

1. The general manager shall investigate potential violations of the rules of the district.
2. The general manager shall present any alleged violations of the rules of the district to the board of directors supported by findings of an associated investigation.
3. The general manager may recommend an appropriate settlement offer for consideration by the board of directors to settle any alleged violation in lieu of litigation.
4. The board of directors may instruct the General Manager to tender an offer on behalf of the district to settle the violation or to institute a civil suit on behalf of the district in the appropriate court to seek civil penalties.
5. The general manager may proceed with enforcement actions without authorization from the board of directors when necessary to prevent an immediate and imminent danger to public health or the environment.

## **RULE 11.8: NOTICES OF VIOLATIONS**

1. The general manager shall send an initial notice of violation by certified mail to the person who is alleged to have violated the rules of the district explaining or identifying the following:
  - 1.1. the rule, regulation, or requirement that has been violated,
  - 1.2. the necessary actions to be completed by the person who is alleged to have violated the rules of the district to achieve compliance.
  - 1.3. any applications, forms, or documents to be completed by the person who is alleged to have violated the rules of the district to achieve compliance.
  - 1.4. the statutory authority of the district to set reasonable civil penalties not to exceed ten thousand dollars (\$10,000.00) per day per violation, and that each day of a continuing violation constitutes a separate violation in accordance with Chapter 36.102 of the Texas Water Code.
  - 1.5. the preference of the board of directors to settle the violation, initiating lawsuits as a last resort.
  - 1.6. the settlement agreement, if any, whose terms have been agreed upon by the board of directors.
  - 1.7. the requirement that the person who is alleged to have violated the rules of the district must submit a signed settlement agreement and submit any required

- payment by cashier check or money order in the amount stated in the settlement agreement no later than thirty days (30 days) from the date of the notice of violation.
2. The general manager shall send a second notice of violation by certified mail to the person who is alleged to have violated the rules of the district explaining the consequences of failing to respond, comply, or settle the matter in the notice of violation by certified mail to the person who is alleged to have violated the rules of the district if the district has not received a response within 30 days of the date of the initial notice of violation.

### **RULE 11.9: NOTICE OF NEED TO FILE SUIT**

1. The general manager, in coordination with the general counsel of the district, shall send a notice of need to file suit by certified mail to the person who is alleged to have violated the rules of the district within thirty days (30 days) of the date of the second notice of violation if a satisfactory response to the notices of violation is not received within thirty days (30 days) of the date of the second notice of violation.
2. Any notice of need to file suit sent to the person who is alleged to have violated the rules of the district shall include a draft copy of the petition to be filed.
3. The General Manager shall inform the board of directors of any person who has been sent a notice of need to file suit and not responded within thirty days (30 days) of the date of the notice of need to file.
4. The board of directors shall consider an authorization to pursue enforcement by filing a civil suit at the next regularly scheduled meeting of the board of directors if an immediate and imminent danger to public health or the environment does not exist.
5. The board of directors may call an emergency meeting if an emergency exists, an urgent public necessity exists, or a reasonably unforeseeable situation develops such that the situation cannot afford seventy-two hours (72 hours) of notice required to call a special meeting of the board of directors under the open meetings law.
6. The board of directors may consider an authorization to pursue enforcement by filing a civil suit at an emergency meeting of the board of directors if an immediate and imminent danger to public health or the environment exists.
7. The board of directors may authorize the general manager with the assistance of the general counsel of the district, to pursue enforcement by filing a civil suit.
8. The general manager, with the assistance of the general counsel of the district and authorization of the highest-ranking officer of the board of directors, may pursue enforcement by filing a civil suit if an immediate and imminent danger exists to public health or the environment and the board of directors has not considered the matter at a properly noticed meeting of the board of directors in accordance with the open meetings law.
9. The general counsel of the district shall institute a civil suit on behalf of the district in the appropriate court to seek injunctive relief and civil penalties when authorized under the provisions of the rules of the district.
10. The person who is alleged to have violated the rules of the district may appear before the board of directors to present evidence of any extenuating circumstances or to make a counteroffer to settle the alleged violation.

11. The board of directors may accept a counteroffer or otherwise modify any settlement offer associated with an alleged violation.
12. The general manager shall send notices related to enforcement matters by Certified Mail, Return Receipt Requested through the United States Postal Service.

### **RULE 11.10: PENALTIES**

1. The general manager shall recommend to the board of directors the following penalties to settle alleged violations:
  - 1.1. one hundred dollars (\$100.00) for a single alleged violation per incident;
  - 1.2. two hundred dollars (\$200.00) for each violation per incident when multiple violations are alleged;
  - 1.3. two hundred and fifty dollars (\$250.00) for each re-occurrence of a violation with a 5-year period; and
  - 1.4. one thousand dollars (\$1,000.00) for providing or performing the services of a water well driller without a current license issued by the Texas Department of Licensing and Regulation.
2. The board of directors may assess penalties in excess of the penalties recommended by the general manager as established within the rules of the district in accordance with Chapter 36.102 of the Texas Water Code.

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## **SECTION 12: PROCEDURES RELATE TO HEARINGS AND OTHER PROCEEDINGS**

### **RULE 12.1: GENERAL POLICIES RELATED TO HEARINGS**

1. The board of directors shall conduct hearings on permitting matters, in which the rights, duties, or privileges of a party are determined after an opportunity for an adjudicative hearing, and production permits, transfer permits, permit renewals, permit amendments, permit revocations, and permit suspensions except for those specific permit requests that may be otherwise approved without hearing under the provisions of the rules of the district.
2. The board of directors shall conduct hearings for motions for rehearing pursuant to the rules of the district.
3. The board of directors shall provide notice and conduct a hearing to consider rulemaking matters of general applicability that implement, interpret, or prescribe the law or policy of the district, or that describe the procedure or requirements of the district, or adoption of the rules of the district pursuant to Section 36.101 of the Texas Water Code.
4. The board of directors shall provide notice and conduct a hearing to consider adoption of the Management Plan of the district pursuant to Section 36.1071 of the Texas Water Code.
5. The board of directors shall provide notice and conduct a hearing to consider any matter within the jurisdiction of the district if the board of directors deems a hearing to be in the public interest, or necessary to effectively carry out the duties and responsibilities of the district.
6. The board of directors may refer any matter designated for hearing before the district to a hearing examiner.

### **RULE 12.2: NOTICE AND SCHEDULING RELATED TO HEARINGS AND PROPOSED PERMIT ISSUANCE**

1. The applicant of a permit request related to protection of historic use shall, after the application is determined to be administratively complete by the district, publish written notice in a paper of general circulation in District describing the details of the permit request including the name of the applicant, the location of the subject well, the evidence supporting the historic use validation request, the date, time, and location of the scheduled hearing. The date of first publication shall not less than ten days (10 days) before the date of the next scheduled meeting of the board of directors.
2. The board of directors may instruct the general manager to provide special notice of any matter under its jurisdiction to any persons.
3. The general manager shall give notice of permit hearings or proposed permit issuances in the following manner:
  - 3.1. a notice of permit hearings shall specify the date, the time, and the location of the hearing, and a description of the permitting request;

- 3.2. a notice of proposed permit issuances shall specify the date of the proposed issuance, and a description of the permitting request;
  - 3.3. a notice of permit hearings or proposed permit issuances shall be given to any person who requests copies of hearing notices or proposed permit issuance notices pursuant to the procedures set forth in the rules of the district not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.4. a notice of permit hearings or proposed permit issuances shall be given to any other person the board of directors deem appropriate not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.5. a notice of permit hearings or proposed permit issuances related to non-historic use shall be published at least once in a newspaper of general circulation in the district not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.6. a notice of permit hearings or proposed permit issuances shall be posted at the district office and county courthouse in the place where notices are usually posted not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.7. a notice of permit hearings or proposed permit issuances shall be posted on the district's website not less than ten days (10 days) before the date of the hearing or permit issuance; and
  - 3.8. a notice of permit hearings or proposed permit issuances shall be given to the applicant not less than ten days (10 days) before the date of the hearing or permit issuance.
4. The general manager shall give notice of permit hearings or proposed permit issuances to any person having an interest in the subject matter of a hearing or proposed permit issuance for which the district has received written notice of the interest from the person identifying, with as much detail, the subject matter of a hearing or proposed permit issuance for which written notice is requested. The request remains valid for a period of one year from the date of the request is received by the district. Failure to provide written notice under this section does not invalidate any action taken by the district.
  5. The district shall not schedule of permit hearings or proposed permit issuances on Saturdays, Sundays, or holidays.
  6. The general manager shall schedule permit hearings or proposed permit issuances at such dates, times, and places that satisfy the public notice requirements established within the rules of the district and facilitates the orderly consideration of the permitting requests in a timely fashion.
  7. The general manager shall give notice of hearings related to the designation of a special groundwater management zone that entails limiting groundwater production to less than that provided by Section 6 of the rules of the district, as provided for in Section 36.116(d) of the Texas Water Code, to each landowner, each owner of groundwater resources, each owner of a registered well, and each authorized operator of a production permit within and adjacent to the proposed management area.
  8. The general manager shall give notice of hearings related to the designation of a special well construction area, as provided for in Section 36.116(d) of the Texas Water Code, to each landowner, each owner of groundwater resources, each owner of a registered well, and each authorized operator of a production permit within and adjacent to the proposed management area.



### **RULE 12.3: GENERAL PROCEDURES RELATED TO HEARINGS**

1. The presiding officer of a hearing or other proceeding shall conduct the proceeding in the manner the presiding officer deems most appropriate to obtain all relevant information pertaining to the subject of the hearing as conveniently, inexpensively, and expeditiously as possible.
2. The presiding officer of a hearing or other proceeding may follow the guidelines of "Parliamentary Procedure at a Glance," New Edition, O. Garfield Jones, 1971 revised edition, or as amended.
3. The presiding officer of a hearing or other proceeding may:
  - 3.1. set hearing dates, other than the initial hearing date set by the district in accordance with the rules of the district;
  - 3.2. convene a hearing at the time and place specified in the notice for public hearing;
  - 3.3. establish the jurisdiction of the district concerning the subject matter under consideration;
  - 3.4. rule on motions and on the admissibility of evidence and amendments to pleadings;
  - 3.5. designate and align parties;
  - 3.6. establish the order for presentation of evidence;
  - 3.7. administer oaths to all persons presenting testimony;
  - 3.8. examine witnesses;
  - 3.9. issue subpoenas when required to compel the attendance of witnesses or the production of papers and documents;
  - 3.10. require the taking of depositions and compel other forms of discovery under the rules of the district;
  - 3.11. ensure that information and testimony are introduced as conveniently and expeditiously as possible, without prejudicing the rights of any party to the proceeding;
  - 3.12. conduct public hearings in an orderly manner in accordance with the rules of the district;
  - 3.13. recess any hearing from time to time and place to place;
  - 3.14. reopen the record of a hearing for additional evidence when necessary to make the record more complete; and
  - 3.15. exercise any other appropriate powers necessary or convenient to effectively carry out the responsibilities of the presiding officer.
4. A person who desires to testify on the subject of a hearing during the hearing or other proceeding shall submit a form providing the following information: name, address, the intention to testify, and any other information relevant to the hearing or other proceeding.
5. The presiding officer of a hearing or other proceeding shall establish the order of testimony.
6. The presiding officer of a hearing or other proceeding may limit the number of times a person may speak, the time period for oral presentations, and the time period for raising questions.
7. The presiding officer of a hearing or other proceeding may limit or exclude cumulative, irrelevant, or unduly repetitious presentations.

8. A person may appear in-person or may be represented by counsel, an engineer, or another representative provided the representative is fully authorized to speak and act for the principal including:
  - 8.1. any partner may appear on behalf of the partnership;
  - 8.2. a duly authorized officer or agent of a public or private corporation, political subdivision, governmental agency, municipality, association, firm, or other entity may appear for the entity; and
  - 8.3. a fiduciary may appear for a ward, trust, or estate.
9. A person representing a principal of a hearing or other proceeding may present evidence, exhibits, or testimony, or make an oral presentation in accordance with the procedures applicable to the proceeding.
10. The presiding officer of a hearing or other proceeding may require a person appearing in a representative capacity to prove proper authority to represent a principal.
11. The presiding officer of a hearing or other proceeding may align participants in a proceeding according to the nature of the proceeding and their relationship to the proceeding.
12. The presiding officer of a hearing or other proceeding may require the participants of an aligned class to select one or more persons to represent them in the proceeding or on any matter or ruling and may limit the number of representatives heard but must allow at least one representative of an aligned class to be heard in the proceeding or on any matter or ruling.
13. The presiding officer of a hearing or other proceeding may require a person requesting the hearing or other proceeding to be present or represented at the proceeding.
14. The district may withhold consideration of a matter and dismiss the matter without prejudice if a principal of a hearing or other proceeding fails to appear or be represented at the hearing or other proceeding.
15. The district may require the rescheduling or continuance of a hearing or other proceeding if the presiding officer deems it necessary in order to fully develop the record.
16. The district may record hearings and other proceedings using audio recording devices.
17. The district shall provide to the public access to the audio recordings of hearings or other proceedings recorded by the district.
18. The presiding officer of a hearing or other proceeding may require the proceedings to be recorded by a certified shorthand reporter.
19. A person who is a party to a hearing or other proceeding may, subject to availability of space, at their own expense, arrange for a reporter to record the hearing or other proceeding or for the recording of the hearing or other proceeding.
20. The presiding officer of a hearing or other proceeding may assess the cost of recording or transcribing a recording of the proceeding to any person requesting the recording or transcription.
21. The presiding officer of a hearing or other proceeding shall file the transcription of a recording with the records of the proceeding.
22. The presiding officer of a hearing or other proceeding may continue hearings or other proceedings from time to time and from place to place without the necessity of publishing, serving, mailing or otherwise issuing additional notice.
23. The district shall provide a notice of any further setting of the hearing or other proceeding at a reasonable time to all parties, persons who have requested notice of the

- hearing pursuant to the rules of the district, except for publishing the notice in a newspaper or posting the notice at the courthouse, and any other person the presiding officer deems appropriate if a hearing or other proceeding is continued and the time and place for the hearing or other proceeding to reconvene are not publicly announced at the hearing or other proceeding by the presiding officer before it is recessed.
24. Any person who intends to contest a permit request shall provide written notice of the intent to the district at least three days (3 days) before the date of the hearing or three days (3 days) before the proposed date of permit issuance as published in the public notice.
  25. The general manager shall provide written notice to the applicant of a permitting request of any intent to contest at least one calendar day (1 calendar day) before the date of the hearing or the proposed date of permit issuance as published in the public notice.
  26. A person filing applications, motions, exceptions, communications, requests, briefs or other papers and documents required to be filed under the rules of the district or by law shall be delivered to and received at the office of the district within the time limit, if any, set by the rules of the district or by the presiding officer for filing.
  27. A person, when computing any period of time specified by the rules of the district, by a presiding officer, by orders of the board of directors, or by law, shall not include the day of the act, event, or default after which the designated period of time begins to run.
  28. A person, when computing any period of time specified by the rules of the district, by a presiding officer, by orders of the board of directors, or by law, shall include the last day of the period, unless the last day is a Saturday, Sunday or legal holiday as determined by the board of directors, in which case the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday.
  29. The representative of a person or the counsel of a person may make an affidavit to a hearing or other proceeding unless statute expressly requires the person to make the affidavit.
  30. No person shall be allowed to appear in any hearing or other proceeding that, in the opinion of the presiding officer, is for the sole purpose of unduly broadening the issues to be considered in the hearing or other proceeding.
  31. Every person, party, representative, witness, and other participant in a proceeding shall conform to ethical standards of conduct and must exhibit courtesy and respect for all other participants.
  32. No person may engage in any activity during a proceeding that interferes with the orderly conduct of business of the district.
  33. The presiding officer of a hearing or other proceeding shall warn any person, who in the judgement of the presiding officer, is engaging in misconduct during a hearing or other proceeding to refrain from such conduct.
  34. The presiding officer of a hearing or other proceeding may exclude any person from a hearing or proceeding for such time and under such conditions as the presiding officer deems necessary if the person has been warned to not engage in misconduct during the hearing or proceeding and has continued to do so following the warning.
  35. A person may submit written statements, protests, comments, briefs, affidavits, exhibits, technical reports, or other documents relating to the subject of the hearing or other proceeding no later than the time of the hearing, as stated in the notice of hearing given in accordance with the rules of the district.

36. The presiding officer of a hearing or other proceeding may grant additional time for the submission of documents beyond the time of the hearing, as stated in the notice of hearing given in accordance with the rules of the district.
37. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings shall, at the conclusion of the testimony and after the receipt of all documents of proceedings, prepare a report to the board of directors that includes a summary of the subject of the hearing, the testimony received, and the public comments received, and recommendations for action.
38. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings shall, upon completion and issuance of the report to the board of directors, submit a copy of the report to the district.
39. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings shall, upon completion and issuance of the report to the board of directors, notify any person who requests, in writing, notice of the submittal of the report to the board of directors.
40. The board of directors may, at any time and in any case, remand a matter to the presiding officer of a hearing or other proceeding for further proceedings.
41. A party of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings may file written exceptions to the report to the board of directors and may request an opportunity to make an oral presentation of exceptions to the board of directors prior to action by the board of directors.
42. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors may, upon review of the report and exceptions filed, reopen the record for the purpose of developing additional evidence, or may deny the exceptions and submit a final report to the board of directors.
43. The board of directors shall act on the matter hearing or other proceedings within sixty days (60 days) of the receipt of the report to the board of directors.

#### **RULE 12.4: PROCEDURES RELATED TO UNCONTESTED PERMIT HEARINGS**

1. The district may conduct permit hearings and other proceedings informally when, in the judgment of the presiding officer, the conduct of a proceeding under informal procedures will save time or cost to the parties, lead to a negotiated or agreed on settlement of facts or issues in controversy, and not prejudice the rights of any party.
2. The district shall declare a permitting case an uncontested matter, cancel the associated permit hearing, and proceed with the consideration of the permitting request as an uncontested matter if notice of intent to contest the permitting case is not received at least three days (3 days) before the hearing or proposed date of permit issuance.
3. The presiding officer may summarize the evidence, make findings of fact, make conclusions of law, and make appropriate recommendations to the board of directors in uncontested permitting cases.
4. The presiding officer shall declare a permitting hearing or other proceeding a contested matter and convene a prehearing conference as set forth in the rules of the district when:

- 4.1. the parties to a permitting hearing or other proceeding who have notified the district of the intent to contest a permitting case do not reach a negotiated or agreed settlement of the facts and issues in controversy;
- 4.2. a party to a permitting hearing or other proceeding contests a staff recommendation;  
or
- 4.3. the facts and issues in controversy will require extensive discovery proceedings.

## **RULE 12.5: PROCEDURES RELATED TO CONTESTED PERMIT HEARINGS**

1. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall have the same rights, duties, and responsibilities of a presiding officer acting under the Texas Rules of Civil Procedure or the Texas Rules of Evidence, except as modified by the rules of the district, as a court acting under those rules.
2. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may recommend issuance of a temporary permit for a period not to exceed 4 months, with any special provisions the presiding officer deems necessary, for the purpose of completing the contested case process.
3. The presiding officer shall declare a permitting hearing or other proceeding an uncontested matter, cancel the associated permit hearing, and proceed with the consideration of the permitting request as an uncontested matter if:
  - 3.1. the parties contesting a permitting case reach a negotiated or agreed settlement of the facts and issues in controversy;
  - 3.2. the parties contesting a permitting case reach a negotiated or agreed settlement regarding staff recommendations; and
  - 3.3. the facts and issues in controversy will not require extensive discovery proceedings.
4. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall convene and conduct a prehearing conference to consider any matter which may expedite the hearing or otherwise facilitate the contested case process including but not limited to:
  - 4.1. the designation of parties;
  - 4.2. the formulation and simplification of issues;
  - 4.3. the necessity or desirability of amending applications or other pleadings;
  - 4.4. the possibility of making admissions or stipulations;
  - 4.5. the scheduling of discovery;
  - 4.6. the identification of and specification of the number of witnesses;
  - 4.7. the filing and exchange of prepared testimony and exhibits; and
  - 4.8. the procedure at the hearing.
5. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall convene and conduct a prehearing conference at a date, time, and place stated in a notice given in accordance with the rules of the district, or at the date, time, and place for hearing stated in the notice of public hearing.
6. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may continue the prehearing conference from time to time and place to place as determined to be necessary or practical by the presiding officer.



7. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall incorporate any action taken at a prehearing conference in the records of the contested case either in writing or by audio recording at the close of the conference.
8. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may assess reporting and transcription costs of the proceedings to one or more of the parties of the proceedings.
9. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall consider the following factors in assessing reporting and transcription costs:
  - 9.1. the party, if any, that requested the transcript;
  - 9.2. the financial ability of the party to pay the costs;
  - 9.3. the extent to which the party participated in the hearing;
  - 9.4. the relative benefits to the various parties of having a transcript;
  - 9.5. the budgetary constraints of a governmental entity participating in the proceeding;  
and
  - 9.6. any other factor that is relevant to a just and reasonable assessment of costs.
10. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide the parties of a proceeding an opportunity to present evidence and argument on the issue of assessment of reporting or transcription costs.
11. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide a recommendation regarding the assessment of costs in the final report to the board of directors.
12. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall designate the parties of the contested case on the first day of hearing or at such other time as determined by the presiding officer.
13. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall designate the general manager a party to any contested case.
14. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall designate any person specifically named in a contested case matter as a party to the contested case.
15. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit a person as party to a contested case if the person appears at the proceeding in-person or by representative and seeks to be designated as a party.
16. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit a person as party to a contested case after the parties are designated if, in the judgment of the presiding officer, there exists good cause and the hearing will not be unreasonably delayed.
17. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide direction to the parties of a contested case regarding the rights to:
  - 17.1. conduct discovery,
  - 17.2. present a direct case,
  - 17.3. cross-examine witnesses,
  - 17.4. make oral and written arguments,
  - 17.5. obtain copies of all documents filed in the proceeding,

- 17.6. receive copies of all notices issued by the district concerning the proceeding,  
and
- 17.7. otherwise fully participate in the proceeding.
18. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may accept comments and statements from a person not designated as a party to a contested case.
19. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may include comments and statements accepted from a person not designated as a party to a contested case in the final report to the board of directors.
20. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not consider comments and statements from a person not designated as a party to a contested case as evidence in the contested case.
21. A party to a contested case shall provide a copy of each pleading, request, motion, or reply filed in the proceeding to every other party or the party's representative.
22. A party to a contested case shall certify that, prior to filing the instrument with the district, a copy of the instrument was provided to every other party.
23. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may withhold consideration of a filed instrument if the party filing the instrument failed to provide copies every other party before filing the instrument with the district.
24. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide an interpreter whose qualifications are approved by the State Commission for the Deaf and Hearing Impaired to interpret the proceedings for a deaf person who is a party or subpoenaed witness to a contested case.
25. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not consider an agreement between parties or their representatives affecting any pending matter unless the agreement is provided in writing, signed, and filed as part of the record or the agreement is announced at the hearing and entered as record.
26. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall order and specify the conditions, terms, and at such times and places under which discovery may be conducted.
27. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require discovery to be governed by and subject to the limitations set forth in the Texas Rules of Civil Procedure unless modified by the rules of the district or order of the presiding officer.
28. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may authorize, by agreement or order of the presiding officer, the parties of a contested case to exchange informal requests for information in addition to the forms of discovery authorized under the Texas Rules of Civil Procedure.
29. The presiding officer of a permitting hearing or other proceeding associated with a contested matter, in response to finding a party to a contested case is abusing the discovery process in seeking, responding to, or resisting discovery, may:
- 29.1. suspend the processing of the application for a Permit if the applicant is the offending party;

- 29.2. prohibit any further discovery of any kind or a particular kind by the offending party;
  - 29.3. rule that particular facts be regarded as established against the offending party for the purposes of the proceeding in accordance with the claim of the party obtaining the discovery ruling;
  - 29.4. limit the offending party's participation in the proceeding;
  - 29.5. prohibit presentation of evidence of the offending party on issues that were the subject of the discovery request; or
  - 29.6. recommend to the board of directors that the hearing be dismissed with or without prejudice.
30. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not communicate, directly or indirectly, in connection with any issue of fact or law with any agency, person, party, or their representatives, except on notice and opportunity for all parties to participate.
  31. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may communicate with the staff of an agency other than the district not directly involved in the hearing to utilize the special skills and knowledge of the agency in evaluating the evidence.
  32. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may compel the testimony of any person which is necessary, helpful, or appropriate to the hearing.
  33. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall administer the oath in a manner calculated to impress the witness with the importance and solemnity of the promise to adhere to the truth.
  34. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may issue subpoenas to compel the testimony of any person and the production of books, papers, documents, or tangible things, in the manner provided in the Texas Rules of Civil Procedure.
  35. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall rely upon and utilized the Texas Rules of Evidence to govern the admissibility and introduction of evidence except as modified by the rules of the district.
  36. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit evidence not admissible under the Texas Rules of Evidence if the evidence is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs
  37. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit evidence stipulated by agreement of all parties.
  38. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may receive testimony and be admitted into evidence in written form when a proceeding will be expedited and the interest of the parties will not be prejudiced substantially, testimony may be received in written form.
  39. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit the written testimony of a witness into evidence, either in narrative or question and answer form, upon the witness being sworn and identifying the testimony as a true and accurate record of what the testimony would be if given orally.

40. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require the witness to be subject to clarifying questions and to cross-examination.
41. A party to contested case may object to the prepared testimony of a witness.
42. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require exhibits of a documentary character to be sized to not unduly encumber the files and records of the district.
43. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require all exhibits to be numbered and, except for maps and drawings, not exceed 8-1/2 by 11 inches in size.
44. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall only receive in evidence documents that are representative of relevant data to the contested case.
45. The presiding officer may require a party submitting documents as evidence to abstract relevant data and present the abstract as an exhibit.
46. A party of a contested case shall be entitled to examine any documents abstracted and presented as evidence.
47. A party of a contested case shall tender for identification each exhibit offered to be placed in the record.
48. A party of a contested case that tender exhibits shall furnish copies to the presiding officer of a permitting hearing or other proceeding associated with a contested matter and to each of the parties, unless the presiding officer rules otherwise.
49. A party of a contested case that offers exhibits which have been identified, objected to, and excluded, may withdraw the exhibit if the party waives all objections to the exclusion of the exhibit.
50. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall return a withdrawn exhibit if the offering party waives all objections to the exclusion of the exhibit.
51. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not return a withdrawn exhibit but include the exhibit in the record of the proceeding for the purpose of preserving the objection to excluding the exhibit if the offering party does not waive all objections to the exclusion of the exhibit.
52. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may take official notice of all facts judicially cognizable.
53. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may take official notice of generally recognized facts within the area of specialized knowledge of the district.
54. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not require extrinsic evidence of authenticity as a condition precedent to admissibility of documents maintained in the files and records of the district.
55. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may allow oral arguments to be heard at the conclusion of the presentation of evidence with reasonable time limits being prescribed by the presiding officer.

56. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may require or accept written briefs in lieu of, or in addition to, oral arguments.
57. The board of directors may hear additional oral arguments when the permitting hearing or other proceeding associated with a contested matter is presented to the board of directors for final decision.
58. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may either close the record or keep it open and allow the submission of additional evidence, exhibits, briefs, or proposed findings and conclusions from one or more of the parties at the conclusion of the presentation of evidence and any oral argument.
59. A party of a contested case shall not file additional evidence, exhibits, briefs, or proposed findings and conclusions after the record is closed unless permitted or requested by the presiding officer.
60. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall, after the record is closed, prepare a report to the board of directors that includes a summary of the evidence and the findings, conclusions, and recommendations for action of the presiding officer.
61. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall, upon completion and issuance of the final report of the presiding officer, submit a copy of the final report to the district and each party to the proceeding by certified mail.
62. A party of a contested case may file written exceptions to the final report of the presiding officer and may request an opportunity to make an oral presentation of exceptions to the board of directors prior to action by the board of directors.
63. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may, upon review of the report and exceptions filed, reopen the record for the purpose of developing additional evidence, or may deny the exceptions and submit the final report and exceptions to the board of directors.
64. The board of directors may, at any time and in any case, remand a matter to the presiding officer of a permitting hearing or other proceeding associated with a contested matter for further proceedings.
65. The board of directors shall act on the contested matter within sixty days (60 days) of the receipt of the final report of the presiding officer of a permitting hearing or other proceeding associated with the contested matter.

## **RULE 12.6: PROCEDURES RELATE TO DECISIONS, REHEARINGS, AND APPEALS**

1. The board of directors may, after the record regarding a matter for which a hearing or other proceeding has closed and any resulting report is submitted to the board of directors, take the matter under advisement, continue the matter from day to day, reopen or rest the matter, refuse the action sought or grant the same in whole or part, or take any other appropriate action.



2. The district, the representatives of District, and the parties to any matter considered as part of a hearing or other proceeding of the district shall consider any associated actions to be in effect at the conclusion of the meeting at which the action was taken and not affected by a motion for rehearing.
3. A party to any matter considered as part of a hearing or other proceeding of the district may appeal a decision of the board of directors by requesting a rehearing before the board of directors within twenty days (20 days) of the decision by the board of directors.
4. A party to any matter considered as part of a hearing or other proceeding of the district requesting a rehearing shall file the request for rehearing with the district in writing stating clearly and concisely grounds for the request.
5. A party to any matter considered as part of a hearing or other proceeding of the district shall not seek an appeal of an associated decision if a request for rehearing was not submitted to the district in accordance with the rules of the district.
6. The board of directors shall either grant or deny the request for rehearing within ninety days (90 days) of submission.
7. The board of directors shall schedule a rehearing within forty-five days (45 days) if a rehearing request is granted by the board of directors unless otherwise agreed to by the parties to the proceeding.
8. The district, the representatives of District, and the parties to any matter considered as part of a hearing or other proceeding of the district shall consider any associated decision of the board of directors as final if a request for rehearing is not made within the specified time, or upon the denial of the request for rehearing by the board of directors, or upon rendering a decision after rehearing.

PROPOSED REVISIONS  
(ALL MARKED)

PROPOSED REVISIONS  
(ALL MARKUP)

# RULES OF THE CALHOUN COUNTY GROUNDWATER CONSERVATION DISTRICT

ADOPTED: July 24, 2023

EFFECTIVE: July 24, 2023

PROPOSED REVISIONS  
(NO MARKUP)

# PROLOGUE

## INTRODUCTION

The rules of the Calhoun County Groundwater Conservation District were originally adopted on May 31, 2017.

The rules of the Calhoun County Groundwater Conservation District were originally in effect as of October 1, 2017.

The rules of the Calhoun County Groundwater Conservation District were modified and re-adopted on April 18, 2018.

The rules of the Calhoun County Groundwater Conservation District were modified and re-adopted on January 23, 2023.

In accordance with Section 59 of Article XVI of the Texas Constitution, Chapter 8860, Special Districts and Local Laws Code and Chapter 36 of the Texas Water Code, the following rules are hereby ratified and adopted as the Rules of the Calhoun County Groundwater Conservation District by its board of directors. Each rule as worded herein has been in effect since the date of passage and as may be hereafter amended.

The rules, regulations, and modes of procedure herein contained are and have been adopted to simplify procedures, avoid delays, and facilitate the administration of the water laws of the state of Texas and the polices of the district. The rules of the district shall be construed in such a manner as to attain these objectives.

The rules of the district may be used as guides in the exercise of discretion, where discretion is vested. However, under no circumstances and in no particular case may the rules of the district be construed as a limitation or restriction upon the exercise of powers, duties, and jurisdiction conferred by law. The rules of the district will not limit or restrict the amount and accuracy of data or information that may be required for the proper administration of the law.

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PROPOSED REVISIONS  
 (NOVEMBER 2023)

# SECTION 1: DEFINITIONS AND CONCEPTS

## RULE 1.1: DEFINITIONS OF TERMS

In the administration of its duties, the Calhoun County Groundwater Conservation District follows the definitions of terms set forth in the district act, Chapter 36 of the Texas Water Code, Chapter 76 of Title 16 of the Texas Administrative Code, and the definitions as follow:

ACRE-FOOT means the amount of water necessary to cover one acre of land one foot deep and is equal to 325,851 U.S. gallons of water.

ADMINISTRATIVELY COMPLETE means the condition of an application when all information required and requested has been provided to the district, including the information specified in the rules of the district or reasonably related to an issue that the district by law is authorized to consider.

APPLICANT means the person, who possessing sufficient legal authority to obligate the associated owners of groundwater resources, the associated owners of land, and the associated well owners to the regulations, requirements, and conditions of permits and district waivers resulting from the approval of an application, submits an application to the district.

APPLICATION means the completed forms and associated information supporting a request for authorization from the district related to the regulation of the groundwater resources within the district, including the information specified in the rules of the district or reasonably related to an issue that the district by law is authorized to consider.

AQUIFER CONDITION PARAMETERS means quantitative physical characteristics of the Gulf Coast Aquifer System required, by the district, to be monitored as a condition of a production permit.

AQUIFER CONDITION TIER 1 PARAMETERS means the following measurements:

1. water level of a well as feet below the ground surface,
2. specific conductivity of a well as  $\mu\text{S}/\text{cm}$ , and
3. temperature as  $^{\circ}\text{C}$ .

AQUIFER CONDITION TIER 2 PARAMETERS means the following measurements:

1. water level of a well as feet below the ground surface;
2. temperature as  $^{\circ}\text{C}$ ;
3. total dissolved solids, M2540C;
4. elements / metals, ICPMS (0.45u filtered and acid preserved): SW6020A;
5. specific conductivity, M2510 B;
6. alkalinity, M2320 B;
7. pH, M45000-H+ B;
8. anions, IC method, Water E300;

9. Silica, USEPA method 370.1.

AQUIFER CONDITION TIER 3 PARAMETERS means the following measurements: alkalinity, ammonia, arsenic, barium, bicarbonate, bromide, cadmium, chromium, carbonate, calcium, chloride, dissolved oxygen, fluoride, iron, iodide, lead, magnesium, mercury, molybdenum, nitrate, nitrate, oxidation reduction potential, potassium, selenium, silver, sodium, sulfate, sulfite, total dissolved solids, total hardness, total phosphorus, total organic carbon, total suspended solids, turbidity, and uranium.

ARTESIAN WELL means a well drilled through impermeable strata to reach water capable of rising to the surface by internal hydrostatic pressure.

AUTHORIZED AGENT means the person, who possessing sufficient legal authority to obligate certain owners of groundwater resources, certain owners of land, certain well owners, or certain authorized operators to the regulations, requirements, and conditions of permits and district waivers issued by the district, represents and acts for those other persons regarding matters within the jurisdiction of the district.

AUTHORIZED ANNULAR SPACE SEALANT means a material that will:

1. create a seal against the borehole wall preventing the leaking of fluids into the borehole,
2. create a seal against the well casing preventing the development of liquid flow paths along the outside of the casing, and
3. fills and sets up to fill the voids between the outside of the casing and the borehole wall having structural integrity and porosity that prevents the migration of fluids through the sealant. Authorized materials include neat cement grout, bentonite-cement grout, high-solids bentonite grout, bentonite slurry, and properly hydrated bentonite chips/pellets/granules.

AUTHORIZED GROUNDWATER PRODUCTION means the non-exempt use of a well, a well field, or well system resulting in the flowing of or extraction of groundwater from a well, a well field, or a well system as authorized by the district under a production permit.

AUTHORIZED GROUNDWATER PRODUCTION AMOUNT means the quantity of groundwater, in units of acre-foot per year, authorized to be produced from a well, a well field, or a well system by the district under a production permit.

AUTHORIZED GROUNDWATER PRODUCTION PURPOSE means the beneficial use for which groundwater produced from a well, a well field, or a well system may be put as authorized by the district under a production permit.

AUTHORIZED GROUNDWATER PRODUCTION RATE means the quantity of groundwater, in units of gallons permit or gallons per day, authorized to be produced from a well, a well field, or a well system by the district under a production permit.

**AUTHORIZED GROUNDWATER TRANSFER AMOUNT** means the quantity of groundwater in units of acre-foot per year, that the district has authorized to be transferred out of the district under a transfer permit.

**AUTHORIZED GROUNDWATER TRANSFER LOCATION** means location that the district has authorized to groundwater to be transferred by permit.

**AUTHORIZED GROUNDWATER TRANSFER PERIOD** means the period of time that the district has authorized groundwater to be transferred by permit.

**AUTHORIZED GROUNDWATER TRANSFER PURPOSE** means the beneficial use to which groundwater transferred outside of the district under a transfer permit issued by the district is authorized to be put.

**AUTHORIZED OPERATOR** means any person authorized by the district by permit to operate a well, well field, well system, or groundwater transfer facility.

**AVERAGE AQUIFER CONDITION** means the average of aquifer condition parameters calculated from measurements collected in association with an aquifer monitoring plan, approved by the district, collected during a particular period of time from a well or wells.

**BENEFICIAL USE** means:

1. the use of groundwater for agricultural, gardening, domestic, stock raising, municipal, mining, manufacturing, industrial, commercial, recreational, or pleasure purposes;
2. the use of groundwater for exploring for, producing, handling, or treating oil, gas, sulfur, or other minerals; or
3. the use of groundwater for any other purpose that is useful and does not constitute waste of groundwater.

**BOARD OF DIRECTORS** means the governing body of the district.

**CONTIGUOUS OWNERSHIP OF LAND** means a unit of ownership of land held by a single person, entity, or undivided interests in the unit of land surrounding a single location without interrupting ownership.

**CONTIGUOUS OWNERSHIP OF GROUNDWATER RESOURCES** means a unit of ownership of groundwater resources held by an individual person, entity, or undivided interests in a unit of groundwater resources surrounding a single location without interrupting ownership.

**DEAF PERSON** means a person who has a hearing impairment that inhibits the person's comprehension of the proceedings or communication with others.

**DEDICATED AQUIFER MONITORING WELL** means a well that is designed, constructed, and used solely for the purposes of monitoring aquifer conditions.



DEEP-SALINE NON-HISTORIC USE means the non-exempt use of a well, a well field, or well system, which is not validated by the district as historic use, resulting in the flowing of or extraction of groundwater from a deep-saline special groundwater management zone from a well, a well field, or a well system as authorized by the district under a production permit.

DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONE means a special groundwater management zone designated by the district comprised of a water-bearing stratum containing saline groundwater existing at least one thousand three hundred feet (1,300 feet) below ground surface.

DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONES designated by the district include:

DEEP-SALINE WELL means a well that is a non-grandfathered non-exempt-use well with well screening isolated in a deep-saline special groundwater management zone.

DEEP-SALINE WELL FIELD means a set of wells that are or would be classified as a non-grandfathered non-exempt-use wells with well screening isolated in a deep-saline special groundwater management zone located on a contiguous tract of land owned or controlled by the owners of the wells.

DESIRABLE GROUNDWATER means groundwater that is not injurious to vegetation, animals, land, or would not cause or contribute to contamination of land or water.

DETERIORATED WELL means a well that, because of its condition, will cause or is likely to cause pollution of any water in this state, including groundwater.

DISTRICT means the Calhoun County Groundwater Conservation District.

DISTRICT ACT means Chapter 8860, Special District Local Laws Code and the non-conflicting provisions of Chapter 36, Water Code.

DISTRICT OFFICE means the office of the district as established by action of the board of directors.

DISTRICT WAIVER means the modification, reduction, or elimination of a rule, requirement, or condition of the rules of the district or of a permit issued by the district that is granted by the board of directors upon a finding of good cause.

DOMESTIC means those activities related to the maintenance of a household.

DORMANT WELL means a non-exempt-use well that is not a deteriorated well or abandoned well which the authorized operator has notified the district, by submitting an application requesting the well be classified as a dormant well, that the well will not be operated for the foreseeable future and the district will be notified, by submitting an application requesting the well be classified as an active well prior to any operation of the well.

**EVIDENCE OF HISTORIC USE** means evidence that is material and relevant to a determination of the amount of groundwater produced for beneficial use from a grandfathered well, grandfathered well field, or grandfathered well system for a non-exempt use without waste of groundwater during the historic use validation period.

**EXEMPT USE** means the use or operation of a well or set of wells for exempt-use purposes.

**EXEMPT-USE PURPOSES** means:

1. producing groundwater for domestic use purposes;
2. producing groundwater for livestock or poultry watering purposes;
3. producing groundwater for firefighting purposes;
4. producing groundwater for groundwater monitoring purposes in a volume that does not exceed five thousand gallons (5,000 gallons) of water per year; or
5. otherwise exempt under Section 36.117, Water Code.

**EXEMPT-USE WELL** means a well used solely for exempt-use purposes.

**FEE** means a charge imposed by the district pursuant to Texas Water Code Chapter 36.

**FEE TYPES** include:

1. **ADMINISTRATIVE FEE** means a fee assessed by the district on an applicant for the submittal of an application.
2. **PRODUCTION FEE** means a fee assessed by the district on authorized operators based on the volume of groundwater produced from a non-exempt-use well.
3. **TRANSFER FEE** means a fee assessed by the district on authorized operators based on the volume of groundwater transferred out of the boundary of the district.

**GENERAL MANAGER** means the person employed by the district assigned the responsibility of managing the district office and completing duties, actions, and tasks as directed by the board of directors.

**GEOGRAPHIC COORDINATE** means the latitude and longitude of a location described in measurements of World Geodetic System, WGS 1984 EPSG 4326.

**GOOD CAUSE** means a reasonable and rational justification for the board of directors to take an action to accomplish and achieve its management goals and objects related to preserving, conserving, recharging, and protecting groundwater resources, controlling subsidence and preventing waste of groundwater within the district.

**GRANDFATHERED EXEMPT-USE WELL** means a well that existed at the date of the original adoption of the rules of the district used during and after the historic use period solely for exempt-use purposes.

**GRANDFATHERED NON-EXEMPT-USE WELL** means a well that existed at the date of the original adoption of the rules of the district used for non-exempt-use purposes during the historic use period.

**GRANDFATHERED NON-EXEMPT-USE WELL FIELD** means a well field that existed, in its entirety, at the date of the original adoption of the rules of the district used for non-exempt-use purposes during the historic use period.

**GRANDFATHERED NON-EXEMPT-USE WELL SYSTEM** means a well system that existed, in its entirety, at the date of the original adoption of the rules of the district used for non-exempt-use purposes during the historic use period.

**GRANDFATHERED STATUS** means the classification, assigned by the district, of the purpose of use for a well, a well field, or a well system as a grandfathered well, a grandfathered well field, a grandfathered well system, a non-grandfathered well, a non-grandfathered well field, or a non-grandfathered well system.

**GRANDFATHERED WELL** means a well that existed at the date of the original adoption of the rules of the district and the present pattern of operation of the well is the same as the historic use of the well.

**GRANDFATHERED WELL FIELD** means a well field that existed, in its entirety, at the date of the original adoption of the rules of the district and the present pattern of operation of the well field is the same as the historic use of the well field.

**GRANDFATHERED WELL SYSTEM** means a well system that existed, in its entirety, at the date of the original adoption of the rules of the district and the present pattern of operation of the well system is the same as the historic use of the well system.

**GROUNDWATER PRODUCTION** means the operation of a well, a well field, or a well system that results in the extraction of groundwater from a well.

**GROUNDWATER RESOURCES** means the water percolating below the surface of the earth.

**GROUNDWATER QUALITY CLASSIFICATIONS** include:

1. **FRESH GROUNDWATER** means groundwater with a total dissolved solids concentration less than one thousand milligrams per liter (1,000 mg/L).
2. **SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration 1) equal to or greater than one thousand milligrams per liter (1,000 mg/L) and 2) equal to or less than ten thousand milligrams per liter (10,000 mg/L).
  - 2.1. **SLIGHTLY SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration 1) equal to or greater than one thousand milligrams per liter (1,000 mg/L) and 2) equal to or less than three thousand milligrams per liter (3,000 mg/L).
  - 2.2. **MODERATELY SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration 1) greater than three thousand milligrams per liter (3,000 mg/L) and 2) equal to or less than ten thousand milligrams per liter (10,000 mg/L).

2.3. **EXTEREMLY SALINE GROUNDWATER** means groundwater with a total dissolved solids concentration greater than ten thousand milligrams per liter (10,000 mg/L).

**GULF COAST AQUIFER SYSTEM** means the water-bearing strata and geologic formations of the Chicot Aquifer, Evangeline Aquifer, Jasper Aquifer, or any other water-bearing geologic formation within the boundary of the district.

**HEARING EXAMINER** means a person appointed by the board of directors to conduct a hearing or other proceeding.

**HIGH-CAPACITY NON-HISTORIC USE** means the production of groundwater for non-exempt use that is:

1. produced from one or more wells located on one or more tracts of contiguous groundwater ownership associated with a permit request for a production permit for non-historic use with:
  - 1.1. the cumulative authorized groundwater production rate being greater than or equal to five hundred gallons per minute (500 GPM), excluding the authorized groundwater production rates associated with historic use or deep-saline non-exempt use; or
  - 1.2. the authorized groundwater production amount being greater than or equal to two hundred and fifty acre-foot per year (250 acre-foot per year), excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use.

**HIGH-CAPACITY NON-HISTORIC-USE PRODUCTION PERMIT** means a production permit issued by the district associated with an application requesting authorization to produce groundwater that qualifies as high-capacity non-exempt use.

**HISTORIC USE** means the specific pattern of operation of a well that has not been plugged, a well field, or a well system that occurred during the historic use validation period including the annual quantity of groundwater produced from the well, the well field, or the well system and the specific purposes of use of the produced groundwater for which evidence of the specific pattern of operation of a well, a well field, or a well system during the historic use validation period exists.

**HISTORIC USE VALIDATION PERIOD** means the time period before the date of the original adoption of the rules of the district.

**HISTORIC USE VALIDATION PERMIT** means a production permit issued by the district associated with an application requesting validation and protection of historic use.

**HISTORIC USE VALIDATION YEAR** means the calendar year during the historic use validation period for which validation of historic use is being sought for a grandfathered well, a grandfathered well field, or a grandfathered well system.

INITIAL AVERAGE AQUIFER CONDITIONS means the average aquifer condition calculated from measurements collected in association with an aquifer monitoring plan, approved by the district, before groundwater is produced under a production permit.

LANDOWNER means the person who has legal title to the land surface of a tract of land within the district.

LICENSED WELL DRILLER means a person licensed or registered by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules to perform drilling work.

MANAGEMENT PLAN OF THE DISTRICT means the foundational document developed, amended, approved, and adopted by the board of directors of the Calhoun County Groundwater Conservation District in accordance with Section 36.1071 of the Texas Water Code.

NON-EXEMPT USE means the use or operation of a well or set of wells for non-exempt-use purposes.

NON-EXEMPT-USE PURPOSES means producing or using groundwater resources for any purpose other than those defined as exempt-use purposes.

NON-EXEMPT-USE WELL means a well that used for non-exempt-use purposes.

NON-EXEMPT-USE WELL FIELD means the collection of wells located on a contiguous tract of land owned or controlled by a person or set of persons used collectively for non-exempt-use purposes.

NON-EXEMPT-USE WELL SYSTEM means the collection of wells located on multiple tracts of contiguous land owned or controlled by a person or set of persons used collectively for non-exempt-use purposes, which is connected by a transmission or distribution system.

NON-GRANDFATHERED EXEMPT-USE WELL means an exempt-use well that is not a grandfathered well or a replacement well of a grandfathered well.

NON-GRANDFATHERED NON-EXEMPT-USE WELL means a non-exempt-use well that is not a grandfathered well or a replacement well of a grandfathered well.

NON-GRANDFATHERED NON-EXEMPT-USE WELL FIELD means a non-exempt-use well field that is not a grandfathered well field.

NON-GRANDFATHERED NON-EXEMPT-USE WELL SYSTEM means a non-exempt-use well system that is not a grandfathered well system.

NON-GRANDFATHERED WELL means a well that is not a grandfathered well or a replacement well of a grandfathered well.



NON-GRANDFATHERED WELL FIELD means a well field that is not a grandfathered well field.

NON-GRANDFATHERED WELL SYSTEM means a well system that is not a grandfathered well system.

NON-HISTORIC USE means the specific pattern of operation of a well, a well field, or a well system that did not occur during the historic use validation period including the annual quantity of groundwater produced from the well, the well field, or the well system and the specific purposes of use of the produced groundwater.

OPEN MEETINGS LAW means Chapter 551, Texas Government Code.

ORIGINAL EXEMPT-USE GRANDFATHERED WELL means a well that 1) existed on the original date the rules of the district were adopted, 2) satisfied the definition of an exempt use well as defined in the version of the rules of the district adopted on October 1, 2017, and 3) an administratively complete application to register the well or well log had been submitted to or obtained by the district prior to the date the version of the rules of the district adopted on October 1, 2017, were superseded.

ORIGINAL EXEMPT-USE NON-GRANDFATHERED WELL means a well that 1) was drilled after the original date the rules of the district were adopted, 2) satisfied the definition of an exempt use well as defined in the version of the rules of the district adopted on October 1, 2017, and 3) an administratively complete application to register the well or well log had been submitted to or obtained by the district prior to the date the version of the rules of the district adopted on October 1, 2017, were superseded.

OWNER OF GROUNDWATER RESOURCES means the person or set of persons who owns and controls a defined unit of groundwater resources within the boundaries of the district.

OWNERSHIP OF GROUNDWATER RESOURCES means the possession and control of groundwater water located within a defined three-dimensional boundary within the district.

OWNERSHIP OF LAND means the possession and control of land surface located within a defined boundary within the district.

PERMIT means a document issued by the district conditionally authorizing a person to perform certain actions within the jurisdiction of the district.

PERMIT AMENDMENT means a modification of a valid permit previously issued by the district.

PERSON means a natural person, partnerships of two or more persons having a joint or common interest, corporation, organization, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association, any other legal entity, or the

combination of multiple persons to form an entity to which the rules and regulations of the district may apply.

PERSONAL RECREATION means those activities related to the recreation of an individual or a household.

PETITION TO AMEND THE RULES OF THE DISTRICT means a request to add, revise, or eliminate specific requirements or limitations established by the board of directors within the rules of the district.

PLUGGING means the activity of altering a well to prevent the production of groundwater from the production casing or the movement of water or other fluids, including injurious water, between water bearing strata intersected by the well borehole, resulting in an absolute sealing of the well bore.

PLUGGED WELL means a well that has been altered to prevent the production of groundwater from the production casing or the movement of water or other fluids, including injurious water, between water bearing strata intersected by the well borehole, and to result in an absolute sealing of the well bore.

PRESIDING OFFICER means the President, Vice-President, Secretary, or other director of the district presiding at any hearing or other proceeding or a hearing examiner conducting any hearing or other proceeding of the district.

PRODUCED GROUNDWATER means water that has been pumped, flowed, or extracted from a well.

PRODUCTION AREA means the spatial boundary and extent of the area within the boundary of ownership or control of groundwater resources associated with a production permit that:

1. encompasses the location of the subject well, subject well field, or subject well system; and encompasses sufficient area to satisfy the associated groundwater production limitations under which the permit was issued by the district if the production permit authorizes non-historic use; or
2. encompasses the location of the subject well, subject well field, or subject well system; and encompasses the portion of the ownership or control of groundwater resources associated with the validated historic use of the permit if the production permit authorizes historic use.

PRODUCTION CAPACITY means the rate at which a well, a well field, or a well system can produce groundwater.

PRODUCTION PERMIT means the authorization issued by the district to use a well, a well field, or a well system for non-exempt use that specifies the authorized groundwater production purpose, the authorized groundwater production rate, the authorized groundwater production amount, and any special conditions for a designated period of time.

PRODUCTION ZONE means the water-bearing stratum or strata that a well is completed in and from which groundwater is released into the water well.

PROTECTION OF HISTORIC USE means authorizing the continued operation of a grandfathered well, a grandfathered well field, or a grandfathered well system in a manner consistent with the validated historic use of the grandfathered well, the grandfathered well field, or the grandfathered well system.

PUBLIC WATER SUPPLY ENTITY means any natural person, partnerships of two or more persons having a joint or common interest, corporation, organization, government, or governmental subdivision or agency, business trust, estate, trust, partnership, association, any other legal entity, or the combination of multiple persons to form an entity that provides water service to another person.

PURPOSE OF USE means the reason for utilizing a well, a well field, or a well system to produce groundwater resources or to access groundwater resources for specific beneficial uses.

PURPOSE OF BENEFICIAL USE TYPES include:

1. AGRICULTURAL USE means production or use of groundwater for activities involving agriculture as defined in Texas Water Code Section 36.001, including but not limited to:
  - 1.1. aquaculture;
  - 1.2. irrigation to cultivate the soil to produce crops;
  - 1.3. the practice of floriculture, viticulture, silviculture, and horticulture, including nursery grower operations;
  - 1.4. raising, feeding, or keeping animals for breeding or production of food or fiber or other products with a tangible value;
  - 1.5. planting cover crops;
  - 1.6. wildlife management; or
  - 1.7. raising or keeping equine animals.
2. DOMESTIC USE means the production or use of groundwater for domestic purposes for an individual or a household including groundwater used:
  - 2.1. for drinking, washing, or culinary purposes;
  - 2.2. for irrigating lawns, a family garden, or a family orchard;
  - 2.3. for watering domestic animals; and
  - 2.4. for personal recreation including aquatic and wildlife enjoyment; but
  - 2.5. domestic use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold or used by or for a public water system.
3. INDUSTRIAL USE means the production or use of groundwater integral to the production of primary goods or services provided by industrial or manufacturing facilities and used primarily in the building, production, manufacturing, or alteration of a product or goods, or the use of groundwater to wash, cleanse, cool, or heat such goods or products, and the use of water in the generation of electricity by means other than hydroelectric, including the use of water for cooling purposes, and the uses associated with plant personnel, fire

protection at the facility, and in maintaining associated property and facilities including mitigation and habitat areas but does not include agricultural use.

4. INJECTION USE means the use of a well for the following purposes:
  - 4.1. to return water used for heating or cooling;
  - 4.2. to inject water previously used for cooling;
  - 4.3. to drain surface fluid into a subsurface formation;
  - 4.4. to recharge the water in an aquifer;
  - 4.5. to inject water into a freshwater aquifer to prevent the intrusion of salt water into the freshwater;
  - 4.6. to inject a mixture of water and sand, mill tailings, or other solids into subsurface mines;
  - 4.7. to inject fluids into a non-oil or gas producing zone to reduce or eliminate subsidence associated with the overdraft of water; or
  - 4.8. used to circulate water, other fluids, or gases through the earth as a heat source or heat sink.
5. MONITORING USE means to use a well for the purpose of measuring one or more properties of the groundwater resources or aquifer it penetrates, provided the well does not produce more than five thousand gallons (5,000 gallons) of groundwater per year.
6. MUNICIPAL USE means the production and use of groundwater for a public water system for residential, commercial, or public and institutional uses, including the application of potable water for irrigation of golf courses, parks and recreational uses but does include water for industrial uses when the industrial user is receiving potable water from the municipality.
7. REMEDIATION USE means the production or use of groundwater to either extract or inject materials for the purpose of remediating or removing a subsurface contaminant.
8. OIL, GAS, AND MINERALS USE means the use of groundwater for exploring for, producing, handling, or treating oil, gas, sulphur, or other minerals; or
9. OTHER USE means any other purpose that is useful and beneficial to the user.

RECHARGE means the process of replenishment of groundwater by infiltration of water from sources such as precipitation, streams, rivers, and reservoirs.

REGISTRATION means the process through which the district assigns an identification number, grandfathered status, and use exemption status to a well.

REGISTERED WELL means a well registered by the district in accordance with the rules of the district.

REPLACEMENT WELL means a well drilled for the purposes of replacing a registered well that is deteriorated provided the new well is drilled within one hundred yards (100 yards) of and constructed in a manner consistent with the construction of the well being replaced including the production zones and the production capacity.

RULES OF THE DISTRICT mean the rules compiled in this document and as may be supplemented or amended from time to time by the district.

**SPECIAL GROUNDWATER MANAGEMENT ZONE** means a geographic area, aquifer, subdivision of an aquifer, or geologic strata within the district in which conditions in or use of an aquifer differ substantially from other geographic areas or for which different rules may be adopted for better management of the groundwater resources in accordance with Section 36.116(d) of the Texas Water Code.

**SPECIAL WELL CONSTRUCTION AREA** means a special groundwater management zone for which well construction requirements are established to prevent negative impacts such as groundwater contamination and commingling of undesirable water with desirable water through well boreholes and well casing.

**STANDARD-CAPACITY NON-HISTORIC USE** means the production of groundwater for non-exempt use that is:

1. produced from with one or more wells located on one or more tracts of contiguous groundwater ownership associated with a permit request for a production permit for non-historic use with:
  - 1.1. the cumulative authorized groundwater production rate being less than five hundred gallons per minute (500 GPM), excluding the authorized groundwater production rates associated with historic use or deep-saline non-exempt use; or
  - 1.2. the authorized groundwater production amount being less than two hundred and fifty acre-foot per year (250 acre-foot), excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use.

**STANDARD-CAPACITY NON-HISTORIC-USE PRODUCTION PERMIT** means a production permit issued by the district associated with an application requesting authorization to produce groundwater that qualifies as standard-capacity non-historic use.

**SUBJECT TRACT OF CONTIGUOUS OWNERSHIP OF LAND** means the tract or tracts of land ownership that 1) are spatially connected and 2) owned by any of the owners of land associated with a particular application, a particular permit issued by the district, or a particular district waiver issued by the district.

**SUBJECT TRACT OF CONTIGUOUS OWNERSHIP OF GROUNDWATER RESOURCES** means the tract or tracts of groundwater ownership that 1) are spatially connected and 2) owned by any of the owners of groundwater resources associated with a particular application, a particular permit issued by the district, or a particular district waiver issued by the district.

**SUBJECT WELL** means a specific well, proposed or existing, associated with an application related to a permit or district waiver or the subject of a permit or district waiver issued by the district.

**SUBJECT WELL FIELD** means a specific well field and related wells, proposed or existing, associated with an application related to a permit or district waiver or the subject of a permit or district waiver issued by the district.



**SUBJECT WELL SYSTEM** means the specific well system and related wells, proposed or existing, associated with an application related to a permit or district waiver or the subject of a permit or district waiver issued by the district.

**TEXAS RULES OF CIVIL PROCEDURE AND TEXAS RULES OF EVIDENCE** means the civil procedure and evidence rules as amended and in effect at the time of the action or proceeding.

**TRANSFER OF GROUNDWATER** means the transporting of groundwater out of the district.

**TRANSFER PERMIT** means an authorization issued by the district allowing the transfer of groundwater produced under a production permit out of the district to a location for a designated period of time.

**UNDESIRABLE GROUNDWATER** means groundwater that is injurious to vegetation, animals, land, or would cause or contribute to contamination of land or water.

**UNWANTED LOSS OF GROUNDWATER** means the loss of groundwater from a water-bearing strata to another water-bearing strata determined to be unwanted or wasteful by the district.

**USE EXEMPTION STATUS** means the classification assigned, by the district, of the purpose of use for which a well, well field, or well system as either exempt use or non-exempt use.

**VALID PRODUCTION PERMIT** means a production permit that has not been terminated by the district, suspended by the district, surrendered by the one or all of the associated owners of groundwater resources, or voided by the actions of the authorized operator.

**WASTE OF GROUNDWATER** means:

1. The withdrawal of groundwater from a groundwater reservoir at a rate and in an amount that causes or threatens to cause intrusion into the reservoir of water unsuitable for agricultural, gardening, domestic, or stock raising purposes.
2. The use of that amount of groundwater in excess of that which is economically reasonable for an authorized purpose when reasonable intelligence and reasonable diligence are used in applying the water to that purpose constitutes waste.
3. The flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose.
4. The escape of groundwater from one groundwater reservoir to any other reservoir or geologic strata that does not contain groundwater.
5. The pollution or harmful alteration of groundwater in a groundwater reservoir by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground.
6. Willfully or negligently causing, suffering, or allowing groundwater to escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch, or onto any land other than that of the owner of the well unless such discharge is authorized by permit, rule, or order issued by the Commission under Chapter 26 "Water Quality Control".

7. Groundwater pumped for irrigation that escapes as irrigation tailwater onto land other than that of the owner of the well unless permission has been granted by the occupant of the land receiving the discharge.
8. For water produced from an artesian well, "waste" also has the meaning assigned by Section 11.205 of the Texas Water Code.

WATER-BEARING STRATA means a geologic formation from which groundwater is or could be produced from a water well.

WELL means any facility, device, or method used to produce or access groundwater from any groundwater reservoir or water-bearing strata that has not been plugged.

WELL FIELD means the collection of wells located on a contiguous tract of land owned or controlled by a person or set of persons operated collectively to produce groundwater.

WELL LOCKOUT SEAL means an official seal, tag, or label placed on a well or its equipment, or the act of placing the tag or label, to indicate that further production of groundwater, or operation of the well, or continuing with other activities regulated by the district is not authorized by the district, shall be in violation of rules of the district, and may subject the owner of groundwater resources, authorized agent, or authorized operator to civil suit or penalties.

WELL OWNER means the person or persons who owns the subject well of an application, certificate, or permit.

WELL FIELD OWNER means the person or persons who owns the subject well field of an application, certificate, or permit.

WELL SYSTEM OWNER means the person or persons who owns the subject well system of an application, certificate, or permit.

WELL SYSTEM means the collection of wells located on multiple tracts of contiguous land owned or controlled by a person or set of persons operated collectively to produce groundwater which is connected by a transmission or distribution system.

WELL WITH HISTORICALLY LOW PRODUCTION means a non-exempt-use well operated under a valid production permit with an authorized annual production rate equal to or less than two acre-foot (2 acre-foot) per year for which the volume of groundwater produced annually has either remained stable or declined for the five-year period preceding the submittal of the application requesting the well be designated as a well with historically low production.

## **RULE 1.2: GENERAL POLICIES REGARDING THE RULES OF THE DISTRICT**

1. The board of directors shall adopt rules pursuant to the authority of Section 36.101, Texas Water Code, for the purpose of conserving, preserving, protecting, and recharging groundwater in the district in order to control subsidence, prevent degradation of water quality, or prevent waste of groundwater, and protect the rights of owners of groundwater resources.
2. The district shall endeavor to maintain the groundwater resources in the boundary of the district on a sustainable basis (i.e., the regulation of the development and use of groundwater in a manner that can be maintained in perpetuity) in fulfilling the stated purpose of the rules of the district.
3. The district shall use the rules of the district as guides in the exercise of the powers conferred by law and in the accomplishment of the purposes of the district act.
4. No person shall construe the rules of the district as a limitation or restriction on the exercise of any discretion or to deprive the district or board of directors of the exercise of any powers, duties or jurisdiction conferred by law, nor be construed to limit or restrict the amount and character of data or information that may be required to be collected for the proper administration of the district act.
5. The board of directors may delegate authority, responsibility, or requirement of the rules of the district to other persons by separate policy.
6. The board of directors may, following notice and hearing, amend the rules of the district or adopt new rules from time to time.
7. All persons shall use section and other headings and captions contained in the rules of the district for reference purposes only.
8. No person shall consider section and other headings and captions within the rules of the district as affecting the meaning or interpretation of the rules of the district in any way.
9. All persons shall consider a reference to a title, chapter or section within the rules of the district without further identification as a reference to a title, chapter or section of the Texas Water Code or the rules of the district.
10. All persons shall consider the construction of words and phrases within the rules of the district as governed by the Code Construction Act, Subchapter B, Chapter 311, Government Code.
11. All persons may serve or deliver any notice or documents in connection with the rules of the district to the recipient, or the recipient's authorized representative, in person, by agent, by courier receipted delivery, by certified mail sent to the recipient's last known address, by telephonic document transfer to the recipient's current telecopier number, or by electronic mail to the recipient's current electronic email address except as otherwise expressly provided in the rules of the district.
12. All persons shall consider service in connection with the rules of the district by mail complete upon deposit in a post office or other official depository of the United States Postal Service.
13. All persons shall consider service in connection with the rules of the district by telephonic document transfer complete upon transfer, except that any transfer occurring after 5:00 p.m. will be deemed complete on the following business day.
14. The recipient of a notice or document served or delivered by mail associated with a right or requirement to do some act in connection with the rules of the district shall have three days (3-days) added to the prescribed period of time.

15. All persons shall consider service in connection with the rules of the district complete upon notice published in a newspaper with general circulation within the boundary of the District when one or more other methods has been attempted and failed.
16. All persons shall construe the rules of the district as if any provisions contained in the rules of the district held to be invalid, illegal, or unenforceable are not contained within the rules of the district and do not affect any other provisions within the rules of the district.

PROPOSED REVISIONS  
(NO MARKUP)

## **SECTION 2: POLICIES RELATED TO DRILLING, REWORKING, REPLACING, AND PLUGGING WELLS**

### **RULE 2.1: DRILLING WELLS**

1. A person may drill a well without authorization from the district.
2. A person drilling a well shall provide written notice of intent to drill a well to the district at least two (2) hours before and not more than twenty-four (24) hours commencing well drilling activities.
3. A person drilling a well shall provide written notice of intent to drill a well to the district using a form prescribed by the district that includes:
  - 3.1. the name and address of the person drilling the well;
    - 3.1.1. well driller license number if the person drilling the well is a licensed well driller;
  - 3.2. the name and address of the person that will own the subject well;
  - 3.3. the geographic coordinate of the subject well;
  - 3.4. the date the well drilling activities will commence;
  - 3.5. a statement certifying that the person drilling the well notified the person that will own the subject well was notified of the of the existence of regulations established by the district related to:
    - 3.5.1. well spacing;
    - 3.5.2. limitations for producing groundwater for non-exempt-use purposes;
    - 3.5.3. registration of non-grandfathered and replacement wells; and
    - 3.5.4. permitting of groundwater production for non-exempt-use purposes;
  - 3.6. the dated signature of the person drilling the well.
4. A person drilling a well shall adhere to the well spacing requirements of the rules of the district when locating the well.
5. A person drilling, deepening, or otherwise altering a well shall adhere with the well completion requirements of the rules of the district when locating the well to be drilled.
6. A person drilling a well shall satisfy all applicable requirements of the Texas Commission on Environmental Quality and the Texas Department of Licensing and Regulation related to the construction and completion of a well.
7. A person drilling a well shall construct and complete the well in accordance with the well completion standards set forth under the requirements promulgated by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules.
8. No person drilling a well shall locate a well closer than fifty feet (50 feet) to any potential source of contamination.
9. No person shall locate a potential source of contamination closer than fifty feet (50 feet) to any well.
10. A person drilling a well shall submit a complete and accurate well drilling report to the district within ninety days (90 days) of concluding well drilling activities associated with the well.



11. A person drilling a deep-saline well shall submit, within 2 months of well completion, a geophysical log for the well that includes temperature, spontaneous potential, and shallow and deep resistivity surveys from the land surface to the bottom of the well.

## **RULE 2.2: WELL SPACING REQUIREMENTS OF WELLS**

1. The district shall regulate the spacing of non-grandfathered wells and replacement wells in order to:
  - 1.1. prevent or limit the drawdown of the water table or the reduction in artesian pressure,
  - 1.2. prevent or limit interference between wells,
  - 1.3. prevent or limit the degradation of water quality, or
  - 1.4. prevent waste of groundwater.
2. A person drilling or having drilled a non-grandfathered well or a replacement well for a non-grandfathered well that is not a deep-saline well shall locate the non-grandfathered well in a position that is offset from the boundary of the subject tracts of contiguous ownership of land by at least one half foot (1/2 foot) of separation per one gallon per minute of production capacity of the non-grandfathered well.
3. A person drilling or having drilled a non-grandfathered well or replacement well for a non-grandfathered well may locate the well in a position that encroaches upon spacing requirements from the property of any landowner or any owner of groundwater resources from whom a written waiver of the spacing requirements is obtained provided the waiver contains:
  - 3.1. the printed name and signature of the landowner and the owner of groundwater resources or the authorized agent of the landowner and the owner of groundwater resources, and
  - 3.2. states that the landowner and the owner of groundwater resources have no objection to the proposed position of the non-grandfathered well or the replacement well for a non-grandfathered well.
4. A person drilling or having drilled a non-grandfathered well or a replacement well for a non-grandfathered well on a lot of a platted subdivision shall locate the non-grandfathered well in a position that is offset from the perimeter of the subdivision by, at least, one foot (1 foot) of separation per one gallon per minute of production capacity of the non-grandfathered well.
5. A person drilling or having drilled a non-grandfathered well or a replacement well for a non-grandfathered well on a lot of a platted subdivision with an area defined as the "Authorized Drilling Area" shall locate the well in the authorized drilling area.
6. A person drilling or having drilled a replacement well for a grandfathered well may locate the replacement well in a position that does not encroach upon the spacing requirements from the property of any landowner or any owner of groundwater resources to a greater degree than the well being replaced.
7. The board of directors may waive, vary, or establish special conditions related to spacing requirements for a well provided good cause is found by the board of directors for doing so.

8. The board of directors may establish special conditions or limit the rate of groundwater production of a well if a district waiver related to spacing requirements of the well is granted to minimize any potential injury to other landowners, owner of groundwater resources, or groundwater.

### **RULE 2.3: WELL SPACING REQUIREMENTS OF DEEP-SALINE WELLS**

1. A person drilling or having drilled a deep-saline well shall locate the deep-saline well in a position that is offset from the boundary of the subject tracts of contiguous ownership of land by, at least, one-half foot (1/2 foot) of separation per one gallon per minute of production capacity of the deep-saline well.
2. A person drilling or having drilled a deep-saline well shall locate the deep-saline well in a position that is offset from the boundary of the subject tracts of contiguous ownership of groundwater resources, by at least, one-half foot (1/2 foot) of separation per one gallon per minute of production capacity of the deep-saline well.

### **RULE 2.4: STANDARDS FOR CONSTRUCTING WELLS**

1. A person drilling a well shall construct the well using methods and materials to minimize the potential for contamination, degradation, or commingling of waters of different chemical quality.
2. A person drilling a well shall construct the well in accordance with the well construction specifications established by the State of Texas, County of Calhoun, and relevant city ordinance.
3. A person drilling a well shall construct the well so that undesirable groundwater is not allowed to commingle with desirable groundwater through the well casing or annular space of the well.
4. A person drilling a well shall construct the well so that any groundwater resources allowed to commingle through the annulus space between the casing and borehole wall does not degrade or diminish the quality of any groundwater resources in any other water-bearing strata.
5. A person drilling a well shall construct the well so that the casing is centered in annular space for the portion of the borehole that will be sealed prior to emplacing the authorized annular space sealant.
6. A person drilling a well shall construct the well so that the authorized annular space sealant is emplaced to produce an annular seal that is absent of significant voids.
7. A person drilling a well shall not use the bentonite slurry or any other material used in the actual drilling of the well to seal the annular space between the borehole wall and the casing.
8. A person drilling or repairing a well shall place a seal on the casing that will prevent pollutants from entering the well.
9. A person drilling a well shall seal the annular space between the wall of the borehole and casing from a depth of one hundred feet (100 feet) below the surface to the ground surface.

10. A person drilling a deep-saline well shall not install the well screen of a the well above a depth of one thousand two hundred feet (1,200 feet) below the land surface.
11. A person drilling or having drilled a well may apply for a district waiver of the well completion requirements of the rules of the district, in accordance with the waiver procedures of the rules of the district.
12. The board of directors may designate special well construction areas, by order of the board of directors, for the purposes of establishing construction standards designed to prevent groundwater contamination or commingling of undesirable groundwater and desirable groundwater by non-grandfathered wells and replacement wells in locations and zones where undesirable groundwater overlays or is adjacent to desirable groundwater.

## **RULE 2.5: COMMINGLING OF UNDESIRABLE WATER WITH DESIRABLE GROUNDWATER**

1. The owner of a well shall have the continuing responsibility of ensuring a well does not allow commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater through the wellbore to other porous strata.
2. The board of directors may require and direct an owner of a well to take steps to prevent the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater.
3. The owner of a well allowing the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater shall, within sixty days (60 days) of receiving notice from the district that board of directors found the well is allowing the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater, either:
  - 3.1. cement the casing of the well in a manner that will permanently seal the annular space and casing and prevent the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater, or
  - 3.2. repair the well in a manner that will prevent the commingling of undesirable groundwater and desirable groundwater or the unwanted loss of groundwater through the annular space or casing of the well.

## **RULE 2.6: REPLACING WELLS**

1. The owner of a deteriorated well shall repair or plug the deteriorated well in accordance with rules and regulations of the state of Texas.
2. The owner of a non-exempt-use well may replace the non-exempt-use well with a replacement well, in accordance with the rules of the district and without authorization from the district, if such replacement will not violate or cause a violation of any conditions of the associated production permits under which the non-exempt-use well is operated.

## **RULE 2.7: PLUGGING WELLS**

1. The owner of a well may plug the well without authorization from district if such plugging will not violate or cause a violation of any conditions of any associated production permits.
2. The district may plug the casing and seal the annular space of a non-grandfathered well or replacement well that was not constructed and completed in accordance with the well completion standards set forth under the requirements promulgated by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules.
3. The district may require the person that drilled a non-grandfathered well or replacement well that was not constructed and completed in accordance with the well completion standards set forth under the requirements promulgated by the Texas Department of Licensing and Regulation under Title 16, Texas Administrative Code, Chapter 76, Water Well Drillers and Pump Installers Rules to reimburse the district for all costs incurred by the district to plug the well.
4. The owner of a deteriorated well shall plug the deteriorated well within sixty days (60 days) of receiving notice from the district that the well is deteriorated.
5. The owner of a deteriorated well may repair the condition of a deteriorated well to eliminate the probability the well will cause or is likely to cause pollution of any water in the state, including groundwater in lieu of plugging the well.
6. A person plugging a deteriorated well, a well allowing the commingling of undesirable groundwater and desirable groundwater, or a well allowing the unwanted loss of groundwater shall provide notice of intent to plug a well to the district, including the geographic coordinate of the well location, the name and address of the person plugging the well, and the well driller license number, if applicable, at least two (2) hours before and not more than twenty-four (24) hours before commencing the plugging activities associated with the well.
7. A person plugging a well shall submit a complete and accurate well plugging report to the district within ninety days (90 days) of concluding the well plugging activities associated with the well or within one hundred and twenty days (120 days) of commencing plugging activities, whichever condition occurs first.
8. The well owner of a properly located and constructed replacement well of a plugged well used for non-exempt use associated with valid production permits shall, within ninety days (90 days) of concluding the well construction activities, submit an application to amend the valid production permits to associate the authorized groundwater production of the plugged well to the replacement well.
9. The well owner of a plugged well associated with valid production permits or district waivers surrenders the valid production permits and district waivers if the well owner fails to complete the construction of the replacement well within ten years (10 years) of the initiation of the plugging process.
10. The district shall not issue production permits associated with plugged wells.

## **SECTION 3: POLICIES RELATED TO REGISTRATION OF WATER WELLS, WELL FIELDS, AND WELL SYSTEMS**

### **RULE 3.1: GENERAL POLICIES RELATED TO REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS**

1. The district shall maintain a registry of wells within the boundary of the district.
2. The owner of a grandfathered exempt-use well within the boundary of the district may apply for the registration of the grandfathered exempt-use well.
3. The well owner or authorized agent of a grandfathered non-exempt-use well within the boundary of the district shall apply for the registration of the grandfathered non-exempt-use well prior to operating the subject well for non-exempt use.
4. The well owner or authorized agent of a grandfathered non-exempt-use well field within the boundary of the district shall submit an application for the registration of the grandfathered non-exempt-use well field prior to operating the subject well field for non-exempt use.
5. The well owner or authorized agent of a grandfathered non-exempt-use well system within the boundary of the district shall submit an application for the registration of the grandfathered non-exempt-use well system prior to operating the subject well system for non-exempt use.
6. The well owner or authorized agent of a non-grandfathered well within the boundary of the district shall submit an application for the registration of the non-grandfathered well accompanied by the well drilling log within ninety days (90 days) of concluding the well construction activities.
7. The district shall assign a use exemption status classification and a grandfathered status classification to all wells registered with the district.
8. The district may register, on its own initiative, any well, well field, or well system within the district that is subject to an investigation of potential violations of the rules of the district or an enforcement proceeding established under the rules of the district.

### **RULE 3.2: APPLICATION REQUIREMENTS RELATED TO THE REGISTRATION OF A WELL**

1. The applicant for an application for the registration of a well shall submit the registration request on the form prescribed by the district.
2. The applicant for an application for the registration of a well shall specify that the subject well existed at the date of the original adoption of the rules of the district in order to be classified as a grandfathered well by the district.
3. The applicant for an application for the registration of a well shall specify that the subject well qualifies as an exempt-use well as defined in the rules of the district in order to be classified as an exempt-use well by the district.
4. The applicant for an application for the registration of a well shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:



- 4.1. the name and address of the applicant;
  - 4.2. the name and address of the person that owns the subject well;
  - 4.3. the geographic coordinate of the subject well;
  - 4.4. the date the subject well was constructed;
  - 4.5. the purpose of use of the produced groundwater from the subject well;
  - 4.6. the maximum production rate of the subject well expressed in gallons-per-minute;
  - 4.7. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well.
  - 4.8. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 4.9. a statement certifying, under penalty of law, that the subject well shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
  - 4.10. the dated signature of the applicant.
5. The applicant for an application for the registration of a non-grandfathered well associated with an application for a high-capacity non-historic-use production permit shall provide the location, construction details, screened intervals, and total depth of dedicated aquifer monitoring wells to be used to monitor the impacts of the non-grandfathered well that is being registered.

### **RULE 3.3: APPLICATION REQUIREMENTS RELATED TO THE REGISTRATION OF A WELL FIELD**

1. The applicant for an application for the registration of a well field shall submit the registration request on the form prescribed by the district.
2. The applicant for an application for the registration of a well field shall submit registration requests for the associated non-exempt-use wells with the application for the registration of the subject well field.
3. The applicant for an application for the registration of a well field shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 3.1. the name and address of the applicant;
  - 3.2. the name and address of the person that owns the subject well field;
  - 3.3. the geographic coordinate of each of the subject wells;
  - 3.4. the date the subject well field was established;
  - 3.5. the purpose of use of the produced groundwater from the subject well field;
  - 3.6. the maximum production rate of the subject well field expressed in gallons-per-minute;
  - 3.7. a statement certifying, under penalty of law, that the well field owner possesses the legal authority to produce groundwater resources from the subject well field.
  - 3.8. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;

- 3.9. a statement certifying, under penalty of law, that the subject well field shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 3.10. the dated signature of the applicant.
4. The applicant for an application for the registration of a non-grandfathered well field associated with an application for a high-capacity non-historic-use production permit shall provide the location, construction details, screened intervals, and total depth of dedicated aquifer monitoring wells to be used to monitor the impacts of the non-grandfathered well field that is being registered.

### **RULE 3.4: APPLICATION REQUIREMENTS RELATED TO THE REGISTRATION OF A WELL SYSTEM**

1. The applicant for an application for the registration of a well system shall submit the registration request on the form prescribed by the district.
2. The applicant for an application for the registration of a well system shall submit registration requests for the associated non-exempt-use wells with the application for the registration of the subject well system.
3. The applicant for an application for the registration of a well system shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 3.1. the name and address of the applicant;
  - 3.2. the name and address of the person that owns the subject well system;
  - 3.3. the geographic coordinate of each of the subject wells;
  - 3.4. the date the subject well system was established;
  - 3.5. the purpose of use of the produced groundwater from the subject well system;
  - 3.6. the maximum production rate of the subject well system expressed in gallons-per-minute;
  - 3.7. a statement certifying, under penalty of law, that the well system owner possesses the legal authority to produce groundwater resources from the subject well system;
  - 3.8. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 3.9. a statement certifying, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
  - 3.10. the dated signature of the applicant.
4. The applicant for an application for the registration of a non-grandfathered well system associated with an application for a high-capacity non-historic-use production permit shall provide the location, construction details, screened intervals, and total depth of dedicated aquifer monitoring wells to be used to monitor the impacts of the non-grandfathered well system that is being registered.

## **SECTION 4: POLICIES RELATED TO PERMITTING**

### **RULE 4.1: GENERAL POLICIES RELATED TO PERMITS**

1. The district shall only grant permits that are consistent with the mission of the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district shall only grant permits that are consistent with the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
3. The district shall only grant permits that are consistent with the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
4. The district shall grant permits with conditions, restrictions, limitations, and requirements determined to be necessary by the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
5. The district shall grant permits in accordance with and subject to the rules of the district, the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
6. The district shall grant permits with conditions, restrictions, limitations, and requirements determined to be necessary by the district to achieve the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
7. The district may modify or amend the restrictions, conditions, and requirements of a permit pursuant to the provisions of the rules of the district.
8. The board of directors may order the immediately suspension of activities authorized by a permit or district waiver issued by the district if the board of directors finds that false information has been supplied regarding the permit or related district waiver by the applicant, the authorized agent, the authorized operator, or owner of groundwater resources.
9. The board of directors may revoke a permit or district waiver if it finds that false information has been supplied regarding the permit or district waiver by the applicant, the authorized agent, the authorized operator, or owner of groundwater resources.
10. The district expressly prohibits the activities authorized by a permit or district waiver upon termination, expiration, violation, or revocation of the permit or district waiver by the board of directors.
11. No person shall be required to obtain a permit to drill a well from the district.
12. No person shall consider a permit issued by the district as granting authority to a person to drill wells within the incorporated limits of an incorporated municipality in violation of the ordinances of that municipality.
13. The district shall grant production permits for the sole purpose of conferring the authority to operate a well, a well field, or a well system for beneficial use under the provisions of the rules of the district.
14. The district shall require groundwater produced under a production permit to originate from non-exempt-use wells located within the production area of the production permit.

15. The district shall grant production permits and limit the authorized groundwater production amounts of wells, well fields, and well systems operated for non-exempt use in order to conserve, preserve and protect the groundwater resources within the boundary of the district.
16. The district may issue production permits that include conditions related to aggregating the authorized groundwater production amounts of the non-exempt-use wells of a well field or well system.
17. No person shall operate a well, a well field, or a well system in a manner that constitutes waste of groundwater.
18. No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well.
19. No person shall operate a non-exempt-use well unless the groundwater production is monitored in a manner to satisfy the reporting requirements of the rules of the district.
20. The applicant for an application related to a production permit shall make the subject well, subject well field, or subject well system accessible to the representatives of the district for inspection and agrees to cooperate fully in any reasonable inspection of the subject well, subject well field, or subject well system by the representatives of the district.
21. Any special terms and conditions of a production permit or related district waiver shall prevail whenever those special permit terms and conditions are found to be inconsistent with other permit provisions of the rules of the district.
22. Violations of the terms, conditions, requirements, or special provisions of a permit or related district waiver, including producing amounts of groundwater in excess of authorized groundwater production amount, are punishable by civil penalties as provided by the rules of the district and state statutes and the revocation of the associated production permit.
23. The board of directors may amend a permit or related district waiver to reflect any necessary changes to the restrictions, conditions, and requirements of the permit resulting from the failure of the well owner to construct a replacement well for any of the associated non-exempt-use wells that was plugged or abandoned.
24. All associated permits and related district waivers are void and terminated upon operation or use of the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system for any purpose of use other than the authorized groundwater production purpose.
25. The district shall grant transfer permits for the sole purpose of conferring the authority to transfer produced groundwater under production permits issued by the district under the provisions of the rules of the district.
26. The district shall grant transfer permits and limit the authorized groundwater transfer amount in order to conserve, preserve and protect the groundwater resources within the boundary of the district.
27. No person shall transfer produced groundwater out of the district prior to obtaining a transfer permit from the district if a permit is required according to the rules of the district.

28. The applicant for an application related to a transfer permit shall make the transfer facilities accessible to the representatives of the district for inspection and agrees to cooperate fully in any reasonable inspection of the transfer facilities by the representatives of the district.
29. The district shall continue to require satisfaction of and enforce any special terms and conditions of a production permit, a transfer permit, or any related district waivers whenever those special permit terms and conditions are found to be inconsistent with other permit provisions of the rules of the district.
30. The district may suspend, revoke, or terminate a permit for violations of the terms, conditions, requirements, or special provisions of a permit or related district waiver.
31. The district may impose on a person that is found, by the board of directors, to have violated the terms, conditions, requirements, or special provisions of a permit or related district waiver civil penalties as provided by the rules of the district and state statutes and the revocation of the associated transfer permit.

#### **RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPT-USE WELLS**

1. The authorized operator of a permit shall report to the district any monitoring data required under the permit within thirty days (30 days) of the close of the relevant reporting period unless specified otherwise within the rules of the district or the permit.
2. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well to the district on an annual basis.
3. The well owner, authorized agent, or the authorized operator of a production permit shall measure the volume of produced groundwater from each of the subject wells using a device or method that is accurate within ten percent (10%) of the actual volume produced.
4. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well that is accurate within ten percent (10%) of the actual volume of groundwater produced by the non-exempt use during the calendar year.
5. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well for the previous calendar year (January 1 to December 31) during January of the current calendar year.
6. The well owner of a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well using a form provided by the district.
7. The well owner of a non-exempt-use well shall include the following information when reporting the volume of groundwater produced from a non-exempt-use well:
  - 7.1. the well registration number assigned by the district;
  - 7.2. the production permit identification number;
  - 7.3. the reporting period;
  - 7.4. the volume of groundwater produced during the reporting period in acre-foot;
  - 7.5. the method used to determine the volumes of groundwater produced during the reporting period;
  - 7.6. a statement certifying, under penalty of law, that the information reported on and attached to the report was prepared under the direction or supervision of the well



owner and is, to the best of the knowledge and belief of the well owner, true, accurate and complete;

- 7.7. the printed name of the person submitting the report; and
- 7.8. the dated signature of the person submitting the report.
8. The well owner of a non-exempt-use well may request that the district designate the non-exempt-use well as a dormant well.
9. The well owner of a non-exempt-use well shall be exempt from reporting the volume of groundwater produced from a non-exempt-use well if the non-exempt-use well is designated as a dormant well by the district for more than twelve months (12 months) until such time as the well no longer satisfies the definition of a dormant well.
10. The well owner of a non-exempt-use well may request that the district designate the non-exempt-use well as a well with historically low production.
11. The well owner of a non-exempt-use well shall be exempt from reporting the volume of groundwater produced from a non-exempt-use well if the non-exempt-use well has been designated as a well with historically low production by the district for more than twelve months (12 months) until such time as the well no longer satisfies the definition of a well with historically low production.
12. The district shall remove the designation of a non-exempt-use well as a well with historically low production after five year (5 years).
13. The well owner of the non-exempt-use well may request the renewal of the designation as a well with historically low production.
14. A person producing groundwater resources from a well under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code, that authorized the production of groundwater resources from a well shall report monthly to the district the following:
  - 14.1. the total amount of water withdrawn during the month;
  - 14.2. the quantity of water necessary for mining activities; and
  - 14.3. the quantity of water withdrawn for other purposes.

### **RULE 4.3: GENERAL PROCEDURES RELATED TO PERMITTING**

1. An applicant for a permit shall submit the permitting request on the form prescribed by the district.
2. The general manager shall designate an application related to a permit as administratively complete when all necessary information to fully consider the application has been submitted to the district by the applicant.
3. The general manager shall contest an application related a permit that does not satisfy the regulations and requirements established by the rules of the district.
4. The general manager may schedule a hearing and action on as many applications related to permits at one meeting as deemed practical and appropriate.
5. The board of directors may refer any application related to a permit requesting protection of historic use to a hearing examiner for a hearing.
6. The application for a permit is incorporated into the permit approved by the district.
7. The district issues, approves, and grants a permit on the basis of and contingent upon the accuracy of the information supplied in the associated application.

8. Acceptance of a permit by the applicant, the authorized agent, the authorized operator, or the owner of groundwater resources constitutes acknowledgement and acceptance of the conditions, limitations, and restrictions of the permit and the rules of the district.
9. A decision regarding the permit is final if the applicant, the authorized agent, the authorized operator, or the owner of groundwater resources fail to file a request for rehearing within twenty days (20 days) of the decision.
10. An application shall be automatically withdrawn from the district if the applicant fails to provide any information requested by the general manager needed to fully consider the application relative to the rules of the district within 60 days of the request being sent to the applicant.

#### **RULE 4.4: GENERAL PROCEDURES RELATED TO RENEWAL AND AMENDMENT OF PERMITS**

1. The district shall not renew a permit that has expired before an administratively complete application requesting the renewal of the permit has been submitted to the district .
2. The well owner, authorized agent, or the authorized operator of a permit shall submit an application requesting the renewal of the permit at least ninety days (90 days) prior to the permit expiration date.
3. The general manager may authorize an authorized operator of a permit for which an administratively complete application requesting the renewal of the permit has been submitted to the district to continue authorized activities of the permit under the conditions of the permit, subject to any changes necessary under the rules of the district, or the Management Plan of the district, for the period of time during which the application requesting the renewal of the permit is the subject of a contested case hearing.
4. The district shall, without a hearing, consider an application to renew a permit submitted to the district provided that:
  - 4.1. the application, if required by the district, is submitted in a timely manner and accompanied by any required fees in accordance with rules of the district; and
  - 4.2. the authorized operator is not requesting an amendment to the permit in conjunction with the request to renew the permit.
5. The district shall not renew a permit if the owner of groundwater resources or authorized operator:
  - 5.1. is delinquent in paying a fee required by the district;
  - 5.2. is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district that has not been settled by agreement with the district or a final adjudication; or
  - 5.3. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a permit, order, or rule of the district.
6. The district shall consider a permit that the district did not renew because the applicant or authorized operator of the is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district, which has not been settled by

- agreement with the district or a final adjudication, to be in effect until the final settlement or adjudication on the matter of the substantive violation.
7. The district shall consider a request to renew a permit, as it existed prior to the initiation of an amendment process, without penalty if the amendment process results in a denial of the amendment unless the applicant or authorized operator of the permit:
    - 7.1. is delinquent in paying a fee required by the district;
    - 7.2. is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district that has not been settled by agreement with the district or a final adjudication; or
    - 7.3. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a permit, order, or rule of the district.
  8. The well owner, well field owner, or well system owner of a non-exempt-use well, a non-exempt-use well field, or a non-exempt-use well system shall submit to the district an application to amend any registrations or permits within ninety days (90 days) of acquiring the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system.
  9. The district shall consider the permit associated with an application requesting an amendment to the permit as being in effect as the permit existed before the submittal of the administratively complete application requesting an amendment to the permit until the later of:
    - 9.1. the conclusion of the permit amendment or renewal process, as applicable; or
    - 9.2. final settlement or adjudication on the matter of whether the change to the permit requires a permit amendment.
  10. The district may initiate the process for amending a permit in connection with the renewal of a permit.
  11. The district shall consider the permit associated with an amendment process initiated by the district as being in effect as the permit existed before the district initiated the amendment process until the conclusion of the permit amendment process.

## **SECTION 5: POLICIES RELATED TO HISTORIC USE OF GROUNDWATER**

### **RULE 5.1: GENERAL POLICIES RELATED TO PROTECTION OF HISTORIC USE PERMITTING**

1. No person shall produce groundwater from a grandfathered well, grandfathered well field, or grandfathered well system without obtaining and maintaining ownership or control of the groundwater resources from the subject well, well field, or well system.
2. The district shall allow well owners to apply for production permits protecting the continued operation of grandfathered wells, grandfathered well fields, and grandfathered well systems used for non-exempt-use prior to the adoption of the rules of the district.
3. The district shall provide for the protection of historic use of grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems through the validation the evidence of historic use and issuing production permits for the protection of historic use authorizing the continued operation of grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems based on validated evidence of historic use.
4. The district shall limit the amount of groundwater validated as historic use to the volume of produced groundwater by a grandfathered non-exempt-use well, a grandfathered non-exempt-use well field, or a grandfathered non-exempt-use well system produced for a particular purpose of use in a particular calendar year in the historic use validation period.
5. The district shall grant production permits for the protection of historic use with conditions related to aggregating the authorized groundwater production amounts of the non-exempt-use wells of a grandfathered well field or a grandfathered well system that are consistent with the validated pattern of operation of the grandfathered well field or the grandfathered well system during the historic use validation period.
6. The district shall not grant production permits for the protection of historic use with an aggregate authorized groundwater production amount of a grandfathered well field or a grandfathered well system exceeding the validated sum of all groundwater produced from the subject wells operated during the validation year.
7. The well owner, well field owner, or well system owner of a grandfathered non-exempt-use well, a grandfathered non-exempt-use well field, or a grandfathered non-exempt-use well system shall maintain the ownership or control of groundwater rights associated with the groundwater resources from which the subject grandfathered non-exempt-use well, subject grandfathered non-exempt-use well field, or subject grandfathered non-exempt-use well system historically produced groundwater.

### **RULE 5.1.1: GROUNDWATER PRODUCTION LIMITATIONS OF GRANDFATHERED NON-EXEMPT-USE WELLS**

1. The board of directors shall not issue a historic use validation permit for a grandfathered non-exempt-use well that is inconsistent with the validated historic use of the grandfathered non-exempt-use well.
2. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well to that amount and purpose of use validated, by the district, as historic use of the grandfathered non-exempt-use well.

### **RULE 5.1.2: GROUNDWATER PRODUCTION LIMITATIONS OF GRANDFATHERED WELL FIELDS**

1. The board of directors shall issue a historic use validation permit for a grandfathered non-exempt-use well field that is consistent with the validated historic use of the grandfathered non-exempt-use well field.
2. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well field to that amount and purpose of use validated, by the district, as historic use of the grandfathered non-exempt-use well field.
3. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well field to that amount and purpose of use validated, by the district, as historic use of the associated grandfathered non-exempt-use wells that exist on the date the associated application for the protection of historic use of a grandfathered well field was designated as administratively complete by the district.

### **RULE 5.1.3: GROUNDWATER PRODUCTION LIMITATIONS OF GRANDFATHERED WELL SYSTEMS**

1. The board of directors shall issue a historic use validation permit for a grandfathered non-exempt-use well system that is consistent with the validated historic use of the grandfathered non-exempt-use well system.
2. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of historic use validation permit for a grandfathered non-exempt-use well system to that amount and purpose of use validated, by the district, as historic use of the grandfathered non-exempt-use well system.
3. The board of directors shall limit the authorized groundwater production amount and authorized groundwater production purpose of a historic use validation permit for a grandfathered non-exempt-use well system to that amount and purpose of use validated, by the district, as historic use of the associated grandfathered non-exempt-use wells that exist on the date the associated application for a production permit for the protection of

historic use of a grandfathered well system was designated as administratively complete by the district.

## **RULE 5.2: GENERAL PROCEDURES RELATED TO PROTECTION OF HISTORIC USE PERMITTING**

1. The board of directors, representatives of the district, and other interested parties may scrutinize the evidence of historic use associated with an application for a production permit for the protection of historic use during the associated public hearing to assess the validity and reliability related to the permitting request.
2. The board of directors, on its own initiative, may issue production permits for the protection of historic use for grandfathered non-exempt-use well, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems within the district for which the well owners or authorized agents have not submitted administratively complete applications for production permits for the protection of historic use provided that such wells were not drilled, equipped and operated in such a manner as to violate any other rules and regulations of the district.
3. The well owners or authorized agents of grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, and grandfathered non-exempt-use well systems shall provide all available information requested by the district regarding the historic use of subject wells, subject well fields, or subject well systems associated with production permit for historic use.
4. The general manager shall review and determine the administrative completeness of an application for a production permit for the protection of historic use within sixty days (60 days) of date of receipt of application for a production permit for the protection of historic use.
5. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a production permit for the protection of historic use within sixty days (60 days) of the date of receipt of the supplemental information.
6. The general manager shall issue and post written notice indicating a date and time for a hearing regarding an application for a production permit for protection of historic use within thirty days (30 days) of determining the application for a production permit for protection of historic use is administratively complete.
7. The applicant of an application for a production permit for the protection of historic use shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a production permit for the protection of historic use.
8. The board of directors shall consider applications for a production permit for the protection of historic use that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
9. The district shall specify the operational requirements and special conditions of production permits for the protection of historic use including:
  - 9.1. the identification number assigned by the district for the production permit;



- 9.2. the identification number assigned by the district for the associated application for a production permit for the protection of historic use;
- 9.3. the subject non-grandfathered wells, non-grandfathered well fields and non-grandfathered well systems;
- 9.4. the authorized groundwater production amount;
- 9.5. the authorized groundwater production purpose;
- 9.6. the owners of groundwater resources;
- 9.7. the authorized operator; and
- 9.8. the reporting requirements.

### **RULE 5.2.1: APPLICATION REQUIREMENTS RELATED TO PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL**

1. The applicant for an application for the protection of historic use of a grandfathered well shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well;
  - 1.3. the geographic coordinate of the subject well;
  - 1.4. a statement confirming the subject well was used in a manner that qualifies as non-exempt use during the historic use validation period;
  - 1.5. the specification of the historic use validation year;
  - 1.6. the specification of the volume of groundwater resources produced in acre-foot by the subject well during the historic use validation year;
  - 1.7. the specification of the purpose of use of the groundwater resources produced by the subject well during the historic use validation year;
  - 1.8. a description of the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well;
  - 1.9. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well.
  - 1.10. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 1.11. a statement certifying, under penalty of law, that the subject well shall be operated in accordance with the rules of the district and regulations of the State of Texas;
  - 1.12. the dated signature of the applicant; and
  - 1.13. an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the subject well is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well during the historic use validation year has been provided to the district.

## **RULE 5.2.2: APPLICATION REQUIREMENTS RELATED TO PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL FIELD**

1. The applicant for an application for the protection of historic use of a grandfathered well field shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well field;
  - 1.3. the geographic coordinate of each of the subject wells;
  - 1.4. a statement confirming the subject well field was used in a manner that qualifies as non-exempt use during the historic use validation period;
  - 1.5. the specification of the historic use validation year;
  - 1.6. the specification of the volume of groundwater resources produced in acre-foot by the subject well field during the historic use validation year;
  - 1.7. the specification of the purpose of use of the groundwater resources produced by the subject well field during the historic use validation year;
  - 1.8. a description of the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well field;
  - 1.9. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well field.
  - 1.10. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
  - 1.11. a statement certifying, under penalty of law, that the subject well field shall be operated in accordance with the rules of the district and regulations of the State of Texas;
  - 1.12. the dated signature of the applicant; and
  - 1.13. an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the subject well field is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well field during the historic use validation year has been provided to the district.

## **RULE 5.2.3: APPLICATION REQUIREMENTS RELATED TO PROTECTION OF HISTORIC USE OF A GRANDFATHERED WELL SYSTEM**

1. The applicant for an application for the protection of historic use of a grandfathered well system shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;

- 1.2. the name and address of the person that owns the subject well system;
- 1.3. the geographic coordinate of each of the subject wells;
- 1.4. a statement confirming the subject well system was used in a manner that qualifies as non-exempt use during the historic use validation period;
- 1.5. the specification of the historic use validation year;
- 1.6. the specification of the volume of groundwater resources produced in acre-foot by the subject well system during the historic use validation year;
- 1.7. the specification of the purpose of use of the groundwater resources produced by the subject well system during the historic use validation year;
- 1.8. a description of the evidence of historic use supplied with the application to be used by the district to validate the historic use of the subject well system;
- 1.9. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well system.
- 1.10. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.11. a statement certifying, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas;
- 1.12. the dated signature of the applicant; and
- 1.13. an affidavit confirming that the evidence of historic use submitted to support the validation of the historic use of the subject well system is to the best of the knowledge and belief of the person providing the evidence of historic use true and correct and that all available information concerning groundwater production of the subject well system during the historic use validation year has been provided to the district.

## **SECTION 6: POLICIES RELATED TO NON-HISTORIC USE OF GROUNDWATER**

### **RULE 6.1: GENERAL POLICIES RELATED TO NON-HISTORIC-USE PERMITTING**

1. No person shall produce groundwater from a non-grandfathered well, non-grandfathered well field, or non-grandfathered well system without obtaining and maintaining ownership or control of the groundwater resources from the subject well, well field, or well system.
2. The district shall consider a request to aggregate the authorized groundwater production amounts validated for any grandfathered non-exempt-use well with authorized groundwater production for any non-grandfathered non-exempt-use well as a permitting request for non-historic use associated with a non-grandfathered non-exempt-use well field or a non-grandfathered non-exempt-use well system.
3. An applicant permanently changes the grandfathered status of a grandfathered well, a grandfathered well field, or a grandfathered well system to non-grandfathered well, a non-grandfathered well field, or a non-grandfathered well system if the applicant requests, and the district grants, a production permit for non-historic use or a permit amendment to a production permit for non-historic use in which the authorized groundwater production purpose is changed from the purpose of use validated by the district for the grandfathered well, the grandfathered well field, or the grandfathered well system.
4. The well owner, well field owner, or well system owner of a non-grandfathered non-exempt-use well, a non-grandfathered non-exempt-use well field, or a non-grandfathered non-exempt-use well system shall maintain the ownership or control of groundwater rights associated with the subject tracts of contiguous ownership of groundwater resources sufficient to produce the authorized groundwater production amount specified in the production permit for non-historic use.
5. An incorporated municipality, as an applicant for a production permit for non-historic use, may request that the district consider all contiguous land within its corporate limits that is located within the district and not associated with other production permits to be under its control for the purposes of evaluating the spacing requirements, production limitations, and performance conditions of the district.
6. A public water supply entity, as an applicant for a production permit for non-historic use, may request that the district consider all contiguous land within the boundary of its certificate of convenience and necessity (CCN) that is located within the district and not associated with other production permits to be under its control for the purposes of evaluating the spacing requirements, production limitations, and performance conditions of the district.
7. The district shall amend a production permits for non-historic use issued by the district if a well owner, well field owner, or well system owner of a non-grandfathered non-exempt-use well, a non-grandfathered non-exempt-use well field, or a non-grandfathered non-exempt-use well system fails to maintain the ownership or control of groundwater rights associated with the subject tracts of contiguous ownership of groundwater resources sufficient to produce the authorized groundwater production

amount specified in the production permit for non-historic use associated with the non-grandfathered non-exempt-use well, the non-grandfathered non-exempt-use well field, or the non-grandfathered non-exempt-use well system.

8. The district may amend a production permit for non-historic use issued by the district associated with production areas based on contiguous land within the corporate limit of an incorporated municipality or contiguous land within the boundary of a certificate of convenience and necessity (CCN) of a public water supply entity in conjunction with issuing production permits with production areas that intersect or overlap the corporate limit of an incorporated municipality or the certificate of convenience and necessity (CCN) of a public water supply entity.
9. The applicant for an application related to a production permit for non-historic use shall submit applications to register any wells not registered with the district within the subject tracts of contiguous ownership of groundwater resources.
10. The applicant for an application related to a production permit for non-historic use may be required to provide groundwater management information including a water conservation plan and drought management plan.

#### **RULE 6.1.1: GROUNDWATER PRODUCTION LIMITATIONS OF NON-GRANDFATHERED NON-EXEMPT-USE WELLS**

1. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well to an amount that does not exceed one hundred gallons per minute (100 GPM) per contiguous acre controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well.
2. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well, excluding production permit for deep-saline non-historic use, to an amount that does not exceed one-half acre-foot (1/2 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well.
3. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well to the degree the board of directors determines to be necessary to ensure the groundwater production from the subject well will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.
4. The district shall establish special conditions related to authorized groundwater production of a production permit for non-historic use of a non-exempt-use well as determined to be necessary by the board of directors to ensure the groundwater production from the subject well will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.

## **RULE 6.1.2: GROUNDWATER PRODUCTION LIMITATIONS OF NON-GRANDFATHERED NON-EXEMPT-USE WELLS FIELDS**

1. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well field to an amount that does not exceed one hundred gallons per minute (100 GPM) per contiguous acre controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well field.
2. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well field, excluding production permit for deep-saline non-historic use, to an amount that does not exceed one-half acre-foot (1/2 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well field.
3. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well field to the degree the board of directors determines to be necessary to ensure the groundwater production from the subject wells of the non-exempt-use well field will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.
4. The district shall establish special conditions related to authorized groundwater production of a production permit for non-historic use of a non-exempt-use well field as determined to be necessary by the board of directors to ensure the groundwater production from the subject wells of the non-exempt-use well field will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.

## **RULE 6.1.3: GROUNDWATER PRODUCTION LIMITATIONS OF NON-GRANDFATHERED NON-EXEMPT-USE WELL SYSTEMS**

1. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well system to an amount that does not exceed one hundred gallons per minute (100 GPM) per contiguous acre controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well field.
2. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well system to an amount that does not exceed one-half acre-foot (1/2 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous



ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well system.

3. The district shall limit the authorized groundwater production amount of each well within a non-exempt-use well system production permit for non-historic use to an amount that does not exceed three-quarters acre-foot (3/4 acre-foot) per year per contiguous acre owned or controlled by the owners of groundwater resources of the subject tracts of contiguous ownership of groundwater resources associated with the application for a production permit for non-historic use of a non-exempt-use well system surrounding the well.
4. The district shall limit the authorized groundwater production amount of a production permit for non-historic use of a non-exempt-use well system to the degree the board of directors determines to be necessary to ensure the groundwater production from the subject wells of the non-exempt-use well system will not likely cause excessive water level declines within the district, excessive water quality changes of groundwater resources within the district, or significantly contribute to subsidence within the district.

## **RULE 6.2: GENERAL PROCEDURES RELATED TO NON-HISTORIC USE PERMITTING**

1. The general manager shall review and determine the administrative completeness of an application for a production permit for standard-capacity non-historic use within thirty days (30 days) of date of receipt of the application for a production permit for non-historic use.
2. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a production permit for non-historic use within thirty days (30 days) of date of receipt of the supplemental information.
3. The general manager shall issue and post written notice indicating a date and time for a hearing regarding an application for a production permit for non-historic use within thirty days (30 days) of determining that an application for a production permit for non-historic use is administratively complete, if required by the rules of the district.
4. The general manager may issue and post written notice indicating the proposed date of permit issuance for a production permit for standard-capacity non-historic use, if such issuance is authorized by the rules of the district, after the application is determined by the general manager to be administratively complete.
5. The board of directors shall consider applications requesting a production permit for high-capacity non-historic use that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
6. The board of directors shall consider applications requesting a deep-saline production permit that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
7. The general manager may consider and may issue production permits and production permit amendments associated with applications requesting a production permit for standard-capacity non-historic use, after providing public notice of the proposed permit issuance for not less than ten days (10 days), that:

- 7.1. are designated administratively complete;
- 7.2. satisfy the regulations and requirements established by the rules of the district; and
- 7.3. are not contested by any party.
8. The general manager shall not issue production permits or production permit amendments associated with applications requesting a production permit for standard-capacity non-historic use that are contested by any party.
9. The general manager may authorize a well owner to perform an aquifer test, as described in the aquifer test plan with a pumping period not to exceed twenty days (20 days), for the purposes of investigating:
  - 9.1. the production zone including type of aquifer, position and extent of aquicludes, aquitards, and hydrogeologic boundaries;
  - 9.2. the radius of influence and the radius of separation of the subject well and observation wells, the cone of depression, the static water level, and the drawdown curve;
  - 9.3. the drawdown-time relationship of the subject well;
  - 9.4. drawdown-distance relationship of the subject well; and
  - 9.5. the hydraulic properties and derived parameters of the production zone of the subject well.
10. The board of directors shall consider applications requesting a production permit for standard-capacity non-historic use, after providing public notice of the proposed permit issuance for not less than ten days (10 days), that:
  - 10.1. are designated administratively complete and are contested by any party; or
  - 10.2. have not been considered by the general manager resulting in the issuance of a production permit for standard-capacity non-historic use as requested by the applicant of an application for a production permit for standard-capacity non-historic use.
11. The district shall specify the operational requirements and special conditions of production permits for non-historic use including:
  - 11.1. the identification number assigned by the district for the production permit for non-historic use;
  - 11.2. the identification number assigned by the district for the associated application for a production permit for non-historic use;
  - 11.3. the identification number assigned by the district for the subject non-grandfathered wells, non-grandfathered well fields and non-grandfathered well systems;
  - 11.4. the authorized groundwater production amount;
  - 11.5. the authorized groundwater production purpose;
  - 11.6. the owners of groundwater resources;
  - 11.7. the authorized operator;
  - 11.8. the monitoring requirements;
  - 11.9. the reporting requirements;
  - 11.10. the special conditions established by the board of directors;
  - 11.11. the permit issuance date; and
  - 11.12. the permit expiration date.
12. A permit shall be automatically terminated if the construction of the proposed well is not completed within 365 days of the date the production permit was issued by the district.

## **RULE 6.2.1: APPLICATION REQUIREMENTS RELATED TO PRODUCTION PERMIT REQUESTS FOR NON-HISTORIC USE FOR A NON-EXEMPT-USE WELL**

1. The applicant for an application for a production permit for non-historic use of a non-exempt-use well shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well;
  - 1.3. the geographic coordinate of the subject well;
  - 1.4. the name and address of the landowner of the subject tracts of contiguous ownership of land;
  - 1.5. documentation demonstrating ownership of the subject tracts of contiguous ownership of land;
  - 1.6. the name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.7. documentation demonstrating ownership of the subject tracts of contiguous ownership of groundwater resources;
  - 1.8. the specification of the requested authorized groundwater production amount for the subject well in gallons per minute and acre-foot per year;
  - 1.9. the specification of the requested authorized groundwater production purpose for the subject well;
  - 1.10. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of land;
  - 1.11. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.12. the documentation of any district waiver being requested in association with the application;
  - 1.13. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.14. a scaled map of:
    - 1.14.1. the subject well;
    - 1.14.2. the boundary of the subject tracts of contiguous ownership of land;
    - 1.14.3. the boundary of the subject tracts of contiguous ownership of groundwater resources;
    - 1.14.4. the boundaries of any production areas associated with other valid production permits overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
    - 1.14.5. the nearest public roads; and
    - 1.14.6. the locations of any existing water wells within the boundary of the subject tracts of contiguous ownership of groundwater resources;

- 1.15. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.16. a statement certifying, under penalty of law, that the subject well shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.17. the dated signature of the applicant.

## **RULE 6.2.2: APPLICATION REQUIREMENTS RELATED TO NON-HISTORIC USE PRODUCTION PERMITS FOR NON-EXEMPT-USE WELL FIELDS**

1. The applicant for an application for a production permit for standard-capacity non-historic use of a non-exempt-use well field shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well field;
  - 1.3. the geographic coordinate of the subject wells;
  - 1.4. The name and address of the landowner of the subject tracts of contiguous ownership of land;
  - 1.5. The name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.6. the specification of the requested aggregate authorized groundwater production amount for the subject well field in gallons per minute and acre-foot per year;
  - 1.7. the specification of the requested authorized groundwater production purpose for the subject well field;
  - 1.8. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of land;
  - 1.9. the specification of the spatial extent including the total acreage of the boundary of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.10. the documentation of any district waiver being requested in association with the application;
  - 1.11. a statement certifying, under penalty of law, that the well field owner possesses the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.12. a scaled map of:
    - 1.12.1. the subject wells of the subject well field;
    - 1.12.2. the boundary of the subject tracts of contiguous ownership of land;
    - 1.12.3. the boundary of the subject tracts of contiguous ownership of groundwater resources;

- 1.12.4. the boundaries of any production areas overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.12.5. the nearest public roads; and
- 1.12.6. the locations of any existing water wells within the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.13. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.14. a statement certifying, under penalty of law, that the subject well field shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.15. the dated signature of the applicant.

### **RULE 6.2.3: APPLICATION REQUIREMENTS RELATED TO NON-HISTORIC USE PRODUCTION PERMITS FOR NON-EXEMPT-USE WELL SYSTEMS**

1. The applicant for an application for a production permit for standard-capacity non-historic use of a non-exempt-use well system shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. the name and address of the person that owns the subject well system;
  - 1.3. the geographic coordinate of the subject wells;
  - 1.4. The name and address of the landowners of the subject tracts of contiguous ownership of land;
  - 1.5. The name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.6. the specification of the requested aggregate authorized groundwater production amount for the subject well system in gallons per minute and acre-foot per year;
  - 1.7. the specification of the requested authorized groundwater production purpose for the subject well system;
  - 1.8. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of land;
  - 1.9. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.10. the documentation of any district waiver being requested in association with the application;
  - 1.11. a statement certifying, under penalty of law, that the well system owner possesses the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.12. a scaled map of:

- 1.12.1. the subject wells of the subject well system;
- 1.12.2. the boundaries of the subject tracts of contiguous ownership of land;
- 1.12.3. the boundaries of the subject tracts of contiguous ownership of groundwater resources;
- 1.12.4. the boundaries of any production areas overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.12.5. the nearest public roads; and
- 1.12.6. the locations of any existing water wells within the boundaries of the subject tracts of contiguous ownership of groundwater resources;
- 1.13. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.14. a statement certifying, under penalty of law, that the subject well system shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.15. the dated signature of the applicant.

### **RULE 6.3: SPECIAL POLICIES RELATED TO HIGH-CAPACITY NON-HISTORIC USE PERMITTING**

1. The district shall condition production permits for high-capacity non-historic use with the following performance conditions:
  - 1.1. the operation of the subject well, subject well field, or subject well system shall not cause drawdown of the water table or artesian pressure in the associated production zones of the Gulf Coast Aquifer System greater than five feet (5 feet) at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells will be located.
  - 1.2. the operation of the subject well, subject well field, or subject well system shall not cause or contribute to the intrusion of saline groundwater or saltwater into zones or water-bearing strata of fresh groundwater or areas by causing the interface between saline groundwater or saltwater and freshwater to migrate inland or upward.
  - 1.3. the operation of the subject well, subject well field, or subject well system shall not cause the water flow gradients to be altered between the Gulf Coast Aquifer System and those portions of the Guadalupe River and Green Lake water bodies located within the district.
  - 1.4. the operation of the subject well, the subject well field, or the subject well system shall not adversely affect groundwater quality at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells are or will be located as follows:
    - 1.4.1. result in an increase of total dissolved solids concentration beyond one thousand five hundred milligrams per liter (1,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand three hundred milligrams per liter (1,300 mg/L); or



- 1.4.2. result in an increase of total dissolved solids concentration above one thousand seven hundred milligrams per liter (1,700 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand five hundred milligrams per liter (1,500 mg/L); or
- 1.4.3. result in an increase of total dissolved solids concentration above two thousand milligrams per liter (2,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand seven hundred milligrams per liter (1,700 mg/L); or
- 1.4.4. result in an increase of total dissolved solids concentration above two thousand five hundred milligrams per liter (2,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand milligrams per liter (2,000 mg/L); or
- 1.4.5. result in an increase of total dissolved solids concentration above three thousand milligrams per liter (3,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand five hundred milligrams per liter (2,500 mg/L).
- 1.5. the proposed operation of the subject well, subject well field, or subject well system shall not cause land subsidence measured within the boundary of the subject tracts of contiguous ownership of groundwater resources in excess of one foot (1 foot).
2. The district shall require the well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use to monitor aquifer conditions for impacts associated with groundwater production authorized under a production permit for high-capacity non-historic use.
3. The district shall specify monitoring requirements for a production permit for high-capacity non-historic use including requirements related to installation and use of dedicated aquifer monitoring wells.
4. The district shall specify performance criteria and performance standards for a production permit for high-capacity non-historic use including the requirements related to water level impacts and water quality impacts.
5. The district shall consider the failure to collect less than sixty percent (60%) of any required aquifer measurements by the well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use as a failure to achieve the performance conditions of the production permit for high-capacity non-historic use.
6. The district may require the well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use to curtail or reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use in response to a failure to achieve the performance conditions of the production permit for high-capacity non-historic use.
7. The general manager shall review and determine the administrative completeness of an application for a production permit for high-capacity non-historic use within sixty days (60 days) of date of receipt of the application for a production permit for non-historic use.
8. The applicant of an application for a production permit for high-capacity non-historic use shall attend the meetings at which the board of directors conducts hearings or considers

action related to the application for a production permit for high-capacity non-historic use.

### **RULE 6.3.1: APPLICATION REQUIREMENTS RELATED TO HIGH-CAPACITY NON-HISTORIC-USE PRODUCTION PERMIT REQUESTS**

1. The applicant for an application for a production permit for high-capacity non-historic use shall submit the following information with the application for a production permit for high-capacity non-historic use in addition to the required information associated with an application for a production permit for standard-capacity non-historic use:
  - 1.1. the name and address of the applicant;
  - 1.2. the description of the production zones of the subject wells including:
    - 1.2.1. the depths to the top and bottom of the production zones;
    - 1.2.2. the thickness of the production zones;
  - 1.3. an aquifer test analysis report documenting:
    - 1.3.1. a conceptual description and diagram of the subject wells and observation wells including the well screening;
    - 1.3.2. a conceptual description and diagram of the production zones including type of aquifer, position and extent of aquicludes, aquitards, and hydrogeologic boundaries;
    - 1.3.3. a description and diagram of the radius of influence, the radius of separation of the subject wells and observation wells, the cones of depression, the static water levels, and the drawdown curves;
    - 1.3.4. a description and diagram of the drawdown-time relationships;
    - 1.3.5. a description and diagram of the drawdown-distance relationships;
    - 1.3.6. the hydraulic properties and derived parameters of the production zones;
    - 1.3.7. a description of the methods, assumptions, equations, and data used to calculate the hydraulic properties and derived parameters of production zones;
  - 1.4. diagrams of, and a description of the method used to develop, 5-foot contours of predicted water levels of the production zone of the subject wells and any water-bearing strata that exist between the top of the production zone of the subject wells and the ground surface in relation to the subject wells, to the outer edge of the cone-of-depression, and the boundary of the subject tracts of contiguous ownership of groundwater resources for the time intervals of five years, ten years, and thirty years of proposed operation;
  - 1.5. information demonstrating achievement of the following performance conditions to a reasonable scientific certainty:
    - 1.5.1. the proposed operation of the subject well, subject well field, or subject well system shall not cause drawdown of the water table or artesian pressure in the associated production zones of the Gulf Coast Aquifer System greater than five feet (5 feet) at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells will be located.
    - 1.5.2. the proposed operation of the subject well, subject well field, or subject well system shall not cause or contribute to the intrusion of saline groundwater or saltwater into zones or water-bearing strata of fresh groundwater or areas by

causing the interface between saline groundwater or saltwater and freshwater to migrate inland or upward.

- 1.5.3. the proposed operation of the subject well, subject well field, or subject well system shall not cause the water flow gradients to be altered between the Gulf Coast Aquifer System and those portions of the Guadalupe River and Green Lake water bodies located within the district.
- 1.5.4. the proposed operation of the subject well, subject well field, or subject well system shall not adversely affect groundwater quality at the boundary of the subject tracts of contiguous ownership of groundwater resources on which the subject wells will be located as follows:
  - 1.5.4.1. result in an increase of total dissolved solids concentration beyond one thousand five hundred milligrams per liter (1,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand three hundred milligrams per liter (1,300 mg/L); or
  - 1.5.4.2. result in an increase of total dissolved solids concentration above one thousand seven hundred milligrams per liter (1,700 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand five hundred milligrams per liter (1,500 mg/L); or
  - 1.5.4.3. result in an increase of total dissolved solids concentration above two thousand milligrams per liter (2,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below one thousand seven hundred milligrams per liter (1,700 mg/L); or
  - 1.5.4.4. result in an increase of total dissolved solids concentration above two thousand five hundred milligrams per liter (2,500 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand milligrams per liter (2,000 mg/L); or
  - 1.5.4.5. result in an increase of total dissolved solids concentration above three thousand milligrams per liter (3,000 mg/L) if the initial total dissolved solids concentration calculated at the boundary is below two thousand five hundred milligrams per liter (2,500 mg/L).
- 1.6. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.7. a statement certifying, under penalty of law, that the subject well, well field, or well system shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.8. the dated signature of the applicant.

## **RULE 6.3.2: SPECIAL MONITORING AND REPORTING REQUIREMENTS RELATED TO PERMITTING HIGH-CAPACITY NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall construct and maintain a monitoring well network

comprised of at least three dedicated aquifer monitoring wells designed to accurately monitor impacts associated with production of groundwater under subject production permit positioned within the perimeter of the subject tracts of contiguous ownership of groundwater resources and bounding the subject well, subject well field, or subject well system.

2. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall construct and maintain a permanent survey monument for vertical control within two hundred feet (200 feet) of the center of groundwater production of the production permit for high-capacity non-historic use if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
3. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall make provisions for and grant access to the district to for the purpose of installing and operating a mobile subsidence monitoring station on the well site at the survey monument if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
4. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall design and implement an aquifer monitoring plan, approved by the district, which includes the following:
  - 4.1. a description of the production area with a map depicting all non-exempt-use wells and dedicated aquifer monitoring wells within the production area;
  - 4.2. provisions to monitor and report production volumes, as daily totals, from the subject wells associated with the production permit for high-capacity non-historic use;
  - 4.3. provisions to establish initial average aquifer conditions for aquifer condition tier 1 parameters and aquifer condition tier 2 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use;
  - 4.4. provisions to measure and report aquifer condition tier 1 parameters, the aquifer condition tier 2 parameters, and aquifer condition tier 3 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use in accordance with the rules of the district and the special conditions of the production permit for high-capacity non-historic use; and
  - 4.5. provisions to evaluate and report the average aquifer condition and the rolling average of the measurements of aquifer condition parameters to the initial average aquifer conditions.
5. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall measure and record from the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use the aquifer condition tier 1 parameters on an hourly basis, the aquifer condition tier 2 parameters on a weekly basis, and aquifer condition tier 3 parameters once, during a period of not less than thirty days (30 days) prior to operating the subject wells, subject well field, or subject well system.

6. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall calculate, record and report to the district, as the initial average aquifer conditions of the production permit for high-capacity non-historic use, the average aquifer condition based on the data collected from the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use during the period of not less than ten days (10 days) prior to operating the subject wells, subject well field, or subject well system that the aquifer condition parameters were monitored.
7. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall measure, record and report to the district the volume of groundwater produced on a daily-basis from each of the subject wells of the production permit for high-capacity non-historic use on a monthly basis.
8. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall measure and record from the dedicated aquifer monitoring wells associated with the production permit for high-capacity non-historic use the aquifer condition parameters continuously from the end of the period during with the data was collected to calculate the initial average aquifer conditions until the expiration of the production permit for high-capacity non-historic use.
9. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use shall develop and submit quarterly reports to the district, within thirty days (30 days) of the end of the reporting period, which includes sections addressing:
  - 9.1. aquifer monitoring data and groundwater production data collected during the preceding 3-month reporting period;
  - 9.2. technical issues, if any, regarding aquifer monitoring or groundwater production monitoring experienced during the reporting period;
  - 9.3. statistical calculations of aquifer conditions calculated from aquifer monitoring data collected during the reporting period including the rolling average of the aquifer condition parameters;
  - 9.4. comparison of reporting period aquifer conditions to initial aquifer conditions;
  - 9.5. evaluation of achievement of performance standards of the production permit for high-capacity non-historic use; and
  - 9.6. corrective actions including production curtailment, if any, to be completed to achieve compliance with of performance standards of the production permit for high-capacity non-historic use not achieved during the reporting period performance standards of the production permit for high-capacity non-historic use not anticipated to be achieved during subsequent reporting periods.

### **RULE 6.3.3: SPECIAL OPERATIONAL REQUIREMENTS RELATED TO PERMITTING HIGH-CAPACITY NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use, in response to a failure to achieve the performance conditions of the production permit for high-capacity non-historic use, shall:
  - 1.1. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater

resources associated with the production permit for high-capacity non-historic use during the current and subsequent reporting periods to fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use during the previous reporting period until the performance conditions are achieved for two consecutive reporting periods.

2. The well owner, authorized agent, or the authorized operator of a production permit for high-capacity non-historic use, in response to a achieving the performance conditions of the production permit for high-capacity non-historic use for two consecutive reporting periods following a failure to achieve the performance conditions of the production permit for high-capacity non-historic use, may:
  - 2.1. increase the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use during the current reporting period, upon the renewed and continued achievement of the performance conditions, by fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for high-capacity non-historic use during the most recent reporting period with authorized groundwater production until the volume of groundwater resources eligible to be produced is equal to the authorized groundwater production amount.

#### **RULE 6.4: SPECIAL POLICIES RELATED TO DEEP-SALINE NON-HISTORIC USE PERMITTING**

1. The district shall limit the combined authorized groundwater production amounts of production permits for authorizing production of slightly saline groundwater to twenty thousand acre-foot (20,000 acre-foot) per year.
2. The district shall limit the combined authorized groundwater production amounts of production permits for authorizing production of moderately saline groundwater to fifteen thousand acre-foot (15,000 acre-foot) per year.
3. The district shall require the well owner, authorized agent, or the authorized operator of a production permits for deep-saline non-historic use to monitor aquifer conditions for impacts associated with groundwater production authorized under a production permit for deep-saline non-historic use.
4. The district shall condition production permits for deep-saline non-historic use with the following performance conditions:
  - 4.1. the proposed operation of the subject well or subject well field shall not cause or contribute to the intrusion of saline groundwater or saltwater into zones or water-bearing strata of fresh groundwater or areas by causing the interface between saline groundwater or saltwater and freshwater to migrate inland or upward;
  - 4.2. the average of the daily average specific conductivity calculated for the subject well or subject well field, calculated for any reporting period, shall not exceed fifteen



- thousand microsiemens per centimeter (15,000  $\mu\text{S}/\text{cm}$ ) during any reporting period;
- 4.3. the average total dissolved solids for the subject well or subject well field, calculated for any reporting period, shall not exceed ten thousand milligrams per liter (10,000 mg/L) during any reporting period;
  - 4.4. the modeled drawdown caused by the operation of the subject well or subject well field, calculated for any reporting period, shall not exceed ten feet (10 feet) at any registered well outside the production area relative to the initial average aquifer conditions established under the production permit for deep-saline non-historic use;
  - 4.5. the maximum of the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed thirty feet (30 feet) relative to the initial average aquifer conditions established under the production permit for deep-saline non-historic use;
  - 4.6. the average of the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed twenty feet (20 feet) relative to the initial average aquifer conditions established under the production permit for deep-saline non-historic use;
  - 4.7. the maximum of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed two thousand three hundred microsiemens per centimeter (2,300  $\mu\text{S}/\text{cm}$ );
  - 4.8. the average of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater, calculated for any reporting period, shall not exceed one thousand five hundred and fifty microsiemens per centimeter (1,550  $\mu\text{S}/\text{cm}$ );
  - 4.9. the maximum of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of saline groundwater, calculated for any reporting period, shall not exceed the initial average aquifer conditions established under the production permit for deep-saline non-historic use by more than fifty percent (50%);
  - 4.10. the average of the daily average specific conductivity calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of saline groundwater, calculated for any reporting period, shall not exceed the initial average aquifer conditions established under the production permit for deep-saline non-historic use by more than twenty five percent (25%); and
  - 4.11. land subsidence measured within the boundary of the subject tracts of contiguous ownership of groundwater resources shall not exceed one foot (1 foot).
5. The district shall require the well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use to monitor aquifer conditions for impacts associated with groundwater production authorized under a production permit for deep-saline non-historic use.
  6. The district shall specify monitoring requirements for a production permit for deep-saline non-historic use including requirements related to installation and use of dedicated aquifer monitoring wells.

7. The district shall specify performance criteria and performance standards for a production permit for deep-saline non-historic use including the requirements related to water level impacts and water quality impacts.
8. The district shall consider the failure to collect less than sixty percent (60%) of any required aquifer measurements by the well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use as a failure to achieve the performance conditions of the production permit for deep-saline non-historic use.
9. The district may require the well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use to curtail or reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use in response to a failure to achieve the performance conditions of the production permit for deep-saline non-historic use.
10. The general manager shall review and determine the administrative completeness of an application for a production permit for deep-saline non-historic use within ninety days (90 days) of date of receipt of the application for a production permit for non-historic use.
11. The applicant of an application for a production permit for deep-saline non-historic use shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a production permit for deep-saline non-historic use.

#### **RULE 6.4.1: GROUNDWATER PRODUCTION LIMITATIONS RELATED TO DEEP-SALINE SPECIAL GROUNDWATER MANAGEMENT ZONES**

#### **RULE 6.4.2: APPLICATION REQUIREMENTS RELATED TO DEEP-SALINE PRODUCTION PERMIT REQUESTS**

1. The applicant for an application for a production permit for deep-saline non-historic use shall submit the following information with the application for a production permit for deep-saline non-historic use in addition to the required information associated with an application for a production permit for standard-capacity non-historic use:
  - 1.1. the name and address of the applicant;
  - 1.2. the description of the production zones of the subject wells including:
    - 1.2.1. the depths to the top and bottom of the production zones;
    - 1.2.2. the thickness of the production zones;
  - 1.3. the identification of the specific deep-saline special groundwater management zone from which the subject wells would produce groundwater resources;
  - 1.4. the cumulative production volume from the subject wells proposed for the first five-year period of the production permit for deep-saline non-historic use;
  - 1.5. the maximum proposed production rate of the subject wells in gallons per minute and acre-foot per year;
  - 1.6. the distance between the nearest registered water well and each of the subject wells;
  - 1.7. identification of any wells with 1) a total depth of eight hundred feet (800 feet) or 2) a screen below eight hundred feet (800 feet) located within two thousand six hundred and forty feet (2,640 feet) of any of the subject wells; and

1.8. the dated signature of the applicant.

**RULE 6.4.3: SPECIAL MONITORING AND REPORTING REQUIREMENTS RELATED TO PERMITTING DEEP-SALINE NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall construct and maintain a dedicated aquifer monitoring well within three hundred feet (300 feet) of each deep-saline well with a continuous 50-foot screen isolated in the deepest zone with fresh groundwater.
2. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall construct and maintain a dedicated aquifer monitoring well within one hundred feet (100 feet) of the boundary of the subject tract of contiguous ownership of groundwater resources, closest to the greatest level of predicted drawdown, with continuous 100-foot screens intersecting the major sand units of the deep-saline special groundwater management zone associated with the production permit for deep-saline non-historic use if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
3. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall construct and maintain a permanent survey monument for vertical control within two hundred feet (200 feet) of the center of groundwater production of the production permit for deep-saline non-historic use if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year;
4. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall make provisions for and grant access to the district to for the purpose of installing and operating a mobile subsidence monitoring station on the well site at the survey monument if the authorized groundwater production amount is equal to or greater than two thousand acre-foot (2,000 acre-foot) of groundwater per year.
5. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall design and implement an aquifer monitoring plan, approved by the district, which includes the following:
  - 5.1. a description of the production area with a map depicting all non-exempt-use wells and dedicated aquifer monitoring wells within the production area;
  - 5.2. provisions to monitor and report production volumes, as daily totals, from the subject wells associated with the production permit for deep-saline non-historic use;
  - 5.3. provisions to establish initial average aquifer conditions for aquifer condition tier 1 parameters and aquifer condition tier 2 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for deep-saline non-historic use;
  - 5.4. provisions to measure and report hourly measurements of aquifer condition tier 1 parameters, semi-annual measurements of aquifer condition tier 2 parameters, and

- annual measurements of aquifer condition tier 3 parameters for the subject wells and the dedicated aquifer monitoring wells associated with the production permit for deep-saline non-historic use in accordance with the rules of the district and the special conditions of the production permit for deep-saline non-historic use.
- 5.5. a list of equipment and specifications to be used to collect aquifer monitoring data including field protocols for sample collection and preservation; and
  - 5.6. methodologies and protocols for the following:
    - 5.6.1. calibrating and installing aquifer monitoring equipment;
    - 5.6.2. collecting and storing aquifer monitoring data;
    - 5.6.3. controlling and assuring data quality;
    - 5.6.4. post-process aquifer monitoring data;
    - 5.6.5. statistical processing of aquifer monitoring data; and
    - 5.6.6. modeling impacts of groundwater production from the deep-saline wells outside the boundary of the production area.
  6. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall develop and submit quarterly reports to the district, within thirty days (30 days) of the end of the reporting period, which includes sections addressing:
    - 6.1. aquifer monitoring data and groundwater production data collected during the preceding 3-month reporting period;
    - 6.2. technical issues, if any, regarding aquifer monitoring or groundwater production monitoring experienced during the reporting period;
    - 6.3. statistical calculations of aquifer conditions calculated from aquifer monitoring data collected during the reporting period;
    - 6.4. comparison of reporting period aquifer conditions to initial aquifer conditions;
    - 6.5. evaluation of achievement of performance standards of the production permit for deep-saline non-historic use; and
    - 6.6. corrective actions including production curtailment, if any, to be completed to achieve compliance with of performance standards of the production permit for deep-saline non-historic use not achieved during the reporting period performance standards of the production permit for deep-saline non-historic use not anticipated to be achieved during subsequent reporting periods.

#### **RULE 6.4.4: SPECIAL OPERATIONAL REQUIREMENTS RELATED TO PERMITTING DEEP-SALINE NON-HISTORIC USE**

1. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall develop and conduct an aquifer test in accordance with an aquifer test plan approved by the district.
2. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use shall submit, within two months after completing the subject wells and before commencing operation of the subject wells under the production permit for deep-saline non-historic use, an aquifer test analysis report documenting:
  - 2.1. a conceptual description and diagram of the subject wells and observation wells including the well screening;

- 2.2. a conceptual description and diagram of the production zones including type of aquifer, position and extent of aquicludes, aquitards, and hydrogeologic boundaries;
  - 2.3. a description and diagram of the radius of influence, the radius of separation of the subject wells and observation wells, the cones of depression, the static water levels, and the drawdown curves;
  - 2.4. a description and diagram of the drawdown-time relationships;
  - 2.5. a description and diagram of the drawdown-distance relationships;
  - 2.6. the hydraulic properties and derived parameters of the production zones;
  - 2.7. the methods, assumptions, equations, and data used to calculate the hydraulic properties and derived parameters of production zones; and
  - 2.8. diagrams of, and a description of the method used to develop, 5-foot contours of predicted water levels of the production zone of the subject wells and any water-bearing strata that exist between the top of the production zone of the subject wells and the ground surface in relation to the subject wells, to the outer edge of the cone-of-depression, and the boundary of the subject tracts of contiguous ownership of groundwater resources for the time intervals of five years, ten years, and thirty years of proposed operation.
3. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use, in response to failures to achieve the performance conditions of the production permit for deep-saline non-historic use shall:
    - 3.1. adjust volumes of groundwater resources produced and the production schedules of the subject well or subject well field to prevent the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater from exceeding twenty feet (20 feet) relative to initial average aquifer conditions established under the production permit for deep-saline non-historic use during the subsequent reporting period if the daily average drawdown calculated for any dedicated aquifer monitoring wells screened in a water-bearing strata of fresh groundwater exceeds fifteen feet (15 feet) relative to relative to initial average aquifer conditions established under the production permit for deep-saline non-historic use during the preceding reporting period;
    - 3.2. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to ninety percent (90%) of the production volume during the subsequent reporting period if performance conditions are not achieved during a reporting period;
    - 3.3. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the subsequent reporting period if performance conditions are not achieved for two consecutive reporting periods;
    - 3.4. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to

- twenty five percent (25%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the subsequent reporting period if performance conditions are not achieved for three consecutive reporting periods; and
- 3.5. reduce the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use to the lesser of two hundred gallons per minute (200 GPM), eighty acre-foot (80 acre-foot), or ten percent (10%) of the of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the subsequent reporting period if performance conditions are not achieved for four consecutive reporting periods.
  4. The well owner, authorized agent, or the authorized operator of a production permit for deep-saline non-historic use, in response to a achieving the performance conditions of the production permit for deep-saline non-historic use for two consecutive reporting periods following a failure to achieve the performance conditions of the production permit for deep-saline non-historic use, may:
    - 4.1. increase the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the current reporting period, upon the renewed and continued achievement of the performance conditions, to fifty percent (50%) of the volume of groundwater resources produced from the non-exempt-use wells located on the subject tracts of contiguous ownership of groundwater resources associated with the production permit for deep-saline non-historic use during the most recent reporting period with authorized groundwater production until the volume of groundwater resources eligible to be produced is equal to the authorized groundwater production amount.



## **SECTION 7: POLICIES RELATED GROUNDWATER TRANSFER**

### **RULE 7.1: GENERAL POLICIES RELATED PERMITTING TRANSFER**

1. A person shall not be required to obtain a transfer permit for:
  - 1.1. the transfer of less than ten acre-foot (10 acre-foot) of produced groundwater per year,
  - 1.2. the transfer of produced groundwater that is part of a manufactured product manufactured within the district,
  - 1.3. the transfer of groundwater produced from and put to use solely on real property that presently and historically straddles the boundary of the district as of the date of the original adoption of the rules of the district,
  - 1.4. the transfer of groundwater produced from real property within the boundary of the district and put to use solely within a certificate of convenience and necessity (CCN) that presently and historically straddled the boundary of the district as of the date of the original adoption of the rules of the district, or
  - 1.5. the transfer of groundwater produced from and put to use to hydrotest pipeline provided at least fifty percent (50%) of the pipeline to be tested exists within the boundary of the district and the pipeline presently and historically straddled the boundary of the district as of the date of the original adoption of the rules of the district.
2. The board of directors shall consider the following information when deciding to grant or deny a transfer permit:
  - 2.1. the availability of water in the district and in the proposed receiving area during the period for which the water supply is requested;
  - 2.2. the projected effect of the proposed transfer on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the district; and
  - 2.3. the approved regional water plan and approved district management plan.

### **RULE 7.2: GENERAL PROCEDURES RELATED TRANSFER PERMITTING**

1. The general manager shall review and determine the administrative completeness of an application for a transfer permit within thirty days (30 days) of the date of receipt of the application for a transfer permit.
2. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a transfer permit within thirty days (30 days) of date of receipt of the supplemental information.
3. The general manager shall designate an application for a transfer permit as administratively complete when all necessary information to fully consider the application has been submitted to the district by the applicant.

4. The general manager shall issue and post written notice, within thirty days (30 days) of determining an application for a transfer permit is administratively complete, indicating a date and time for a hearing regarding the application for a transfer permit.
5. The applicant of an application for a transfer permit shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a transfer permit.
6. The board of directors shall consider applications requesting a transfer permit that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
7. The district shall specify the operational requirements and special conditions of transfer permits including:
  - 7.1. the identification number assigned by the district for the transfer permit;
  - 7.2. the identification number assigned by the district for the subject production permit;
  - 7.3. the authorized groundwater transfer amount;
  - 7.4. the authorized groundwater transfer purpose;
  - 7.5. the authorized operator of the transfer permit;
  - 7.6. the authorized groundwater transfer location;
  - 7.7. the monitoring requirements;
  - 7.8. the reporting requirements;
  - 7.9. the special conditions established by the board of directors;
  - 7.10. the permit issuance date; and
  - 7.11. the permit expiration date.
8. The district shall specify monitoring requirements for a transfer permit including the requirements related to installation and use of meters to record the volumes of groundwater transferred.

### **RULE 7.3: GENERAL MONITORING AND REPORTING REQUIREMENT RELATED TO TRANSFER PERMITS**

1. The authorized operator of a transfer permit shall measure the volume of produced groundwater transferred out of the district under the transfer permit using a device or method that is accurate within ten percent (10%) of the actual volume produced.
2. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district under the transfer permit to the district on an annual basis.
3. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district that is accurate within ten percent (10%) of the actual volume of groundwater transferred during the calendar year.
4. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district for the previous calendar year during January of the subsequent calendar year.
5. The authorized operator of a transfer permit shall report the volume of groundwater transferred out of the district using a form developed by the district.
6. The authorized operator of a transfer permit shall include the following information when reporting the volume of groundwater transferred out of the district:
  - 6.1. the transfer permit identification number;

- 6.2. the reporting period;
- 6.3. the volume of groundwater transferred out of the district during the reporting period in acre-foot;
- 6.4. the method used to determine the volumes of groundwater transferred out of the district during the reporting period; and
- 6.5. a statement certifying, under penalty of law, that the information reported on and attached to the report was prepared under the direction or supervision of the authorized operator and is, to the best of the knowledge and belief of the authorized operator, true, accurate and complete;
- 6.6. the printed name of the person submitting the report; and
- 6.7. the dated signature of the person submitting the report.

## **RULE 7.4: APPLICATION REQUIREMENTS RELATED TO TRANSFER PERMIT REQUESTS**

1. The applicant for an application for a transfer permit shall submit the permitting request on the form prescribed by the district.
2. The applicant for an application for a transfer permit shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 2.1. the name and address of the applicant;
  - 2.2. the identification number assigned by the district of the associated production permit;
  - 2.3. the name and address of the authorized operator of the associated production permit;
  - 2.4. the requested authorized groundwater transfer amount in acre-foot per year;
  - 2.5. the requested authorized groundwater transfer purpose;
  - 2.6. the requested authorized groundwater transfer period;
  - 2.7. the name and address of the requested authorized operator of the transfer permit;
  - 2.8. the requested authorized groundwater transfer location;
  - 2.9. a description of the existing and proposed transfer facilities and method to be used to transfer groundwater from the district to the authorized groundwater transfer location;
  - 2.10. a description of any anticipated loss of water resulting from the transfer of groundwater from the district to the authorized groundwater transfer location;
  - 2.11. a description of the availability of water in the district and in the proposed receiving area during the period for which the water supply is requested;
  - 2.12. a description of the projected effect of the proposed transfer on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the district;
  - 2.13. a plan specifying:
    - 2.13.1. the quantified objectives to be achieved by reducing groundwater transfer from the district during periods of water shortages and drought in the district;
    - 2.13.2. actions to be completed by the authorized operator at the authorized groundwater transfer location and receiving area to reduce groundwater

- transfer from the district during periods of water shortages and drought to achieve the quantified objectives for reducing groundwater transfer from the district during periods of water shortages and drought in the district;
- 2.13.3. actions to be completed by the authorized operator to monitor and assess achievement of the quantified objectives for reducing groundwater transfer from the district during periods of water shortages and drought in the district;
- 2.13.4. actions to be completed by the authorized operator to report to the district the assessment of the achievement of the quantified objectives for reducing groundwater transfer from the district during periods of water shortages and drought in the district; and
- 2.14. Proof of notification of the proposed groundwater transfer that includes the name and address of the applicant, the identification number assigned by the district of the associated production permit, the name and address of the authorized operator of the associated production permit, the requested authorized groundwater transfer amount in acre-foot per year, the requested authorized groundwater transfer purpose, the requested authorized groundwater transfer period, the name and address of the requested authorized operator of the transfer permit, and the requested authorized groundwater transfer location, by certified mail, of all landowners and all owners of groundwater resources within two miles (2 miles) of the production area of the associated production permit.
- 2.15. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 2.16. a statement certifying, under penalty of law, that the transfer of groundwater shall be conducted in accordance with the rules of the district and regulations of the State of Texas; and
- 2.17. the dated signature of the applicant.

## **SECTION 8: POLICIES RELATED TO DISTRICT WAIVERS AND PETITIONS TO AMEND THE RULES OF THE DISTRICT**

### **RULE 8.1: GENERAL POLICIES RELATED TO WAIVERS**

1. The district shall only grant district waivers to rules or requirements of the district that are consistent with the mission of the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district shall only adopt waivers to rules or requirements of the district that are consistent with the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
3. The district shall only adopt waivers to rules or requirements of the district that are consistent with the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
4. The district shall grant district waivers with conditions, restrictions, limitations, and requirements determined to be necessary by the district to achieve the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
5. The district shall grant district waivers in accordance with and subject to the rules of the district, the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.
6. The district shall not grant district waivers for which the board of directors has not found good cause.
7. The board of directors may modify, reduce, or eliminate any rule or requirement of the district associated with a permitting request for which the board of directors has found good cause.
8. The board of directors may establish and incorporate special conditions and requirements in district waivers and associated permits.

### **RULE 8.2: GENERAL PROCEDURES RELATED TO DISTRICT WAIVERS**

1. The general manager shall contest all permitting requests associated with requests for a district waiver that have not been granted by the board of directors.
2. A person drilling or having drilled a well may apply for a district waiver of the well completion requirements of the rules of the district.
3. An applicant for an application for a permit may request a district waiver of the permitting requirements established by the rules of the district.
4. The applicant requesting a district waiver of the permitting requirements established by the rules of the district shall provide evidence of good cause with the application.
5. The general manager shall review and determine the administrative completeness of an application for a district waiver within sixty days (60 days) of date of receipt of the application for a district waiver.

6. The general manager shall review the supplemental information requested by the general manager and received by the district associated with an application for a district waiver within thirty days (30 days) of date of receipt of the supplemental information.
7. The general manager shall designate an application for a district waiver as administratively complete when all necessary information to fully consider the application has been submitted to the district by the applicant.
8. The general manager shall schedule applications for a district waiver determined to be administratively complete for consideration by the board of directors at the next regularly scheduled meeting of the board of directors.
9. The general manager shall issue and post written notice, within thirty days (30 days) of determining an application for a district waiver is administratively complete, indicating a date and time for a hearing regarding the application for a district waiver.
10. The applicant of an application for a district waiver shall attend the meetings at which the board of directors conducts hearings or considers action related to the application for a district waiver.
11. The applicant for an application for a district waiver shall provide, to the district, any waivers related to spacing requirements obtained from other persons in relation to the district waiver being requested or associated permitting request.
12. The applicant for an application for a district waiver shall identify any waivers related to spacing requirements sought but not obtained from other persons in relation to the district waiver being requested or associated permitting request.
13. The applicant for an application for a district waiver shall provide the information and evidence the board of directors determines to be necessary to evaluate the district waiver request.
14. The board of directors shall consider an application for a district waiver that are designated as administratively complete, after providing public notice of the permit hearing for not less than ten days (10 days).
15. The board of directors shall consider an application for a district waiver designated administratively complete in advance of associated permit requests.
16. The board of directors may consider a district waiver request at the same meeting that a permitting request is considered.
17. The board of directors may refer any application for a district waiver to a hearing examiner for a hearing.
18. The district incorporates the application for a district waiver into any associated district waiver approved by the district.
19. The district issues, approves, and grants a district waiver on the basis of and is contingent upon the accuracy of the information supplied in the associated application for a district waiver.
20. The district shall specify the operational requirements and special conditions of district waivers including:
  - 20.1. the identification number assigned by the district for the district waiver;
  - 20.2. the identification number assigned by the district for the associated application for a district waiver;
  - 20.3. the identification number assigned by the district for the associated production permit or transfer permit;



- 20.4. the identification of the rules and requirements associated with the district waiver;
- 20.5. the authorized operator;
- 20.6. the finding of the board of directors regarding good cause associated with the district waiver;
- 20.7. the special conditions established by the board of directors; and
- 20.8. the expiration date.

### **RULE 8.3: APPLICATION REQUIREMENTS RELATED TO DISTRICT WAIVERS**

- 1. The applicant for an application for a district waiver shall include the following information and any other information the general manager may determine to be of need to evaluate the request relative to the rules of the district:
  - 1.1. the name and address of the applicant;
  - 1.2. a description of the associated applications for a permit;
  - 1.3. the identification of the specific rules and specific requirements of the rules of the district from which an applicant seeks relief;
  - 1.4. a detailed description of the basis for board of directors to find good cause exists for granting the district waiver request;
  - 1.5. a detailed description of the impact if the district waiver request is not granted by the board of directors;
  - 1.6. a detailed description of any conditions, restrictions, limitations, and requirements the applicant would find acceptable if the request were to be approved;
  - 1.7. the duration of time the district waiver would be necessary;
  - 1.8. a list of documentation, if any, included with the district waiver request supporting district waiver request;
  - 1.9. the name and address of the person that owns the subject well, the subject well field or the subject well system;
  - 1.10. the geographic coordinate of the subject wells;
  - 1.11. the name and address of the landowners of the subject tracts of contiguous ownership of land;
  - 1.12. the name and address of the owner of groundwater resources of subject tracts of contiguous ownership of groundwater resources;
  - 1.13. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of land;
  - 1.14. the specification of the spatial extent including the total acreage of the boundaries of the subject tracts of contiguous ownership of groundwater resources intersecting the subject tracts of contiguous ownership of land;
  - 1.15. a statement certifying, under penalty of law, that the well owners possess the legal authority to produce groundwater from the subject tracts of contiguous ownership of groundwater resources;
  - 1.16. a scaled map of:
    - 1.16.1. the subject wells;
    - 1.16.2. the boundaries of the subject tracts of contiguous ownership of land;

- 1.16.3. the boundaries of the subject tracts of contiguous ownership of groundwater resources;
- 1.16.4. the boundaries of any production areas overlapping the boundary of the subject tracts of contiguous ownership of groundwater resources;
- 1.16.5. the nearest public roads; and
- 1.16.6. the locations of any existing water wells within the boundary of the subject tracts of contiguous ownership of groundwater resources; and
- 1.17. a statement certifying, under penalty of law, that the information reported on and attached to the application was prepared under the direction or supervision of the applicant and is, to the best of the knowledge and belief of the applicant, true, accurate and complete;
- 1.18. a statement certifying, under penalty of law, that the subject wells shall be operated in accordance with the rules of the district and regulations of the State of Texas; and
- 1.19. the dated signature of the applicant.

#### **RULE 8.4: GENERAL POLICIES RELATED TO PETITIONS TO AMEND THE RULES OF THE DISTRICT**

1. The district shall only adopt amendments to rules of the district that are consistent with the mission of the district to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district shall only adopt amendments to rules of the district that are consistent with the desired future conditions of the district as established under Chapter 36 of the Texas Water Code and documented in the Management Plan of the district.
3. The district shall only adopt amendments to rules of the district that are consistent with the Management Plan of the district, orders of the board of directors, and the laws of the State of Texas.

#### **RULE 8.5: GENERAL PROCEDURES RELATED TO PETITIONS TO AMEND THE RULES OF THE DISTRICT**

1. A person with a real property interest in groundwater within the district may petition the board of directors to adopt, modify, or amend the rules of the district.
2. The petitioner shall articulate the good cause to add, revise, or eliminate specific requirements or limitations within the rules of the district, utilizing a form provided by the district.
3. The general manager shall review and determine the administrative completeness of a petition to amend the rules of the district within ninety days (90 days) of date of receipt of the petition to amend the rules of the district.
4. The general manager shall review the supplemental information requested by the general manager and received by the district associated with a petition to amend the rules of the district within ninety days (90 days) of date of receipt of the supplemental information.

5. The general manager shall designate a petition to amend the rules of the district as administratively complete when all necessary information to fully consider the petition to amend the rules of the district has been submitted to the district by the petitioner.
6. The general manager shall schedule a petition to amend the rules of the district determined to be administratively complete for consideration by the board of directors at a regularly scheduled meeting of the board of directors.
7. The general manager shall issue and post written notice, within thirty days (30 days) of determining a petition to amend the rules of the district is administratively complete, indicating a date and time for a hearing regarding the petition to amend the rules of the district.
8. The petitioner of a petition to amend the rules of the district shall attend the meetings at which the board of directors conducts hearings or considers action related to the petition to amend the rules of the district.
9. The petitioner of a petition to amend the rules of the district shall provide the information and evidence the board of directors determines to be necessary to evaluate the petition.
10. The board of directors shall consider petitions to amend the rules of the district within ninety days (90 days) of receipt of an administratively complete petition form and shall:
  - 10.1. deny the petition and provide an explanation for the denial, or
  - 10.2. engage in rulemaking consistent with the petition.
11. The board of directors shall consider petitions that are designated as administratively complete, after providing public notice of the rulemaking hearing for not less than twenty days (20 days) as required by Section 36.101(d), Water Code.
12. The board of directors may refer any petition to amend the rules of the district to a hearing examiner for a hearing.

## **RULE 8.6: APPLICATION REQUIREMENTS RELATED TO PETITIONS TO AMEND THE RULES OF THE DISTRICT**

1. The petitioner of a petition to amend the rules of the district shall include the following information:
  - 1.1. the name and address of the petitioner;
  - 1.2. the identification of the specific rules and specific requirements of the rules of the district the petitioner request to be eliminated from the rules of the district;
  - 1.3. the identification of the specific rules and specific requirements of the rules of the district the petitioner request to be added in the rules of the district;
  - 1.4. the identification of the specific rules and specific requirements of the rules of the district the petitioner request to be revised within the rules of the district;
  - 1.5. a detailed description of the basis for board of directors to find good cause to amend the rules of the district;
  - 1.6. a detailed description of the impact if the petition is not granted by the board of directors;
  - 1.7. a list of documentation, if any, included with the petition supporting the request;
  - 1.8. the names and addresses of the persons petitioning the district;
  - 1.9. a statement certifying, under penalty of law, that the information reported on and attached to the petition to amend the rules of the district was prepared under the

- direction or supervision of the petitioner and is, to the best of the knowledge and belief of the petitioner, true, accurate and complete; and
- 1.10. the dated signature of the petitioner.

PROPOSED REVISIONS  
(NO MARKUP)

## **SECTION 9: POLICIES RELATE TO CURTAILMENT OF GROUNDWATER PRODUCTION**

### **RULE 9.1: CURTAILMENT OF GROUNDWATER PRODUCTION**

1. The district may curtail groundwater production of wells, well fields, and well systems in order to conserve, preserve and protect the groundwater resources within the boundary of the district.
2. The district may curtail groundwater production of wells, well fields, and well systems in order to control or prevent subsidence within the boundary of the district.
3. The district may curtail groundwater production of non-exempt-use wells, non-exempt-use wells fields, or non-exempt-use well systems based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district will reduce the degree to which the district is failing to achieve the desired future conditions of the district.
4. The district may impose new and additional monitoring requirements for non-exempt-use wells, non-exempt-use well fields, or non-exempt-use well systems based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district may reduce the degree to which the district is failing to achieve the desired future conditions of the district.
5. Any curtailment of groundwater production shall consider all groundwater uses and needs and be fair and impartial.

### **RULE 9.2: REDUCTION OF AUTHORIZED GROUNDWATER PRODUCTION AMOUNT OF PRODUCTION PERMITS**

1. The district may reduce the authorized groundwater production amount of production permits based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district will reduce the degree to which the district is failing to achieve the desired future conditions of the district.
2. The district may reduce the authorized groundwater production amount of production permits of non-exempt-use wells, well fields, or well systems based upon credible, scientific information that demonstrates curtailment of groundwater production within the boundaries of the district will control or prevent subsidence the district
3. Any reduction of groundwater production shall consider all groundwater uses and needs and be fair and impartial.

## **SECTION 10: POLICIES RELATED TO DISTRICT FEES**

### **RULE 10.1: ADMINISTRATIVE AND APPLICATION FEE**

1. The board of directors, by resolution, shall establish a schedule of fees for administrative acts of the district, including the cost of reviewing and processing applications related to permitting and the cost of hearings for applications related to permitting.
2. The board of directors shall not establish administrative fees that unreasonably exceed the cost to the district for performing administrative acts.
3. The district may assess a fee to reimburse the district for the costs of publishing notices of hearings related to a permit matter for each notice published for an application.
4. The applicant of an application related to permitting shall pay any required administrative fees when the application is submitted to the district.

### **RULE 10.2: REGISTRATION APPLICATION FEE**

1. The district shall not assess fees for filing and processing of an application to register a well, well field, or well system associated with grandfathered wells, grandfathered well fields, or grandfathered well systems.

### **RULE 10.3: TRANSFER FEE**

1. The board of directors, by resolution, shall establish a schedule of fees for the transfer of groundwater.
2. The authorized operator of a transfer permit shall pay the fees associated with the transfer of groundwater under the transfer permit during the previous calendar year by January 31 of each year.

### **RULE 10.4: PRODUCTION FEE**

1. The district shall not establish a schedule of fees for the production of groundwater from grandfathered non-exempt-use wells, grandfathered non-exempt-use well fields, or grandfathered non-exempt-use well systems.
2. The board of directors, by resolution, shall establish a schedule of fees for the production of groundwater from non-grandfathered non-exempt-use wells.
3. The board of directors, by resolution, shall establish fees for the production of groundwater on the amount of groundwater produced from the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system.
4. The well owner of a well that produced groundwater resources for non-exempt-uses shall pay the production fees, if any, associated with the non-exempt-use during the previous calendar year by January 31 of each year.



## **RULE 10.5: PENALTIES AND LATE FEES**

1. The board of directors, by resolution, may establish penalties for the production of groundwater in excess of the authorized groundwater production amount specified on a production permit.
2. The board of directors, by resolution, shall establish a fee schedule related to payments that remain unpaid by the related due date equal to one percent of the amount due per month following the due date in addition to any penalty assessed by the board of directors.

PROPOSED REVISIONS  
(NO MARKUP)

## **SECTION 11: POLICIES RELATED TO WASTE, VIOLATIONS, INVESTIGATIONS, AND ENFORCEMENT**

### **RULE 11.1: GENERAL POLICIES RELATED TO WASTE PREVENTION**

1. No person shall produce groundwater resources within the district that is used in such a manner as to constitute waste of groundwater as defined in the rules of the district.
2. No person shall pollute or harmfully alter the character of the groundwater resources of the district by causing or allowing undesirable water or other deleterious matter to enter strata beneath the surface of the ground.
3. No person shall produce groundwater in excess of that amount which is economically reasonable for a beneficial purpose when reasonable intelligence and reasonable diligence are used in applying the groundwater to that purpose.
4. No person shall commit waste of groundwater as that term is defined in the rules of the district.

### **RULE 11.2: GENERAL POLICIES RELATED VIOLATIONS**

1. No person shall violate the provisions of Chapter 36 of the Texas Water Code or any other state law related to wells or groundwater resources within the district.
2. No person shall violate the rules and regulations adopted by the Texas Department of Licensing and Regulation related to wells or groundwater resources within the district.
3. Any person that violates the permit conditions of a permit issued by the district is subject to the enforcement provisions of the rules of the district.
4. Any person that fails to satisfy any requirements and provisions of a permit issued by the district violates the rules of the district.
5. Any person that produces groundwater from a well for non-exempt uses in any amount without a valid production permit authorizing the groundwater production violates the rules of the district.
6. Any person that produces groundwater from a well for non-exempt uses for any purpose of use not authorized by production permits associated with well violates the rules of the district.
7. Any person that produces groundwater from a well for non-exempt uses in an amount that exceeds one-hundred and ten percent (110%) of the authorized groundwater production amount of the valid production permits associated with well violates the rules of the district.
8. Any person that tampers, alters, damages, or removes the well lockout seal affixed on a well or the associated equipment by the district or that diminishes the integrity of the well lockout seal violates the rules of the district.
9. Any person that produces groundwater from a well with well lockout seal affixed on a well or the associated equipment by the district violates the rules of the district.
10. Any person that engages in an activity that requires a permit from the district under the rules of the district prior to receiving such permit violates the rules of the district.

11. Any person that is responsible for and fails to report groundwater production as required by the rules of the district violates of the rules of the district.
12. Any person that is responsible for and fails to register with the district, a well that the person drilled or had drilled after the original date on which this policy is adopted and within 60 days of completing the water well violates the rules of the district.
13. Any person that is responsible for and fails to properly plug or cap an abandoned well in accordance with state standards within the required period of time violates the rules of the district.
14. Any person that is responsible for and fails to properly plug or remediate a deteriorated well within the required period of time violates the rules of the district.
15. Any person that fails to prevent waste of groundwater produced from a well within control of the person violates the rules of the district.
16. A landowner, an owner of groundwater resources, or an authorized operator inhibiting or prohibiting access to any representatives of the district attempting to conduct an investigation under the rules of the district:
  - 16.1. violates the rules of the district; and
  - 16.2. subjects the person performing that action, as well as any owner of groundwater resources, well owner, or authorized operator who authorizes or allows that action to the enforcement provisions of the rules of the district including penalties set forth in Chapter 36.102 of the Texas Water Code.

### **RULE 11.3: RIGHT TO INSPECT, TEST, AND LOCATE WELLS**

1. The district shall give notice, in writing or in person or by telephone, to the owner of a property or the owner of a well of the intention of the district and the representatives of the district to access property to investigate or evaluate conditions and circumstances related to groundwater resources at the property or well.
2. The district may forego giving notice, in writing or in person or by telephone, to the owner of a property or the owner of a well of the intention of the district and the representatives of the district to access to property to investigate or evaluate conditions and circumstances related to groundwater resources at the property or well if prior permission was granted by the owner of a property or the owner of a well to enter without notice.
3. The district shall have the right at all reasonable times to enter upon the lands on which a well or wells may be located within the boundaries of the district upon notice as provided for in the rules of the district, and in accordance with provisions of the rules of the district, to:
  - 1.1. inspect any existing well, well fields, or well systems;
  - 1.2. read or interpret any meter or other instrument for the purpose of measuring the production of groundwater from any existing wells, well fields, or well systems;
  - 1.3. determine the production capacity of groundwater from any existing wells, well fields, or well systems;
  - 1.4. measure the water level or obtain water samples for determining the water quality of groundwater from any existing wells, well fields, or well systems;
  - 1.5. test the pump and the power unit of any existing wells, well fields, or well systems;

- 1.6. determine the accurate geographic coordinates of any existing or proposed wells, well fields, or well systems using global positions systems (GPS) or other available methods; or
- 1.7. make any other reasonable and necessary inspection or test that may be required or necessary for the enforcement of the rules and regulations of the district.
2. The board of directors may enjoin the operation of wells, well fields, or well systems located on a property upon which access for investigating or evaluating conditions and circumstances related to groundwater resources was refused to the district, after notice as required by the rules of the district, was provided to the associated landowner or well owner.

#### **RULE 11.4: CONDUCT ASSOCIATED WITH INVESTIGATIONS AND INSPECTIONS**

1. The district shall conduct investigations and inspections that require entrance upon a property at reasonable times and in a manner consistent with the regulations and requirements concerning safety, internal security, and fire protection of the landowner, the owner of groundwater resources, or the authorized operator of the well, well field, or well system.
2. The representatives of the district conducting investigations and inspections shall present identification and credentials upon request of the landowner, the owner of groundwater resources, or the authorized operator of the well, well field, or well system of a property on which the representatives of the district are located.

#### **RULE 11.5: RULE ENFORCEMENT**

1. The board of directors may institute and conduct a suit in the name of the district for enforcement of rules through the provisions of Chapter 36.102 of the Texas Water Code if board of directors conclude that a person has violated, is violating, or is threatening to violate any provision of the rules of the district.
2. The board of directors may assess penalties in accordance with chapter 36 of the Texas Water Code against any person violating any provision of the rules of the district.

#### **RULE 11.6: SEALING OF WELLS**

1. The district may, following due-process and upon orders from a court, affix a well lockout seal on wells and associated equipment that are prohibited from producing groundwater within the district to ensure that a well is not operated in violation of the rules of the district.
2. The district may affix a well lockout seal on wells and associated equipment when:
  - 2.1. no application has been made for a production permit to produce groundwater from an existing well that is not excluded or exempted from the requirement that a production permit be obtained in order to lawfully produce groundwater; or

- 2.2. the board of directors has denied, canceled or revoked a production permit.
3. The district may affix a well lockout seal on wells and associated equipment of a well by physical means and other appropriate action as necessary to prevent the operation of the well authorized to be sealed under the provisions of the rules of the district.
4. The district shall tag any well authorized to be sealed under the provisions of the rules of the district to indicate that the well has been sealed by the district and operation of the well is prohibited.

## **RULE 11.7: GENERAL PROCEDURES RELATED TO RULE ENFORCEMENT**

1. The general manager shall investigate potential violations of the rules of the district.
2. The general manager shall present any alleged violations of the rules of the district to the board of directors supported by findings of an associated investigation.
3. The general manager may recommend an appropriate settlement offer for consideration by the board of directors to settle any alleged violation in lieu of litigation.
4. The board of directors may instruct the General Manager to tender an offer on behalf of the district to settle the violation or to institute a civil suit on behalf of the district in the appropriate court to seek civil penalties.
5. The general manager may proceed with enforcement actions without authorization from the board of directors when necessary to prevent an immediate and imminent danger to public health or the environment.

## **RULE 11.8: NOTICES OF VIOLATIONS**

1. The general manager shall send an initial notice of violation by certified mail to the person who is alleged to have violated the rules of the district explaining or identifying the following:
  - 1.1. the rule, regulation, or requirement that has been violated,
  - 1.2. the necessary actions to be completed by the person who is alleged to have violated the rules of the district to achieve compliance.
  - 1.3. any applications, forms, or documents to be completed by the person who is alleged to have violated the rules of the district to achieve compliance.
  - 1.4. the statutory authority of the district to set reasonable civil penalties not to exceed ten thousand dollars (\$10,000.00) per day per violation, and that each day of a continuing violation constitutes a separate violation in accordance with Chapter 36.102 of the Texas Water Code.
  - 1.5. the preference of the board of directors to settle the violation, initiating lawsuits as a last resort.
  - 1.6. the settlement agreement, if any, whose terms have been agreed upon by the board of directors.
  - 1.7. the requirement that the person who is alleged to have violated the rules of the district must submit a signed settlement agreement and submit any required

- payment by cashier check or money order in the amount stated in the settlement agreement no later than thirty days (30 days) from the date of the notice of violation.
2. The general manager shall send a second notice of violation by certified mail to the person who is alleged to have violated the rules of the district explaining the consequences of failing to respond, comply, or settle the matter in the notice of violation by certified mail to the person who is alleged to have violated the rules of the district if the district has not received a response within 30 days of the date of the initial notice of violation.

### **RULE 11.9: NOTICE OF NEED TO FILE SUIT**

1. The general manager, in coordination with the general counsel of the district, shall send a notice of need to file suit by certified mail to the person who is alleged to have violated the rules of the district within thirty days (30 days) of the date of the second notice of violation if a satisfactory response to the notices of violation is not received within thirty days (30 days) of the date of the second notice of violation.
2. Any notice of need to file suit sent to the person who is alleged to have violated the rules of the district shall include a draft copy of the petition to be filed.
3. The General Manager shall inform the board of directors of any person who has been sent a notice of need to file suit and not responded within thirty days (30 days) of the date of the notice of need to file.
4. The board of directors shall consider an authorization to pursue enforcement by filing a civil suit at the next regularly scheduled meeting of the board of directors if an immediate and imminent danger to public health or the environment does not exist.
5. The board of directors may call an emergency meeting if an emergency exists, an urgent public necessity exists, or a reasonably unforeseeable situation develops such that the situation cannot afford seventy-two hours (72 hours) of notice required to call a special meeting of the board of directors under the open meetings law.
6. The board of directors may consider an authorization to pursue enforcement by filing a civil suit at an emergency meeting of the board of directors if an immediate and imminent danger to public health or the environment exists.
7. The board of directors may authorize the general manager with the assistance of the general counsel of the district, to pursue enforcement by filing a civil suit.
8. The general manager, with the assistance of the general counsel of the district and authorization of the highest-ranking officer of the board of directors, may pursue enforcement by filing a civil suit if an immediate and imminent danger exists to public health or the environment and the board of directors has not considered the matter at a properly noticed meeting of the board of directors in accordance with the open meetings law.
9. The general counsel of the district shall institute a civil suit on behalf of the district in the appropriate court to seek injunctive relief and civil penalties when authorized under the provisions of the rules of the district.
10. The person who is alleged to have violated the rules of the district may appear before the board of directors to present evidence of any extenuating circumstances or to make a counteroffer to settle the alleged violation.



11. The board of directors may accept a counteroffer or otherwise modify any settlement offer associated with an alleged violation.
12. The general manager shall send notices related to enforcement matters by Certified Mail, Return Receipt Requested through the United States Postal Service.

### **RULE 11.10: PENALTIES**

1. The general manager shall recommend to the board of directors the following penalties to settle alleged violations:
  - 1.1. one hundred dollars (\$100.00) for a single alleged violation per incident;
  - 1.2. two hundred dollars (\$200.00) for each violation per incident when multiple violations are alleged;
  - 1.3. two hundred and fifty dollars (\$250.00) for each re-occurrence of a violation with a 5-year period; and
  - 1.4. one thousand dollars (\$1,000.00) for providing or performing the services of a water well driller without a current license issued by the Texas Department of Licensing and Regulation.
2. The board of directors may assess penalties in excess of the penalties recommended by the general manager as established within the rules of the district in accordance with Chapter 36.102 of the Texas Water Code.

PROPOSED REVISIONS  
(NO MARKUPS)

## **SECTION 12: PROCEDURES RELATE TO HEARINGS AND OTHER PROCEEDINGS**

### **RULE 12.1: GENERAL POLICIES RELATED TO HEARINGS**

1. The board of directors shall conduct hearings on permitting matters, in which the rights, duties, or privileges of a party are determined after an opportunity for an adjudicative hearing, and production permits, transfer permits, permit renewals, permit amendments, permit revocations, and permit suspensions except for those specific permit requests that may be otherwise approved without hearing under the provisions of the rules of the district.
2. The board of directors shall conduct hearings for motions for rehearing pursuant to the rules of the district.
3. The board of directors shall provide notice and conduct a hearing to consider rulemaking matters of general applicability that implement, interpret, or prescribe the law or policy of the district, or that describe the procedure or requirements of the district, or adoption of the rules of the district pursuant to Section 36.101 of the Texas Water Code.
4. The board of directors shall provide notice and conduct a hearing to consider adoption of the Management Plan of the district pursuant to Section 36.1071 of the Texas Water Code.
5. The board of directors shall provide notice and conduct a hearing to consider any matter within the jurisdiction of the district if the board of directors deems a hearing to be in the public interest, or necessary to effectively carry out the duties and responsibilities of the district.
6. The board of directors may refer any matter designated for hearing before the district to a hearing examiner.

### **RULE 12.2: NOTICE AND SCHEDULING RELATED TO HEARINGS AND PROPOSED PERMIT ISSUANCE**

1. The applicant of a permit request related to protection of historic use shall, after the application is determined to be administratively complete by the district, publish written notice in a paper of general circulation in District describing the details of the permit request including the name of the applicant, the location of the subject well, the evidence supporting the historic use validation request, the date, time, and location of the scheduled hearing. The date of first publication shall not less than ten days (10 days) before the date of the next scheduled meeting of the board of directors.
2. The board of directors may instruct the general manager to provide special notice of any matter under its jurisdiction to any persons.
3. The general manager shall give notice of permit hearings or proposed permit issuances in the following manner:
  - 3.1. a notice of permit hearings shall specify the date, the time, and the location of the hearing, and a description of the permitting request;

- 3.2. a notice of proposed permit issuances shall specify the date of the proposed issuance, and a description of the permitting request;
  - 3.3. a notice of permit hearings or proposed permit issuances shall be given to any person who requests copies of hearing notices or proposed permit issuance notices pursuant to the procedures set forth in the rules of the district not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.4. a notice of permit hearings or proposed permit issuances shall be given to any other person the board of directors deem appropriate not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.5. a notice of permit hearings or proposed permit issuances related to non-historic use shall be published at least once in a newspaper of general circulation in the district not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.6. a notice of permit hearings or proposed permit issuances shall be posted at the district office and county courthouse in the place where notices are usually posted not less than ten days (10 days) before the date of the hearing or permit issuance;
  - 3.7. a notice of permit hearings or proposed permit issuances shall be posted on the district's website not less than ten days (10 days) before the date of the hearing or permit issuance; and
  - 3.8. a notice of permit hearings or proposed permit issuances shall be given to the applicant not less than ten days (10 days) before the date of the hearing or permit issuance.
4. The general manager shall give notice of permit hearings or proposed permit issuances to any person having an interest in the subject matter of a hearing or proposed permit issuance for which the district has received written notice of the interest from the person identifying, with as much detail, the subject matter of a hearing or proposed permit issuance for which written notice is requested. The request remains valid for a period of one year from the date of the request is received by the district. Failure to provide written notice under this section does not invalidate any action taken by the district.
  5. The district shall not schedule of permit hearings or proposed permit issuances on Saturdays, Sundays, or holidays.
  6. The general manager shall schedule permit hearings or proposed permit issuances at such dates, times, and places that satisfy the public notice requirements established within the rules of the district and facilitates the orderly consideration of the permitting requests in a timely fashion.
  7. The general manager shall give notice of hearings related to the designation of a special groundwater management zone that entails limiting groundwater production to less than that provided by Section 6 of the rules of the district, as provided for in Section 36.116(d) of the Texas Water Code, to each landowner, each owner of groundwater resources, each owner of a registered well, and each authorized operator of a production permit within and adjacent to the proposed management area.
  8. The general manager shall give notice of hearings related to the designation of a special well construction area, as provided for in Section 36.116(d) of the Texas Water Code, to each landowner, each owner of groundwater resources, each owner of a registered well, and each authorized operator of a production permit within and adjacent to the proposed management area.

### **RULE 12.3: GENERAL PROCEDURES RELATED TO HEARINGS**

1. The presiding officer of a hearing or other proceeding shall conduct the proceeding in the manner the presiding officer deems most appropriate to obtain all relevant information pertaining to the subject of the hearing as conveniently, inexpensively, and expeditiously as possible.
2. The presiding officer of a hearing or other proceeding may follow the guidelines of "Parliamentary Procedure at a Glance," New Edition, O. Garfield Jones, 1971 revised edition, or as amended.
3. The presiding officer of a hearing or other proceeding may:
  - 3.1. set hearing dates, other than the initial hearing date set by the district in accordance with the rules of the district;
  - 3.2. convene a hearing at the time and place specified in the notice for public hearing;
  - 3.3. establish the jurisdiction of the district concerning the subject matter under consideration;
  - 3.4. rule on motions and on the admissibility of evidence and amendments to pleadings;
  - 3.5. designate and align parties;
  - 3.6. establish the order for presentation of evidence;
  - 3.7. administer oaths to all persons presenting testimony;
  - 3.8. examine witnesses;
  - 3.9. issue subpoenas when required to compel the attendance of witnesses or the production of papers and documents;
  - 3.10. require the taking of depositions and compel other forms of discovery under the rules of the district;
  - 3.11. ensure that information and testimony are introduced as conveniently and expeditiously as possible, without prejudicing the rights of any party to the proceeding;
  - 3.12. conduct public hearings in an orderly manner in accordance with the rules of the district;
  - 3.13. recess any hearing from time to time and place to place;
  - 3.14. reopen the record of a hearing for additional evidence when necessary to make the record more complete; and
  - 3.15. exercise any other appropriate powers necessary or convenient to effectively carry out the responsibilities of the presiding officer.
4. A person who desires to testify on the subject of a hearing during the hearing or other proceeding shall submit a form providing the following information: name, address, the intention to testify, and any other information relevant to the hearing or other proceeding.
5. The presiding officer of a hearing or other proceeding shall establish the order of testimony.
6. The presiding officer of a hearing or other proceeding may limit the number of times a person may speak, the time period for oral presentations, and the time period for raising questions.
7. The presiding officer of a hearing or other proceeding may limit or exclude cumulative, irrelevant, or unduly repetitious presentations.

8. A person may appear in-person or may be represented by counsel, an engineer, or another representative provided the representative is fully authorized to speak and act for the principal including:
  - 8.1. any partner may appear on behalf of the partnership;
  - 8.2. a duly authorized officer or agent of a public or private corporation, political subdivision, governmental agency, municipality, association, firm, or other entity may appear for the entity; and
  - 8.3. a fiduciary may appear for a ward, trust, or estate.
9. A person representing a principal of a hearing or other proceeding may present evidence, exhibits, or testimony, or make an oral presentation in accordance with the procedures applicable to the proceeding.
10. The presiding officer of a hearing or other proceeding may require a person appearing in a representative capacity to prove proper authority to represent a principal.
11. The presiding officer of a hearing or other proceeding may align participants in a proceeding according to the nature of the proceeding and their relationship to the proceeding.
12. The presiding officer of a hearing or other proceeding may require the participants of an aligned class to select one or more persons to represent them in the proceeding or on any matter or ruling and may limit the number of representatives heard but must allow at least one representative of an aligned class to be heard in the proceeding or on any matter or ruling.
13. The presiding officer of a hearing or other proceeding may require a person requesting the hearing or other proceeding to be present or represented at the proceeding.
14. The district may withhold consideration of a matter and dismiss the matter without prejudice if a principal of a hearing or other proceeding fails to appear or be represented at the hearing or other proceeding.
15. The district may require the rescheduling or continuance of a hearing or other proceeding if the presiding officer deems it necessary in order to fully develop the record.
16. The district may record hearings and other proceedings using audio recording devices.
17. The district shall provide to the public access to the audio recordings of hearings or other proceedings recorded by the district.
18. The presiding officer of a hearing or other proceeding may require the proceedings to be recorded by a certified shorthand reporter.
19. A person who is a party to a hearing or other proceeding may, subject to availability of space, at their own expense, arrange for a reporter to record the hearing or other proceeding or for the recording of the hearing or other proceeding.
20. The presiding officer of a hearing or other proceeding may assess the cost of recording or transcribing a recording of the proceeding to any person requesting the recording or transcription.
21. The presiding officer of a hearing or other proceeding shall file the transcription of a recording with the records of the proceeding.
22. The presiding officer of a hearing or other proceeding may continue hearings or other proceedings from time to time and from place to place without the necessity of publishing, serving, mailing or otherwise issuing additional notice.
23. The district shall provide a notice of any further setting of the hearing or other proceeding at a reasonable time to all parties, persons who have requested notice of the

- hearing pursuant to the rules of the district, except for publishing the notice in a newspaper or posting the notice at the courthouse, and any other person the presiding officer deems appropriate if a hearing or other proceeding is continued and the time and place for the hearing or other proceeding to reconvene are not publicly announced at the hearing or other proceeding by the presiding officer before it is recessed.
24. Any person who intends to contest a permit request shall provide written notice of the intent to the district at least three days (3 days) before the date of the hearing or three days (3 days) before the proposed date of permit issuance as published in the public notice.
  25. The general manager shall provide written notice to the applicant of a permitting request of any intent to contest at least one calendar day (1 calendar day) before the date of the hearing or the proposed date of permit issuance as published in the public notice.
  26. A person filing applications, motions, exceptions, communications, requests, briefs or other papers and documents required to be filed under the rules of the district or by law shall be delivered to and received at the office of the district within the time limit, if any, set by the rules of the district or by the presiding officer for filing.
  27. A person, when computing any period of time specified by the rules of the district, by a presiding officer, by orders of the board of directors, or by law, shall not include the day of the act, event, or default after which the designated period of time begins to run.
  28. A person, when computing any period of time specified by the rules of the district, by a presiding officer, by orders of the board of directors, or by law, shall include the last day of the period, unless the last day is a Saturday, Sunday or legal holiday as determined by the board of directors, in which case the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday.
  29. The representative of a person or the counsel of a person may make an affidavit to a hearing or other proceeding unless statute expressly requires the person to make the affidavit.
  30. No person shall be allowed to appear in any hearing or other proceeding that, in the opinion of the presiding officer, is for the sole purpose of unduly broadening the issues to be considered in the hearing or other proceeding.
  31. Every person, party, representative, witness, and other participant in a proceeding shall conform to ethical standards of conduct and must exhibit courtesy and respect for all other participants.
  32. No person may engage in any activity during a proceeding that interferes with the orderly conduct of business of the district.
  33. The presiding officer of a hearing or other proceeding shall warn any person, who in the judgement of the presiding officer, is engaging in misconduct during a hearing or other proceeding to refrain from such conduct.
  34. The presiding officer of a hearing or other proceeding may exclude any person from a hearing or proceeding for such time and under such conditions as the presiding officer deems necessary if the person has been warned to not engage in misconduct during the hearing or proceeding and has continued to do so following the warning.
  35. A person may submit written statements, protests, comments, briefs, affidavits, exhibits, technical reports, or other documents relating to the subject of the hearing or other proceeding no later than the time of the hearing, as stated in the notice of hearing given in accordance with the rules of the district.



36. The presiding officer of a hearing or other proceeding may grant additional time for the submission of documents beyond the time of the hearing, as stated in the notice of hearing given in accordance with the rules of the district.
37. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings shall, at the conclusion of the testimony and after the receipt of all documents of proceedings, prepare a report to the board of directors that includes a summary of the subject of the hearing, the testimony received, and the public comments received, and recommendations for action.
38. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings shall, upon completion and issuance of the report to the board of directors, submit a copy of the report to the district.
39. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings shall, upon completion and issuance of the report to the board of directors, notify any person who requests, in writing, notice of the submittal of the report to the board of directors.
40. The board of directors may, at any time and in any case, remand a matter to the presiding officer of a hearing or other proceeding for further proceedings.
41. A party of a hearing or other proceeding associated with any matter referred by board of directors for hearing or other proceedings may file written exceptions to the report to the board of directors and may request an opportunity to make an oral presentation of exceptions to the board of directors prior to action by the board of directors.
42. The presiding officer of a hearing or other proceeding associated with any matter referred by board of directors may, upon review of the report and exceptions filed, reopen the record for the purpose of developing additional evidence, or may deny the exceptions and submit a final report to the board of directors.
43. The board of directors shall act on the matter hearing or other proceedings within sixty days (60 days) of the receipt of the report to the board of directors.

#### **RULE 12.4: PROCEDURES RELATED TO UNCONTESTED PERMIT HEARINGS**

1. The district may conduct permit hearings and other proceedings informally when, in the judgment of the presiding officer, the conduct of a proceeding under informal procedures will save time or cost to the parties, lead to a negotiated or agreed on settlement of facts or issues in controversy, and not prejudice the rights of any party.
2. The district shall declare a permitting case an uncontested matter, cancel the associated permit hearing, and proceed with the consideration of the permitting request as an uncontested matter if notice of intent to contest the permitting case is not received at least three days (3 days) before the hearing or proposed date of permit issuance.
3. The presiding officer may summarize the evidence, make findings of fact, make conclusions of law, and make appropriate recommendations to the board of directors in uncontested permitting cases.
4. The presiding officer shall declare a permitting hearing or other proceeding a contested matter and convene a prehearing conference as set forth in the rules of the district when:

- 4.1. the parties to a permitting hearing or other proceeding who have notified the district of the intent to contest a permitting case do not reach a negotiated or agreed settlement of the facts and issues in controversy;
- 4.2. a party to a permitting hearing or other proceeding contests a staff recommendation;  
or
- 4.3. the facts and issues in controversy will require extensive discovery proceedings.

## **RULE 12.5: PROCEDURES RELATED TO CONTESTED PERMIT HEARINGS**

1. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall have the same rights, duties, and responsibilities of a presiding officer acting under the Texas Rules of Civil Procedure or the Texas Rules of Evidence, except as modified by the rules of the district, as a court acting under those rules.
2. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may recommend issuance of a temporary permit for a period not to exceed 4 months, with any special provisions the presiding officer deems necessary, for the purpose of completing the contested case process.
3. The presiding officer shall declare a permitting hearing or other proceeding an uncontested matter, cancel the associated permit hearing, and proceed with the consideration of the permitting request as an uncontested matter if:
  - 3.1. the parties contesting a permitting case reach a negotiated or agreed settlement of the facts and issues in controversy;
  - 3.2. the parties contesting a permitting case reach a negotiated or agreed settlement regarding staff recommendations; and
  - 3.3. the facts and issues in controversy will not require extensive discovery proceedings.
4. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall convene and conduct a prehearing conference to consider any matter which may expedite the hearing or otherwise facilitate the contested case process including but not limited to:
  - 4.1. the designation of parties;
  - 4.2. the formulation and simplification of issues;
  - 4.3. the necessity or desirability of amending applications or other pleadings;
  - 4.4. the possibility of making admissions or stipulations;
  - 4.5. the scheduling of discovery;
  - 4.6. the identification of and specification of the number of witnesses;
  - 4.7. the filing and exchange of prepared testimony and exhibits; and
  - 4.8. the procedure at the hearing.
5. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall convene and conduct a prehearing conference at a date, time, and place stated in a notice given in accordance with the rules of the district, or at the date, time, and place for hearing stated in the notice of public hearing.
6. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may continue the prehearing conference from time to time and place to place as determined to be necessary or practical by the presiding officer.

7. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall incorporate any action taken at a prehearing conference in the records of the contested case either in writing or by audio recording at the close of the conference.
8. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may assess reporting and transcription costs of the proceedings to one or more of the parties of the proceedings.
9. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall consider the following factors in assessing reporting and transcription costs:
  - 9.1. the party, if any, that requested the transcript;
  - 9.2. the financial ability of the party to pay the costs;
  - 9.3. the extent to which the party participated in the hearing;
  - 9.4. the relative benefits to the various parties of having a transcript;
  - 9.5. the budgetary constraints of a governmental entity participating in the proceeding;  
and
  - 9.6. any other factor that is relevant to a just and reasonable assessment of costs.
10. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide the parties of a proceeding an opportunity to present evidence and argument on the issue of assessment of reporting or transcription costs.
11. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide a recommendation regarding the assessment of costs in the final report to the board of directors.
12. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall designate the parties of the contested case on the first day of hearing or at such other time as determined by the presiding officer.
13. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall designate the general manager a party to any contested case.
14. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall designate any person specifically named in a contested case matter as a party to the contested case.
15. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit a person as party to a contested case if the person appears at the proceeding in-person or by representative and seeks to be designated as a party.
16. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit a person as party to a contested case after the parties are designated if, in the judgment of the presiding officer, there exists good cause and the hearing will not be unreasonably delayed.
17. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide direction to the parties of a contested case regarding the rights to:
  - 17.1. conduct discovery,
  - 17.2. present a direct case,
  - 17.3. cross-examine witnesses,
  - 17.4. make oral and written arguments,
  - 17.5. obtain copies of all documents filed in the proceeding,

- 17.6. receive copies of all notices issued by the district concerning the proceeding,  
and
- 17.7. otherwise fully participate in the proceeding.
18. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may accept comments and statements from a person not designated as a party to a contested case.
19. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may include comments and statements accepted from a person not designated as a party to a contested case in the final report to the board of directors.
20. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not consider comments and statements from a person not designated as a party to a contested case as evidence in the contested case.
21. A party to a contested case shall provide a copy of each pleading, request, motion, or reply filed in the proceeding to every other party or the party's representative.
22. A party to a contested case shall certify that, prior to filing the instrument with the district, a copy of the instrument was provided to every other party.
23. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may withhold consideration of a filed instrument if the party filing the instrument failed to provide copies every other party before filing the instrument with the district.
24. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall provide an interpreter whose qualifications are approved by the State Commission for the Deaf and Hearing Impaired to interpret the proceedings for a deaf person who is a party or subpoenaed witness to a contested case.
25. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not consider an agreement between parties or their representatives affecting any pending matter unless the agreement is provided in writing, signed, and filed as part of the record or the agreement is announced at the hearing and entered as record.
26. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall order and specify the conditions, terms, and at such times and places under which discovery may be conducted.
27. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require discovery to be governed by and subject to the limitations set forth in the Texas Rules of Civil Procedure unless modified by the rules of the district or order of the presiding officer.
28. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may authorize, by agreement or order of the presiding officer, the parties of a contested case to exchange informal requests for information in addition to the forms of discovery authorized under the Texas Rules of Civil Procedure.
29. The presiding officer of a permitting hearing or other proceeding associated with a contested matter, in response to finding a party to a contested case is abusing the discovery process in seeking, responding to, or resisting discovery, may:
- 29.1. suspend the processing of the application for a Permit if the applicant is the offending party;

- 29.2. prohibit any further discovery of any kind or a particular kind by the offending party;
  - 29.3. rule that particular facts be regarded as established against the offending party for the purposes of the proceeding in accordance with the claim of the party obtaining the discovery ruling;
  - 29.4. limit the offending party's participation in the proceeding;
  - 29.5. prohibit presentation of evidence of the offending party on issues that were the subject of the discovery request; or
  - 29.6. recommend to the board of directors that the hearing be dismissed with or without prejudice.
30. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not communicate, directly or indirectly, in connection with any issue of fact or law with any agency, person, party, or their representatives, except on notice and opportunity for all parties to participate.
  31. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may communicate with the staff of an agency other than the district not directly involved in the hearing to utilize the special skills and knowledge of the agency in evaluating the evidence.
  32. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may compel the testimony of any person which is necessary, helpful, or appropriate to the hearing.
  33. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall administer the oath in a manner calculated to impress the witness with the importance and solemnity of the promise to adhere to the truth.
  34. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may issue subpoenas to compel the testimony of any person and the production of books, papers, documents, or tangible things, in the manner provided in the Texas Rules of Civil Procedure.
  35. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall rely upon and utilized the Texas Rules of Evidence to govern the admissibility and introduction of evidence except as modified by the rules of the district.
  36. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit evidence not admissible under the Texas Rules of Evidence if the evidence is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs
  37. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit evidence stipulated by agreement of all parties.
  38. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may receive testimony and be admitted into evidence in written form when a proceeding will be expedited and the interest of the parties will not be prejudiced substantially, testimony may be received in written form.
  39. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may admit the written testimony of a witness into evidence, either in narrative or question and answer form, upon the witness being sworn and identifying the testimony as a true and accurate record of what the testimony would be if given orally.

40. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require the witness to be subject to clarifying questions and to cross-examination.
41. A party to contested case may object to the prepared testimony of a witness.
42. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require exhibits of a documentary character to be sized to not unduly encumber the files and records of the district.
43. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall require all exhibits to be numbered and, except for maps and drawings, not exceed 8-1/2 by 11 inches in size.
44. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall only receive in evidence documents that are representative of relevant data to the contested case.
45. The presiding officer may require a party submitting documents as evidence to abstract relevant data and present the abstract as an exhibit.
46. A party of a contested case shall be entitled to examine any documents abstracted and presented as evidence.
47. A party of a contested case shall tender for identification each exhibit offered to be placed in the record.
48. A party of a contested case that tenders exhibits shall furnish copies to the presiding officer of a permitting hearing or other proceeding associated with a contested matter and to each of the parties, unless the presiding officer rules otherwise.
49. A party of a contested case that offers exhibits which have been identified, objected to, and excluded, may withdraw the exhibit if the party waives all objections to the exclusion of the exhibit.
50. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall return a withdrawn exhibit if the offering party waives all objections to the exclusion of the exhibit.
51. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not return a withdrawn exhibit but include the exhibit in the record of the proceeding for the purpose of preserving the objection to excluding the exhibit if the offering party does not waive all objections to the exclusion of the exhibit.
52. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may take official notice of all facts judicially cognizable.
53. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may take official notice of generally recognized facts within the area of specialized knowledge of the district.
54. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall not require extrinsic evidence of authenticity as a condition precedent to admissibility of documents maintained in the files and records of the district.
55. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may allow oral arguments to be heard at the conclusion of the presentation of evidence with reasonable time limits being prescribed by the presiding officer.



56. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may require or accept written briefs in lieu of, or in addition to, oral arguments.
57. The board of directors may hear additional oral arguments when the permitting hearing or other proceeding associated with a contested matter is presented to the board of directors for final decision.
58. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may either close the record or keep it open and allow the submission of additional evidence, exhibits, briefs, or proposed findings and conclusions from one or more of the parties at the conclusion of the presentation of evidence and any oral argument.
59. A party of a contested case shall not file additional evidence, exhibits, briefs, or proposed findings and conclusions after the record is closed unless permitted or requested by the presiding officer.
60. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall, after the record is closed, prepare a report to the board of directors that includes a summary of the evidence and the findings, conclusions, and recommendations for action of the presiding officer.
61. The presiding officer of a permitting hearing or other proceeding associated with a contested matter shall, upon completion and issuance of the final report of the presiding officer, submit a copy of the final report to the district and each party to the proceeding by certified mail.
62. A party of a contested case may file written exceptions to the final report of the presiding officer and may request an opportunity to make an oral presentation of exceptions to the board of directors prior to action by the board of directors.
63. The presiding officer of a permitting hearing or other proceeding associated with a contested matter may, upon review of the report and exceptions filed, reopen the record for the purpose of developing additional evidence, or may deny the exceptions and submit the final report and exceptions to the board of directors.
64. The board of directors may, at any time and in any case, remand a matter to the presiding officer of a permitting hearing or other proceeding associated with a contested matter for further proceedings.
65. The board of directors shall act on the contested matter within sixty days (60 days) of the receipt of the final report of the presiding officer of a permitting hearing or other proceeding associated with the contested matter.

## **RULE 12.6: PROCEDURES RELATE TO DECISIONS, REHEARINGS, AND APPEALS**

1. The board of directors may, after the record regarding a matter for which a hearing or other proceeding has closed and any resulting report is submitted to the board of directors, take the matter under advisement, continue the matter from day to day, reopen or rest the matter, refuse the action sought or grant the same in whole or part, or take any other appropriate action.

2. The district, the representatives of District, and the parties to any matter considered as part of a hearing or other proceeding of the district shall consider any associated actions to be in effect at the conclusion of the meeting at which the action was taken and not affected by a motion for rehearing.
3. A party to any matter considered as part of a hearing or other proceeding of the district may appeal a decision of the board of directors by requesting a rehearing before the board of directors within twenty days (20 days) of the decision by the board of directors.
4. A party to any matter considered as part of a hearing or other proceeding of the district requesting a rehearing shall file the request for rehearing with the district in writing stating clearly and concisely grounds for the request.
5. A party to any matter considered as part of a hearing or other proceeding of the district shall not seek an appeal of an associated decision if a request for rehearing was not submitted to the district in accordance with the rules of the district.
6. The board of directors shall either grant or deny the request for rehearing within ninety days (90 days) of submission.
7. The board of directors shall schedule a rehearing within forty-five days (45 days) if a rehearing request is granted by the board of directors unless otherwise agreed to by the parties to the proceeding.
8. The district, the representatives of District, and the parties to any matter considered as part of a hearing or other proceeding of the district shall consider any associated decision of the board of directors as final if a request for rehearing is not made within the specified time, or upon the denial of the request for rehearing by the board of directors, or upon rendering a decision after rehearing.

PROPOSED REVISIONS  
(NO MARKINGS)

PROPOSED REVISIONS  
(NO MARKUP)

# Calhoun County Groundwater Conservation District

131-A N. Virginia St., Port Lavaca, Texas 77979

P.O. Box 1395, Port Lavaca, Texas 77979

Phone (361) 482-0357 | Fax (361) 482-0303 | www.calhouncountygcd.org

## THE STATE OF TEXAS CALHOUN COUNTY

The Board of Directors of the Calhoun County Groundwater Conservation District convened a meeting at the Coastal Center, 131-A N. Virginia St, Port Lavaca TX 77979, Calhoun County, on October 23, 2023, at 5:30 PM.

### Meeting Attendance:

Precinct 1:	Mr. Steven Dierschke, Director	Absent
Precinct 2:	Mr. Wesley Brett, Vice-President	Present
Precinct 3:	Mr. Galen Johnson, Secretary	Absent
Precinct 4:	Mr. Michael Hahn, Treasurer	Present
At Large:	Mr. Harold May, President	Present
General Manager:	Mr. Timothy Andruss	Present
Legal Counsel:	Mr. James Allison	Absent

### Agenda Items -

#### Agenda Item 1: Call the meeting to order and welcome guests.

**Meeting Discussion:** Mr. May called the meeting to order at 5:30 PM.

**Board Action:** None.

#### Agenda Item 2: Receive public comments.

**Meeting Discussion:** None.

**Board Action:** None.

**Agenda Item 3: Consideration of and possible action on matters related to groundwater management including the efforts and activities of the District regarding permitting, complaints, investigations, violations, and enforcement cases associated with permitting.**

#### 3.0 – Report regarding Groundwater Management

**Meeting Discussion:** Mr. Andruss explained in FY2024, staff will continue efforts to investigate potential failures to obtain permits for the production of groundwater for non-exempt uses and assist those individuals with achieving voluntary compliance. In an attempt to systematically approach the problem, staff will conduct "windshield surveys" throughout the county to identify potential violations.

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As of October 20, 2023, staff had received 33 well registration applications (ARWs) since October 1, 2022.

As of October 20, 2023, staff had received 21 Notices of Intent to Drill a Well (NIDWs) since October 1, 2022.

As of October 20, 2023, staff had received 1 production permit renewal requests (ARPs) since October 1, 2022.

As of October 20, 2023, staff had initiated 40 permitting request cases (PRCs) since October 1, 2022.

As of October 20, 2023, staff had 11 permitting request cases pending.

As of October 20, 2023, staff had processed 39 groundwater production reports since October 1, 2022.

As of October 20, 2023, staff had initiated 3 investigations related to groundwater management (i.e., permitting) since October 1, 2022.

As of October 20, 2023, the Board had initiated 5 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2022.

As of October 18, 2023, staff had 0 unresolved enforcement cases related to groundwater management (i.e., permitting).

**Board Action:** None.

## 3.1 – Investigation related to Failures to Obtain Production Permits

**Meeting Discussion:** Mr. Andruss explained on October 12, 2022, staff initiated an investigation to gather information regarding active utilities within Calhoun County that obtain water from groundwater-based public water systems that do not have valid groundwater production permits issued by the District.

As of October 18, 2023, staff had an open investigation related to groundwater management associated with 3 entities that had not submitted administratively complete permitting applications. The entities are:

1. Sea Port Lakes Water Systems LLC.
2. Shoalwater Flats Association
3. Machaceks Rocking M. RV Park and Campground

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See:

1. INV-20221012.1455 - Failure to Satisfy Rules of the District - Failure to Obtain a Production Permit - Machaceks Rockin M RV Park and Campground - Active
2. INV-20221012.1455 - Failure to Satisfy Rules of the District - Failure to Obtain a Production Permit - Sea Port Lakes Water Systems LLC - Active
3. INV-20221012.1455 - Failure to Satisfy Rules of the District - Failure to Obtain a Production Permit - Shoalwater Flats Association - Active

The relevant provisions of the rules of the district associated with the investigations are:

- RULE 3.1: GENERAL POLICIES RELATED TO REGISTRATION OF WELLS, WELL FIELDS, AND WELL SYSTEMS

3. The well owner or authorized agent of a grandfathered non-exempt-use well within the boundary of the district shall apply for the registration of the grandfathered non-exempt-use well prior to operating the subject well for non-exempt use.

- RULE 4.1: GENERAL POLICIES RELATED TO PERMITS

15. No person shall operate a well to produce groundwater to be used for any purpose other than those uses defined as exempt use prior to obtaining a production permit from the district unless the subject well satisfies the definition of an original exempt-use grandfathered well or an original exempt-use non-grandfathered well.

- RULE 11.2: GENERAL POLICIES RELATED VIOLATIONS

5. Any person that produces groundwater from a well for non-exempt uses in any amount without a valid production permit authorizing the groundwater production violates the rules of the district.

6. Any person that produces groundwater from a well for non-exempt uses for any purpose of use not authorized by production permits associated with well violates the rules of the district.

10. Any person that engages in an activity that requires a permit from the district under the rules of the district prior to receiving such permit violates the rules of the district.

If the boards find that violations have occurred in the instances identified for Potential Failure to Obtain Production Permits and instruct staff to proceed with enforcement efforts, staff will:

a) mail and attempt hand-delivery of 1st notice of violation and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by November 1, 2023;

b) mail and attempt hand-delivery of the 2nd notice of violation and any approved settlement offer to the landowner associated with the



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appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by December 1, 2023,

c) mail and attempt hand-delivery of the notice of need to file suit and any approved settlement offer to the landowner associated with the appraisal district tax parcel by CMRRR and to the registered well owner by regular mail by January 1, 2024,

d) publish an enforcement hearing notice for any unresolved violations for the January 22, 2024 board meeting by January 3, 2024, and

e) present any unresolved violations to the board at the January 22, 2024, meeting with a recommendation that board: 1) confirm the findings of violation and penalties and 2) referred to the violations to legal counsel for filing suit before the meeting scheduled for January 22, 2024.

## **Board Action:** Mr. Hahn moved to:

1. find that the Sea Port Lakes Water Systems LLC violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the Sea Port Lakes Water Systems LLC used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;

2. authorize the General Manager to initiate an enforcement case regarding the violation;

3. set a \$2,000.00 penalty to be paid by the Sea Port Lakes Water Systems LLC for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and

4. offer to settle the violation without payment of the penalties if the Sea Port Lakes Water Systems LLC consents to the following conditions by December 31, 2023:

1. acknowledges the violation by December 31, 2023;

2. pays a settlement fee of \$0.00 by December 31, 2023; and

3. submits a administratively complete production permit application to the District.

1. find that the Shoalwater Flats Association violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the Shoalwater Flats Association used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;

2. authorize the General Manager to initiate an enforcement case regarding the violation;

3. set a \$2,000.00 penalty to be paid by the Shoalwater Flats Association for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and

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4. offer to settle the violation without payment of the penalties if the Shoalwater Flats Association consents to the following conditions by December 31, 2023:
  1. acknowledges the violation by December 31, 2023;
  2. pays a settlement fee of \$0.00 by December 31, 2023; and
  3. submits a administratively complete production permit application to the District.
1. find that the Machaceks Rocking M. RV Park and Campground violated RULE 4.1: GENERAL POLICIES RELATED TO PERMITS of the Rules of the District related to water well(s) owned by the Machaceks Rocking M. RV Park and Campground used to produce groundwater for public water system uses unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$2,000.00 penalty to be paid by the Machaceks Rocking M. RV Park and Campground for each violation per per Rule 11.10: Penalties of the Rules of the District as restricted under Section 36.102(e) of the Texas Water Code; and
4. offer to settle the violation without payment of the penalties if the Machaceks Rocking M. RV Park and Campground consents to the following conditions by December 31, 2023:
  1. acknowledges the violation by December 31, 2023;
  2. pays a settlement fee of \$0.00 by December 31, 2023; and
  3. submits a administratively complete production permit application to the District.

Mr. Brett seconded the motion. The motion passed unanimously.

## **3.2 – Enforcement Hearing re ECV-20230425-03 – Juan Cruz Cervantes – Failure to Report Groundwater Production CY2022**

**Meeting Discussion:** Mr. Andruss explained on April 24, 2023, the Board passed a motion to:

1. find that Juan Cruz Cervantes violated RULE 4.2: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well NW-00087 unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 11.10: PENALTIES of the Rules of the District; and
4. offer to settle the violation if Juan Cruz Cervantes consents to the following conditions:
  1. acknowledges the violation by September 30, 2023;

# Calhoun County Groundwater Conservation District

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2. pays a settlement fee of \$0.00 by September 30, 2023; and
3. submits a administratively complete groundwater production report for calendar year 2022 by September 30, 2023.

In response to the action taken by the Board, staff recorded violation ECV-20230425-03

On May 2, 2023, staff attempted to provide notice of violation ECV-20230425-03 to Juan Cruz Cervantes by certified mail (CMRRR 7021 0350 0000 2790 7553).

On June 1, 2023, staff attempted to provide notice of violation ECV-20230425-03 to Juan Cruz Cervantes by certified mail (CMRRR 7021 0350 0000 2790 9083).

On July 6, 2023, the staff attempted to provide notice of this enforcement hearing and intent to seek authorization to pursue enforcement of the rules by filing a civil suit against Juan Cruz Cervantes at the next regularly scheduled meeting of the board of directors to Keep Juan Cruz Cervantes by certified mail (CMRRR 7021 0350 0000 2790 9267).

On July 14, 2023, Mr. Allison, Legal Counsel for the District, provided a draft enforcement order regarding this matter. If adopted, the order would record the finds of the board including:

1. impose penalties established by the Board,
2. cancel any permits associated with the subject well,
3. prohibit production from the subject well until a production permit were reinstated,
4. order staff to seal the subject well to prevent further production, and
5. instruct Legal Counsel to file suit if necessary to enforce the order.

On July 13, 2023, the staff of the District attempted to deliver notice of need to file suit letter to Mr. Cervantes.

On August 8, 2023, staff of the District attempted to hand deliver final notice of offer to settle a violation ECV-20230425-03 to Mr. Juan Cruz Cervantes.

**Board Action:** Mr. May moved to re-open and record the enforcement hearing recessed on July 24, 2023, at approximately 5:44 PM.

The violator was not present.

Mr. Hahn moved to cease the recording and close the enforcement hearing after accepting public comments or comments from the alleged violator at approximately 5:50 PM. Mr. Brett seconded the motion. The motion passed unanimously.

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Mr. Hahn moved to instruct the General Manager to attempt to notify Juan Cruz Cervantes that if the required groundwater production report for calendar year 2022 is not submitted December 31, 2023 by the District, the Board of Directors will consider entering a finding that:

1. Juan Cruz Cervantes has committed a violation of District Rule 4.2 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well NW-00087 and that such violation is continuing. Each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
2. The penalty for this violation is assessed at \$2,000.00. Additional penalties are assessed at \$50.00 per day for each day following adoption of this order until the groundwater production for 2022 is properly reported.
3. Further, any associated permit for well No. NW-00087 is hereby cancelled and further production is prohibited from the well until said permit is reinstated by the district. District staff is ordered to place a seal upon the well to prevent further production.
4. Legal Counsel is hereby instructed to file suit if necessary to enforce this order.

Mr. Brett seconded the motion. The motion passed unanimously.

## **Agenda Item 4: Consideration of and possible action on matters related to groundwater protection including complaints, investigations, violations, and enforcement cases related to groundwater contamination and waste.**

### **4.0 – Report regarding Groundwater Protection**

**Meeting Discussion:** Mr. Andruss explained on October 25, 2023, staff will participate in a local emergency management training course titled Rail Car Incidents Response for Crude, Ethanol, and Other Flammable Liquids hosted by the Victoria Office of Emergency Management. This training will better prepare the District for responding to potential groundwater contamination events in the future such as the diesel spill at Dry Creek in Victoria County.

As of October 20, 2023, staff had recorded 11 well inspection forms (WIFs) since October 1, 2022.

As of October 20, 2023, staff had initiated 0 investigations related to Groundwater Protection since October 1, 2022.

As of October 20, 2023, staff had 0 active investigation related to Groundwater Protection.

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As of October 20, 2023, the Board had initiated 0 enforcement cases related to Groundwater Protection since October 1, 2022.

As of October 20, 2023, staff had 0 unresolved enforcement case violations related to Groundwater Protection.

**Board Action:** None.

## **Agenda Item 5: Consideration of and possible action on matters related to groundwater monitoring.**

### **5.0 – Report regarding Groundwater Monitoring**

**Meeting Discussion:** Mr. Andruss explained as of October 20, 2023, the U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/calhoun>) indicates that 100% of Calhoun County is experiencing extreme drought conditions.

As of October 20, 2023, drought condition information related to the district and the surrounding region of Texas collected from the Water Data for Texas website (<https://www.waterdatafortexas.org/drought/>) indicates that all portions of Calhoun County are experiencing drought conditions.

As of October 20, 2023, staff had collected 9 water level measurements since October 1, 2022.

As of October 20, 2023, staff had collected 8 water quality field measurements since October 1, 2022.

As of October 10, 2023, staff had collected 2 water quality samples since October 1, 2022.

As of October 10, 2023, staff had received 5 water quality lab reports since October 1, 2022.

As of October 10, 2023, staff had been informed by Dr. Young of Intera that his firm had begun the analysis of CY2022 water levels using the geostatistical approach.

During FY2023, staff have attempted to improve the network of wells used to monitor aquifer conditions with the county. The district has attempted to contact owners of wells that had previously cooperated with the district on monitoring effort to regain access to those wells. In addition, staff have attempted to gain access to those wells identified by Dr. Young as preferred additions to the monitoring network. Staff have attempted to make contact via mail (44 letters),

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email messages, and phone calls. This effort did not result in the District gaining access to any new monitoring wells.

**Board Action:** None.

## 5.1 – Incentivizing Aquifer Monitoring Cooperation

**Meeting Discussion:** Mr. Andruss explained the purpose of the groundwater monitoring program is to facilitate the coordination of activities and tasks completed by staff, consultants, and contractors to evaluate the condition of the groundwater resources within the county.

The management plan of the district establishes the following objectives to be achieved through the implementation of the groundwater monitoring program:

Management Plan Goal 4 - Addressing Natural Resource Issues

Objective 1: Develop and maintain a program to monitor the water quality of at least twelve (12) water wells within the district per year.

Management Plan Goal 7 - Addressing the Desired Future Conditions

Objective 1: Develop and maintain a program to monitor the water level of at least twelve (12) water wells within the district per year.

Objective 2: Analyze aquifer monitoring information to evaluate achievement of the desired future conditions of the district based on information available during the fiscal year.

During FY2023, staff have attempted to improve the network of wells used to monitor aquifer conditions with the county. The district has attempted to contact owners of wells that had previously cooperated with the district on monitoring effort to regain access to those wells. In addition, staff have attempted to gain access to those wells identified by Dr. Young as preferred additions to the monitoring network. Staff have attempted to make contact via mail (44 letters), email messages, and phone calls. This effort did result in the District gaining access to any new monitoring wells.

During FY2023, staff were able to collect only 9 water level measurements and 8 water quality measurements, and 2 water samples.

**Board Action:** Mr. Brett moved to authorize the General Manager to implement an project to incentivize cooperation with the district regarding aquifer monitoring limiting financial incentives to \$50.00 per monitoring event at a well and \$5,000.00 during the fiscal year. Mr. Hahn seconded the motion. The motion passed unanimously.



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## **Agenda Item 6: Consideration of and possible action on matters related to groundwater conservation.**

### **6.0 – Report regarding Groundwater Conservation**

**Meeting Discussion:** Mr. Andruss explained on September 11, 2023, the staff of the district reviewed and updated the webpage on website of the district related to promotion of groundwater conservation.

With the adoption of the budget for FY2024, staff published a notice on the website of the district to inform entities wishing to seek sponsorship from the district of a project intended to promote water conservation, especially through rainwater harvesting or brush control within Refugio County, could submit a application for sponsorship.

**Board Action:** None.

## **Agenda Item 7: Consideration of and possible action on matters related to groundwater resource planning including Groundwater Management Area 15 Joint Planning and regional water planning.**

### **7.0 – Report regarding Groundwater Resource Planning**

**Meeting Discussion:** Mr. Andruss explained representatives of the district did not participated in the meeting of the South Central Texas Regional Planning Group (Region L) held on August 3, 2023, to continue efforts to develop the 2026 Regional Water Plan. The next meeting of Region P is scheduled for November 2, 2023.

Representatives of the district participated in the meeting of the representatives of Groundwater Management Area 15 on October 12, 2023 to continue joint planning efforts. During the meeting the members received a report from TWDB stating that the report comparing GAM pumping scenario processed using the previous GAM to the new GAM will be delivered in December 2023 and identified Intera as the preferred respondent the the RFP issued by the District on behalf of GMA 15. The next meeting of the representatives of Groundwater Management Area 15 is scheduled for October 12, 2023.

**Board Action:** None.

## **Agenda Item 8: Consideration of and possible action on matters related to groundwater policy including the Management Plan of the District, the proposed Management Plan of the District and the Rules of the District.**

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## 8.0 – Report regarding Groundwater Policy

**Meeting Discussion:** Mr. Andruss explained on July 14, 2023, the Texas Water Development Board designated the management plan for the district, adopted on April 21, 2023, administratively complete.

Staff will review the passed legislation of the previous legislative session, coordinate with legal counsel to develop proposed rule revisions, and post the required rulemaking hearing notice for the meeting scheduled for January 19, 2023.

**Board Action:** None.

**Agenda Item 9: Consideration of and possible action on matters related to administration and management including the minutes of previous meetings, the annual budget of the district, bank accounts, investments, financial reports of the district, bills and invoices of the district, management goals and objectives of the district, administrative policies, staffing, consultant agreements, interlocal cooperation agreements, interlocal cooperation agreements, and support services provided to and from other groundwater conservation district.**

## 9.0 – Report regarding Administration and Management

**Meeting Discussion:** Mr. Andruss explained the state requires local government entities to complete cyber training on an annual basis. The training requirement applies to employees and elected officials (e.g., directors of the district). While a number of methods are available to satisfy this requirement, the simplest method and least time consuming is the viewing of one of the following YouTube videos:

1. TxDIR Cyber Security Training YouTube Video (28 minutes):

[https://www.youtube.com/watch?v=YFRK\\_slmKkQ&t=5s](https://www.youtube.com/watch?v=YFRK_slmKkQ&t=5s)

2. TMLIRP Cyber Security Training Youtube Video (17 minutes):

[https://www.youtube.com/watch?v=pCRbR2ka\\_0o](https://www.youtube.com/watch?v=pCRbR2ka_0o)

Directors are encouraged to notify staff of their completion of the training for reporting purposes. The district is required to certify to the state the degree to which the requirements were satisfied each year.

The next meetings of the Board are scheduled for January 22, 2024, April 22, 2024, July 22, 2024, August 26, 2024 (Budget and Tax Rate Matters), and October 28, 2024, with each meeting to convene at 9:00 AM. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

**Board Action:** None.

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## 9.1 – Minutes of the Previous Meeting

**Meeting Discussion:** Mr. Andruss explained the minutes for meeting held on July 24, 2023, and August 28, 2023, were sent to the board members prior to the meeting.

**Board Action:** Mr. Brett moved to accept and approve the meeting minutes for July 24, 2023, and August 28, 2023, as drafted. Mr. Hahn seconded the motion. The motion passed unanimously.

## 9.2 – Financial Reports of the District

**Meeting Discussion:** Mr. Andruss explained the internal control review reports and internal financial reports for June, July and August 2023 have been compiled, reviewed and sent to the board members prior to the meeting.

**Board Action:** Mr. Hahn moved to accept the internal control review and internal financial reports for June, July and August 2023. Mr. Brett seconded the motion. The motion passed unanimously.

### 9.2.1 – Financial Transaction Review

**Meeting Discussion:** Mr. Andruss explained as of October 18, 2023, since July 21, 2023, there have been 18 accounts payable and 13 accounts receivable transactions.

**Board Action:** None.

## 9.3 – Investments of the District

**Meeting Discussion:** Mr. Andruss explained the investment reports for June, July and August 2023, have been developed, reviewed, and sent to the board members prior to the meeting.

**Board Action:** Mr. Brett moved to accept the investment reports for June, July and August 2023. Mr. Hahn seconded the motion. The motion passed unanimously.

## 9.4 – Investment Policy and TexPool

**Meeting Discussion:** Mr. Andruss explained the District has historically invested funds in certificates of deposit at those institutions identified within the Investment Policy. The CDs have varied in terms of maturity periods ranging from 1 to 2 years. While considered liquid assets, the liquidation of a CD before maturity

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may result in loss of some or all interest earned on the investment. The District has not nor does it anticipate needing to liquidate current CDs. The use of CDs as investment vehicles complicates recordkeeping efforts as each CD represents an account that must be reconciled with the internal financial reports and accounted for in the investment reports of the district.

The use of investment pools, in particular TexPool ([www.texpool.com](http://www.texpool.com)), would reduce the recordkeeping efforts and improve liquidity of invested funds while receiving competitive interest rates. According to information provided by TexPool,

"TexPool is the oldest and largest local government investment pool in the State of Texas. TexPool seeks to preserve principal, liquidity, and yield of capital investment consistent with the Texas Public funds Investment Act. This local government investment pool is managed and serviced by Federated Hermes, Inc., one of the nation's leading investment managers. Thirty seven states rely on Federated Hermes for some form of liquidity management."

An important consideration of a decision to authorize the investment of funds into TexPool is not insured or guaranteed by any government or government agency such as FDIC.

On January 20, 2023, the Board re-adopted the Investment Policy of the District as originally adopted on March 15, 2012. See: Matter For Consideration - MFC-20230123-11.2 - Review of Administrative Policies and Investment Policy. The policy authorizes the investment of funds in pools as authorized under Chapter 2256, Texas Government Code but does not specifically authorize the investment of funds in Texas Local Government Investment Pools ("TexPool/TexPool Prime"). A draft revision of the investment policy of the district was developed that identifies Texas Local Government Investment Pools ("TexPool/TexPool Prime") as a qualified broker/dealer with whom the District may engage in investment transactions (page 5).

**Board Action:** Mr. Brett moved to adopt the revised investment policy, authorize the investment of reserve funds in the TexPool Investment Pool, and adopt the resolution authorizing participation in the Texas Local Government Investment Pools ("TexPool/TexPool Prime"). Mr. Hahn seconded the motion. The motion passed unanimously.

## 9.5 – Unpaid Accounts Payable

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**Meeting Discussion:** Mr. Andruss explained the District has outstanding accounts payable invoices that are not considered regular and routine for which the District has received the goods and services billed for under the invoices.

**Board Action:** Mr. Hahn moved to authorize the general manager to pay the following items:

1. ACCTP-20230814-06 - \$1,560.00 - Allison, Bass & Magee - Inv# 6946
2. ACCTP-20231005-01 - \$2,033.75 - Allison, Bass & Magee, LLP
3. ACCTP-20231019-01 - \$7,233.72 - VCGCD - July 2023
4. ACCTP-20231019-02 - \$7,375.28 - VCGCD - August 2023

Mr. Brett seconded the motion. The motion passed unanimously.

## 9.6 – Financial Audit for the Previous Fiscal Year

**Meeting Discussion:** Mr. Andruss explained Mr. Goldman of Goldman, Hunt, and Notz LLP has submitted an engagement letter related to performance of a financial audit of the District for FY2023.

**Board Action:** Mr. Hahn moved to accept the offer of Goldman, Hunt, and Notz LLP to perform the financial audit for the fiscal year ending September 30, 2023, and authorize the firm to begin the audit upon development of the internal financial reports for September 30, 2023. Mr. Brett seconded the motion. The motion passed unanimously.

## 9.7 – Records Management

**Meeting Discussion:** Mr. Andruss explained the District presently creates, maintains, and stores the records of the district within the Evernote System. The records of the district are electronically archived to the Dropbox System after processing of the records are complete.

Email messages including associated attachments received by staff that essential to the fulfillment of statutory obligations or the documentation of agency functions of the District are imported from the iPower Email System into the Evernote System as records of on-going record series and ultimately archived to the Dropbox System. The District has amassed many emails since its existence and increased to a significant cumulative file size. The size of the mailboxes has resulted in a system that is difficult to maintain.

**Board Action:** Mr. Hahn moved to designate, as part of the records management policy of the District, email messages received by the District that not essential to the fulfillment of statutory obligations or to the documentation of agency functions as transitory information of temporary usefulness which may be

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deleted when determined to be no longer useful. Mr. Brett seconded the motion. The motion passed unanimously.

## 9.8 – Web Maps and GPR Application

**Meeting Discussion:** Mr. Andruss explained the Victoria County Groundwater Conservation District completed a project to configure and publish interactive web maps. The resulting maps have been published as a map portal using the mapping system offered by GIS Cloud. The map portal can be accessed for the following link: [https://vcgcd\\_map\\_portal.giscloud.com/](https://vcgcd_map_portal.giscloud.com/). The VCGCD subscribed to the Map Editor and Map Portal services offered by GIS Cloud at a monthly cost of \$169.00 (\$2,040.00 per year). If the VCGCD opts for annual billing for services, a 20% discount will be received.

The portal enables users to investigate and view permitting and monitoring data maintained by the VCGCD using the following maps: Groundwater Permitting, Reported Groundwater Production, Recorded Water Levels, and Recorded Water Quality Measurements.

The VCGCD is considering the development of a custom web application using the GIS Cloud Crowdsourcing service to facilitate the online submittal of groundwater production reports for CY2023 in January 2024. Initial estimates for the custom application range between \$2,000 to \$4,000 annually for the customization.

**Board Action:** Mr. Brett moved to 1) authorize the General Manager to completed a project to configure and publish interactive web maps and map portal using the mapping system offered by GIS Cloud for the district at a cost not to exceed \$2,100.00, and 2) develop a a custom web application using the GIS Cloud Crowdsourcing service to facilitate the online submittal of groundwater production reports for CY2023 in January 2024 at a cost not to exceed \$4,000.00. Mr. Hahn seconded the motion. The motion passed unanimously.

## Agenda Item 10: Consideration of and possible action on matters related to Legal Counsel Report

### 10.0 – Legal Counsel Report

**Meeting Discussion:** None.

**Board Action:** None.

## Agenda Item 11: Adjourn



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## 11.0 – Adjourn Meeting

**Meeting Discussion:** None.

**Board Action:** Mr. Hahn moved to adjourn the meeting at 6:36 PM after concluding all business of the District. Mr. Brett seconded the motion. The motion passed unanimously.

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS

THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. \_\_\_\_\_.

\_\_\_\_\_  
Director of the Calhoun County Groundwater Conservation District

ATTEST:

\_\_\_\_\_  
Director of the Calhoun County Groundwater Conservation District

# CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20230930-01 - September 2023

## Calhoun County Groundwater Conservation District Internal Control Review Report

Reporting Period Start: 9/1/23

Reporting Period Stop: 9/30/23

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### Related Documentation

[CCGCD - Adm - FM - Financial Registry - FY2023- Check Out 20231110.0943 CPD - Check In 20231115.1144 CPD](#)

### Bank Statement Links:

1. [CCGCD - Adm - FM - Bank Statements - BS-20230929-01 - CD# 0514 - UNRECONCILED](#)
2. [CCGCD - Adm - FM - Bank Statements - BS-20230929-02 - CD# 0516 - UNRECONCILED](#)
3. [CCGCD - Adm - FM - Bank Statements - BS-20230930-01 - Prosperity 3520 - UNRECONCILED](#)
4. [CCGCD - Adm - FM - Bank Statements - BS-20230930-02 - Prosperity 4152 - UNRECONCILED](#)

### List of UNPAID Accounts Payable (ACCTPs) Note Links:

### List of UNPAID Accounts Receivable (ACCTRs) Note Links:

### List of VOIDED Check Note Links:

### List of CANCELLED Transaction Note Links:

### List of COLLATERAL RECORD Note Links:

1. [CCGCD - Adm - FM - Collateral Records - CR-20230930-01 - September 2023](#)

**List of DISPUTED and UNPAID Accounts Payable (ACCTPs)Notes:**

**List of DISPUTED and UNPAID Accounts Receivable (ACCTRs)Notes:**

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### **Internal Control Review**

**Question #1: Are bank statements and reconciliation forms consistent and balanced? Yes**

Comments:

**Question#2: Are dual signatures present on all checks? Yes**

Comments:

**Question#3: Are all expenditures associated with employees, including credit card expenditures, or contractors appropriate and properly authorized? Yes**

Comments:

**Question#4: Are all electronic transactions (drafts and transfers) appropriate and properly documented? Yes**

Comments:

**Question#5: Are all voided checks properly marked and recorded? Yes**

Comments: No voided checks

**Question#6: Does the market value of the pledged collateral and FDIC insurance exceed the total of investments per banking institution? Yes**

Comments:

**Question#7: Do the external financial records comport with internal financial records of the District? Yes**

Comments:

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**PDF of Executed Report:**

*Caitlynn Davenport*

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Note Template Link: [CCGCD - Adm - FM - Internal Control Review Reports - ICRR-  
YYYYMMDD-SQ](#)

# CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20231031-01 - October 2023

## Calhoun County Groundwater Conservation District Internal Control Review Report

**Reporting Period Start:** 10/1/23

**Reporting Period Stop:** 10/31/23

---

### Related Documentation

[CCGCD - Adm - FM - Financial Registry - FY2023- Check Out 20240118.1619 CPD - Check In 20240119.1501 CPD](#)

### Bank Statement Links:

1. [CCGCD - Adm - FM - Bank Statements - BS-20230929-01 - CD# 0514 - RECONCILED](#)
2. [CCGCD - Adm - FM - Bank Statements - BS-20230929-02 - CD# 0516 - RECONCILED](#)
3. [CCGCD - Adm - FM - Bank Statements - BS-20231031-01 - Prosperity 3520 - RECONCILED](#)
4. [CCGCD - Adm - FM - Bank Statements - BS-20231031-02 - Prosperity 4152 - RECONCILED](#)

### List of UNPAID Accounts Payable (ACCTPs) Note Links:

### List of UNPAID Accounts Receivable (ACCTRs) Note Links:

### List of VOIDED Check Note Links:

### List of CANCELLED Transaction Note Links:

### List of COLLATERAL RECORD Note Links:

1. [CCGCD - Adm - FM - Collateral Records - CR-20231031-01 - October 2023](#)

**List of DISPUTED and UNPAID Accounts Payable (ACCTPs)Notes:**

**List of DISPUTED and UNPAID Accounts Receivable (ACCTRs)Notes:**

---

**Internal Control Review**

**Question #1: Are bank statements and reconciliation forms consistent and balanced? Yes**

Comments:

**Question#2: Are dual signatures present on all checks? Yes**

Comments:

**Question#3: Are all expenditures associated with employees, including credit card expenditures, or contractors appropriate and properly authorized? Yes**

Comments:

**Question#4: Are all electronic transactions (drafts and transfers) appropriate and properly documented? Yes**

Comments:

**Question#5: Are all voided checks properly marked and recorded? Yes**

Comments: No voided checks

**Question#6: Does the market value of the pledged collateral and FDIC insurance exceed the total of investments per banking institution? Yes**

Comments:

**Question#7: Do the external financial records comport with internal financial records of the District? Yes**

Comments:

*Caitynn Davenport*

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**PDF of Executed Report:**

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Note Template Link: [CCGCD - Adm - FM - Internal Control Review Reports - ICRR-  
YYYYMMDD-SQ](#)

# CCGCD - Adm - FM - Internal Control Review Reports - ICRR-20231130-01 - November 2023

## Calhoun County Groundwater Conservation District Internal Control Review Report

Reporting Period Start: 11/1/23

Reporting Period Stop: 11/30/23

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### Related Documentation

#### Bank Statement Links:

1. [CCGCD - Adm - FM - Bank Statements - BS-20230929-01 - CD# 0514 - RECONCILED](#)
2. [CCGCD - Adm - FM - Bank Statements - BS-20230929-02 - CD# 0516 - RECONCILED](#)
3. [CCGCD - Adm - FM - Bank Statements - BS-20231130-01 - Prosperity 3520 - RECONCILED](#)
4. [CCGCD - Adm - FM - Bank Statements - BS-20231130-02 - Prosperity 4152 - RECONCILED](#)

#### List of UNPAID Accounts Payable (ACCTPs) Note Links:

#### List of UNPAID Accounts Receivable (ACCTRs) Note Links:

#### List of VOIDED Check Note Links:

#### List of CANCELLED Transaction Note Links:

#### List of COLLATERAL RECORD Note Links:

1. [CCGCD - Adm - FM - Collateral Records - CR-20231130-01 - November 2023](#)

#### List of DISPUTED and UNPAID Accounts Payable (ACCTPs) Notes:

**List of DISPUTED and UNPAID Accounts Receivable (ACCTRs)Notes:**

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**Internal Control Review**

**Question #1: Are bank statements and reconciliation forms consistent and balanced? Yes**

Comments:

**Question#2: Are dual signatures present on all checks? Yes**

Comments:

**Question#3: Are all expenditures associated with employees, including credit card expenditures, or contractors appropriate and properly authorized? Yes**

Comments:

**Question#4: Are all electronic transactions (drafts and transfers) appropriate and properly documented? Yes**

Comments:

**Question#5: Are all voided checks properly marked and recorded? Yes**

Comments: No voided checks

**Question#6: Does the market value of the pledged collateral and FDIC insurance exceed the total of investments per banking institution? Yes**

Comments:

**Question#7: Do the external financial records comport with internal financial records of the District? Yes**

Comments:

*Caitlynn Davenport*

---

**PDF of Executed Report:**

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Note Template Link: [CCGCD - Adm - FM - Internal Control Review Reports - ICRR-  
YYYYMMDD-SQ](#)

**Bank Account Balance Report as of September 30, 2023**

Bank Account	Reconciled Bank Statement	Fund	Reported Balance as of Oct. 1, 2020	Total Credits	Total Debits	Calculated Balance	Current Reported Balance	Unreconciled Amount
Prosperity 4152	BS-20230930-02	Operating	\$ 301,578.82	\$ 349,697.17	\$ (166,713.01)	\$ 484,562.98	\$ 484,562.98	\$ -
Prosperity 3520	BS-20230930-01	Operating and Reserve	\$ 1,524,529.32	\$ 118,477.65	\$ (500,000.00)	\$ 1,143,006.97	\$ 1,143,006.97	\$ -
Prosperity CD 0514	BS-20230929-01	Reserve	\$ -	\$ 254,239.74	\$ -	\$ 254,239.74	\$ 254,239.74	\$ -
Prosperity CD 0516	BS-20230929-02	Reserve	\$ -	\$ 254,112.67	\$ -	\$ 254,112.67	\$ 254,112.67	\$ -
<b>Total</b>			<b>\$ 1,826,108.14</b>	<b>\$ 976,527.23</b>	<b>\$ (666,713.01)</b>	<b>\$ 2,135,922.36</b>	<b>\$ 2,135,922.36</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Bank Account Balances Report

**FDIC Insurance and Collateral Report as of September 30, 2023**

Institution	Type	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Credit Rating	Market Value
Prosperity Bank	FDIC Insurance	N/A	N/A	N/A		N/A	\$ 250,000.00
Prosperity Bank	Pledged Collateral	3138WJAC2	FNMA #AS8102	FHLB		AA+	\$ 245,156.72
Prosperity Bank	Pledged Collateral	3138WB6T7	FNMA #A2681	FHLB		AA+	\$ 321,710.87
Prosperity Bank	Pledged Collateral	31418DV25	FNMA #MA4232	FHLB		AA+	\$ 604,197.44
Prosperity Bank	Pledged Collateral	31418DY71	FNMA #MA4333	FHLB		AA+	\$ 392,188.16
Prosperity Bank	Pledged Collateral	3133KYUN7	FR #RB5089	FHLB		AA+	\$ 291,904.93
Prosperity Bank	Pledged Collateral	3138WBBZ7	FNMA #AS1855	FHLB		AA+	\$ 98,030.79
<b>Total</b>							<b>\$ 2,203,188.91</b>

**Budget Performance by Program Report as of September 30, 2023**

	<b>Sum of Budget</b>	<b>Sum of Actual</b>	<b>Sum of Performance</b>
1000 - Administration	\$ 344,312.85	\$ 335,856.01	\$ (8,456.84)
2000 - Groundwater Conservation	\$ (14,699.38)	\$ (2,067.74)	\$ 12,631.64
3000 - Groundwater Management	\$ (56,249.38)	\$ (15,249.14)	\$ 41,000.24
4000 - Groundwater Monitoring	\$ (113,249.38)	\$ (2,131.70)	\$ 111,117.68
5000 - Groundwater Policy	\$ (17,249.38)	\$ (2,067.74)	\$ 15,181.64
6000 - Groundwater Protection	\$ (20,099.38)	\$ (2,457.74)	\$ 17,641.64
7000 - Groundwater Research	\$ (11,499.38)	\$ -	\$ 11,499.38
8000 - Groundwater Resource Planning	\$ (18,699.38)	\$ (2,067.73)	\$ 16,631.65
<b>Grand Total</b>	<b>\$ 92,567.19</b>	<b>\$ 309,814.22</b>	<b>\$ 217,247.03</b>



**Budget Performance by Program Function Report as of September 30, 2023**

	<b>Sum of Budget</b>	<b>Sum of Actual</b>	<b>Sum of Performance</b>
<b>1000 - Administration</b>	<b>\$ 344,312.85</b>	<b>\$ 335,856.01</b>	<b>\$ (8,456.84)</b>
1001 - Administration - Revenue Administration	\$ 428,162.23	\$ 38,218.09	\$ (389,944.14)
1200 - Administration - Election Management	\$ (11,500.00)	\$ -	\$ 11,500.00
1300 - Administration - Financial Management	\$ (28,000.00)	\$ (2,479.86)	\$ 25,520.14
1400 - Administration - Information Management	\$ (12,250.00)	\$ 302,842.61	\$ 315,092.61
1500 - Administration - Meeting Management	\$ (3,200.00)	\$ -	\$ 3,200.00
1700 - Administration - Organizational Management	\$ (24,899.38)	\$ (2,552.15)	\$ 22,347.23
1900 - Administration - Records Management	\$ (4,000.00)	\$ (172.68)	\$ 3,827.32
<b>2000 - Groundwater Conservation</b>	<b>\$ (14,699.38)</b>	<b>\$ (2,067.74)</b>	<b>\$ 12,631.64</b>
2100 - Program Implementation	\$ (14,699.38)	\$ (2,067.74)	\$ 12,631.64
<b>3000 - Groundwater Management</b>	<b>\$ (56,249.38)</b>	<b>\$ (15,249.14)</b>	<b>\$ 41,000.24</b>
3100 - Program Implementation	\$ (56,249.38)	\$ (15,249.14)	\$ 41,000.24
<b>4000 - Groundwater Monitoring</b>	<b>\$ (113,249.38)</b>	<b>\$ (2,131.70)</b>	<b>\$ 111,117.68</b>
4100 - Program Implementation	\$ (30,249.38)	\$ (2,131.70)	\$ 28,117.68
4200 - Monitoring Network Development	\$ (83,000.00)	\$ -	\$ 83,000.00
<b>5000 - Groundwater Policy</b>	<b>\$ (17,249.38)</b>	<b>\$ (2,067.74)</b>	<b>\$ 15,181.64</b>
5100 - Program Implementation	\$ (17,249.38)	\$ (2,067.74)	\$ 15,181.64
<b>6000 - Groundwater Protection</b>	<b>\$ (20,099.38)</b>	<b>\$ (2,457.74)</b>	<b>\$ 17,641.64</b>
6100 - Program Implementation	\$ (20,099.38)	\$ (2,457.74)	\$ 17,641.64
<b>7000 - Groundwater Research</b>	<b>\$ (11,499.38)</b>	<b>\$ -</b>	<b>\$ 11,499.38</b>
7100 - Program Implementation	\$ (11,499.38)	\$ -	\$ 11,499.38
<b>8000 - Groundwater Resource Planning</b>	<b>\$ (18,699.38)</b>	<b>\$ (2,067.73)</b>	<b>\$ 16,631.65</b>
8100 - Program Implementation	\$ (18,699.38)	\$ (2,067.73)	\$ 16,631.65
<b>Grand Total</b>	<b>\$ 92,567.19</b>	<b>\$ 309,814.22</b>	<b>\$ 217,247.03</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Budget Func. Performance - FY23

**Budget Performance by Category Report as of September 30, 2023**

<b>Row Labels</b>	<b>Sum of Budget</b>	<b>Sum of Actual</b>	<b>Sum of Performance</b>
0120 - Tax Collections	\$ 424,162.23	\$ 27,828.45	\$ (396,333.78)
0130 - Interest Income	\$ 3,000.00	\$ 10,389.64	\$ 7,389.64
0143 - District Fees - Permitting	\$ 1,000.00	\$ -	\$ (1,000.00)
0145 - District Fees - Enforcement	\$ -	\$ -	\$ -
0150 - Grants	\$ -	\$ -	\$ -
0160 - Refunds	\$ -	\$ -	\$ -
210 - Legal Services	\$ (41,250.00)	\$ (837.94)	\$ 40,412.06
215 - Legislative and Administrative Action Representation Services	\$ (6,000.00)	\$ -	\$ 6,000.00
220 - Professional and Technical Services	\$ (16,000.00)	\$ (63.96)	\$ 15,936.04
221 - Professional and Technical Services - Auditor	\$ (12,500.00)	\$ -	\$ 12,500.00
222 - Professional and Technical Services - Tax Assessor	\$ (5,000.00)	\$ -	\$ 5,000.00
223 - Professional and Technical Services - Appraisal District	\$ (8,000.00)	\$ (2,031.92)	\$ 5,968.08
225 - Professional and Technical Services - Hydrogeologist	\$ (53,500.00)	\$ (12,913.00)	\$ 40,587.00
227 - Professional and Technical Services - VCGCD	\$ (88,495.04)	\$ (14,474.17)	\$ 74,020.87
230 - Insurance and Bonds	\$ (1,500.00)	\$ -	\$ 1,500.00
310 - Supplies	\$ (400.00)	\$ (484.41)	\$ (84.41)
315 - Certified Mail and Stamps	\$ (850.00)	\$ -	\$ 850.00
330 - Training and Travel Expenses	\$ (750.00)	\$ -	\$ 750.00
350 - Lease	\$ (9,000.00)	\$ -	\$ 9,000.00
360 - Sponsorships and Cost-Sharing	\$ -	\$ -	\$ -
361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (500.00)	\$ -	\$ 500.00
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (2,500.00)	\$ -	\$ 2,500.00
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$ (3,200.00)	\$ -	\$ 3,200.00
380 - Aquifer Monitoring Network Construction	\$ (50,000.00)	\$ -	\$ 50,000.00
410 - Equipment	\$ (15,000.00)	\$ -	\$ 15,000.00
420 - Technology Services - Office Productivity	\$ (950.00)	\$ -	\$ 950.00
430 - Technology Services - Miscellaneous	\$ (100.00)	\$ -	\$ 100.00
432 - Technology Services - Digital Record and Workflow System	\$ (1,200.00)	\$ 302,863.87	\$ 304,063.87
433 - Technology Services - Record Archival System	\$ (2,000.00)	\$ (172.68)	\$ 1,827.32
434 - Technology Services - Website and Email System	\$ (600.00)	\$ (21.26)	\$ 578.74
435 - Technology Services - Phone System	\$ (6,000.00)	\$ -	\$ 6,000.00
436 - Technology Services - Internet	\$ (2,400.00)	\$ -	\$ 2,400.00
450 - Equipment Maintenance and Repair	\$ (500.00)	\$ -	\$ 500.00
500 - Public Notices and Publications	\$ (5,900.00)	\$ (268.40)	\$ 5,631.60
900 - Miscellaneous	\$ (1,500.00)	\$ -	\$ 1,500.00
<b>Grand Total</b>	<b>\$ 92,567.19</b>	<b>\$ 309,814.22</b>	<b>\$ 217,247.03</b>

Note: cash-basis accounting method used to develop reports.

Tab: Budget Cate. Performance - FY23

**Budget Performance Report as of September 30, 2023**

Program	Function	Category	Original Budget	Proposed Adjustment	Budget	Actual	Performance
1000 - Administration	1001 - Administration - Revenue Administration	0120 - Tax Collections	\$ 424,162.23		\$ 424,162.23	\$ 27,828.45	\$ (396,333.78)
1000 - Administration	1001 - Administration - Revenue Administration	0130 - Interest Income	\$ 3,000.00		\$ 3,000.00	\$ 10,389.64	\$ 7,389.64
1000 - Administration	1001 - Administration - Revenue Administration	0143 - District Fees - Permitting	\$ 1,000.00		\$ 1,000.00	\$ -	\$ (1,000.00)
1000 - Administration	1001 - Administration - Revenue Administration	0145 - District Fees - Enforcement	\$ -		\$ -	\$ -	\$ -
1000 - Administration	1001 - Administration - Revenue Administration	0150 - Grants	\$ -		\$ -	\$ -	\$ -
1000 - Administration	1001 - Administration - Revenue Administration	0160 - Refunds	\$ -		\$ -	\$ -	\$ -
1000 - Administration	1200 - Administration - Election Management	210 - Legal Services	\$ (1,000.00)		\$ (1,000.00)	\$ -	\$ 1,000.00
1000 - Administration	1200 - Administration - Election Management	220 - Professional and Technical Services	\$ (10,000.00)		\$ (10,000.00)	\$ -	\$ 10,000.00
1000 - Administration	1200 - Administration - Election Management	500 - Public Notices and Publications	\$ (500.00)		\$ (500.00)	\$ -	\$ 500.00
1000 - Administration	1300 - Administration - Financial Management	210 - Legal Services	\$ (500.00)		\$ (500.00)	\$ (447.94)	\$ 52.06
1000 - Administration	1300 - Administration - Financial Management	221 - Professional and Technical Services - Auditor	\$ (12,500.00)		\$ (12,500.00)	\$ -	\$ 12,500.00
1000 - Administration	1300 - Administration - Financial Management	222 - Professional and Technical Services - Tax	\$ (5,000.00)		\$ (5,000.00)	\$ -	\$ 5,000.00
1000 - Administration	1300 - Administration - Financial Management	223 - Professional and Technical Services -	\$ (8,000.00)		\$ (8,000.00)	\$ (2,031.92)	\$ 5,968.08
1000 - Administration	1300 - Administration - Financial Management	500 - Public Notices and Publications	\$ (2,000.00)		\$ (2,000.00)	\$ -	\$ 2,000.00
1000 - Administration	1400 - Administration - Information Management	210 - Legal Services	\$ (500.00)		\$ (500.00)	\$ -	\$ 500.00
1000 - Administration	1400 - Administration - Information Management	410 - Equipment	\$ -		\$ -	\$ -	\$ -
1000 - Administration	1400 - Administration - Information Management	420 - Technology Services - Office Productivity	\$ (950.00)		\$ (950.00)	\$ -	\$ 950.00
1000 - Administration	1400 - Administration - Information Management	430 - Technology Services - Miscellaneous	\$ (100.00)		\$ (100.00)	\$ -	\$ 100.00
1000 - Administration	1400 - Administration - Information Management	432 - Technology Services - Digital Record and Workflow	\$ (1,200.00)		\$ (1,200.00)	\$ 302,863.87	\$ 304,063.87
1000 - Administration	1400 - Administration - Information Management	434 - Technology Services - Website and Email System	\$ (600.00)		\$ (600.00)	\$ (21.26)	\$ 578.74
1000 - Administration	1400 - Administration - Information Management	435 - Technology Services - Phone System	\$ (6,000.00)		\$ (6,000.00)	\$ -	\$ 6,000.00
1000 - Administration	1400 - Administration - Information Management	436 - Technology Services - Internet	\$ (2,400.00)		\$ (2,400.00)	\$ -	\$ 2,400.00
1000 - Administration	1400 - Administration - Information Management	450 - Equipment Maintenance and Repair	\$ (500.00)		\$ (500.00)	\$ -	\$ 500.00
1000 - Administration	1500 - Administration - Meeting Management	210 - Legal Services	\$ (3,000.00)		\$ (3,000.00)	\$ -	\$ 3,000.00
1000 - Administration	1500 - Administration - Meeting Management	500 - Public Notices and Publications	\$ (200.00)		\$ (200.00)	\$ -	\$ 200.00
1000 - Administration	1700 - Administration - Organizational Management	210 - Legal Services	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
1000 - Administration	1700 - Administration - Organizational Management	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00

Note: cash-basis accounting method used to develop reports.

Tab: Budget Performance - FY23

**Budget Performance Report as of September 30, 2023**

Program	Function	Category	Original Budget	Proposed Adjustment	Budget	Actual	Performance
1000 - Administration	1700 - Administration - Organizational Management	227 - Professional and Technical Services - VCGCD	\$ (11,749.38)		\$ (11,749.38)	\$ (2,067.74)	\$ 9,681.64
1000 - Administration	1700 - Administration - Organizational Management	230 - Insurance and Bonds	\$ (1,500.00)		\$ (1,500.00)	\$ -	\$ 1,500.00
1000 - Administration	1700 - Administration - Organizational Management	310 - Supplies	\$ (400.00)		\$ (400.00)	\$ (484.41)	\$ (84.41)
1000 - Administration	1700 - Administration - Organizational Management	315 - Certified Mail and Stamps	\$ (250.00)		\$ (250.00)	\$ -	\$ 250.00
1000 - Administration	1700 - Administration - Organizational Management	350 - Lease	\$ (9,000.00)		\$ (9,000.00)	\$ -	\$ 9,000.00
1000 - Administration	1700 - Administration - Organizational Management	900 - Miscellaneous	\$ (500.00)		\$ (500.00)	\$ -	\$ 500.00
1000 - Administration	1900 - Administration - Records Management	210 - Legal Services	\$ (2,000.00)		\$ (2,000.00)	\$ -	\$ 2,000.00
1000 - Administration	1900 - Administration - Records Management	433 - Technology Services - Record Archival System	\$ (2,000.00)		\$ (2,000.00)	\$ (172.68)	\$ 1,827.32
2000 - Groundwater Conservation	2100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
2000 - Groundwater Conservation	2100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (10,749.38)		\$ (10,749.38)	\$ (2,067.74)	\$ 8,681.64
2000 - Groundwater Conservation	2100 - Program Implementation	363 - Sponsorships and Cost-Sharing - Conservation	\$ (3,200.00)		\$ (3,200.00)	\$ -	\$ 3,200.00
3000 - Groundwater Management	3100 - Program Implementation	210 - Legal Services	\$ (15,000.00)		\$ (15,000.00)	\$ -	\$ 15,000.00
3000 - Groundwater Management	3100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
3000 - Groundwater Management	3100 - Program Implementation	225 - Professional and Technical Services -	\$ (10,000.00)	\$ (17,000.00)	\$ (27,000.00)	\$ (12,913.00)	\$ 14,087.00
3000 - Groundwater Management	3100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (11,249.38)		\$ (11,249.38)	\$ (2,067.74)	\$ 9,181.64
3000 - Groundwater Management	3100 - Program Implementation	310 - Supplies	\$ -		\$ -	\$ -	\$ -
3000 - Groundwater Management	3100 - Program Implementation	315 - Certified Mail and Stamps	\$ (250.00)		\$ (250.00)	\$ -	\$ 250.00
3000 - Groundwater Management	3100 - Program Implementation	500 - Public Notices and Publications	\$ (2,000.00)		\$ (2,000.00)	\$ (268.40)	\$ 1,731.60
4000 - Groundwater Monitoring	4100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
4000 - Groundwater Monitoring	4100 - Program Implementation	220 - Professional and Technical Services	\$ (6,000.00)		\$ (6,000.00)	\$ (63.96)	\$ 5,936.04
4000 - Groundwater Monitoring	4100 - Program Implementation	225 - Professional and Technical Services -	\$ (11,000.00)		\$ (11,000.00)	\$ -	\$ 11,000.00
4000 - Groundwater Monitoring	4100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (11,249.38)		\$ (11,249.38)	\$ (2,067.74)	\$ 9,181.64
4000 - Groundwater Monitoring	4100 - Program Implementation	310 - Supplies	\$ -		\$ -	\$ -	\$ -
4000 - Groundwater Monitoring	4100 - Program Implementation	315 - Certified Mail and Stamps	\$ (250.00)		\$ (250.00)	\$ -	\$ 250.00
4000 - Groundwater Monitoring	4100 - Program Implementation	360 - Sponsorships and Cost-Sharing	\$ -		\$ -	\$ -	\$ -
4000 - Groundwater Monitoring	4100 - Program Implementation	410 - Equipment	\$ -		\$ -	\$ -	\$ -
4000 - Groundwater Monitoring	4100 - Program Implementation	450 - Equipment Maintenance and Repair	\$ -		\$ -	\$ -	\$ -

Note: cash-basis accounting method used to develop reports.

Tab: Budget Performance - FY23

**Budget Performance Report as of September 30, 2023**

Program	Function	Category	Original Budget	Proposed Adjustment	Budget	Actual	Performance
4000 - Groundwater Monitoring	4100 - Program Implementation	900 - Miscellaneous	\$ (1,000.00)		\$ (1,000.00)	\$ -	\$ 1,000.00
4000 - Groundwater Monitoring	4200 - Monitoring Network Development	210 - Legal Services	\$ (10,000.00)		\$ (10,000.00)	\$ -	\$ 10,000.00
4000 - Groundwater Monitoring	4200 - Monitoring Network Development	225 - Professional and Technical Services -	\$ (25,000.00)	\$ 17,000.00	\$ (8,000.00)	\$ -	\$ 8,000.00
4000 - Groundwater Monitoring	4200 - Monitoring Network Development	380 - Aquifer Monitoring Network Construction	\$ (50,000.00)		\$ (50,000.00)	\$ -	\$ 50,000.00
4000 - Groundwater Monitoring	4200 - Monitoring Network Development	410 - Equipment	\$ (15,000.00)		\$ (15,000.00)	\$ -	\$ 15,000.00
5000 - Groundwater Policy	5100 - Program Implementation	210 - Legal Services	\$ (5,000.00)		\$ (5,000.00)	\$ -	\$ 5,000.00
5000 - Groundwater Policy	5100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
5000 - Groundwater Policy	5100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (10,749.38)		\$ (10,749.38)	\$ (2,067.74)	\$ 8,681.64
5000 - Groundwater Policy	5100 - Program Implementation	330 - Training and Travel Expenses	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
6000 - Groundwater Protection	6100 - Program Implementation	210 - Legal Services	\$ (2,500.00)		\$ (2,500.00)	\$ (390.00)	\$ 2,110.00
6000 - Groundwater Protection	6100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
6000 - Groundwater Protection	6100 - Program Implementation	225 - Professional and Technical Services -	\$ (2,500.00)		\$ (2,500.00)	\$ -	\$ 2,500.00
6000 - Groundwater Protection	6100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (11,249.38)		\$ (11,249.38)	\$ (2,067.74)	\$ 9,181.64
6000 - Groundwater Protection	6100 - Program Implementation	310 - Supplies	\$ -		\$ -	\$ -	\$ -
6000 - Groundwater Protection	6100 - Program Implementation	315 - Certified Mail and Stamps	\$ (100.00)		\$ (100.00)	\$ -	\$ 100.00
6000 - Groundwater Protection	6100 - Program Implementation	361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (500.00)		\$ (500.00)	\$ -	\$ 500.00
6000 - Groundwater Protection	6100 - Program Implementation	362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (2,500.00)		\$ (2,500.00)	\$ -	\$ 2,500.00
7000 - Groundwater Research	7100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
7000 - Groundwater Research	7100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (10,749.38)		\$ (10,749.38)	\$ -	\$ 10,749.38
8000 - Groundwater Resource Planning	8100 - Program Implementation	210 - Legal Services	\$ (1,000.00)		\$ (1,000.00)	\$ -	\$ 1,000.00
8000 - Groundwater Resource Planning	8100 - Program Implementation	215 - Legislative and Administrative Action	\$ (750.00)		\$ (750.00)	\$ -	\$ 750.00
8000 - Groundwater Resource Planning	8100 - Program Implementation	225 - Professional and Technical Services -	\$ (5,000.00)		\$ (5,000.00)	\$ -	\$ 5,000.00
8000 - Groundwater Resource Planning	8100 - Program Implementation	227 - Professional and Technical Services - VCGCD	\$ (10,749.38)		\$ (10,749.38)	\$ (2,067.73)	\$ 8,681.65
8000 - Groundwater Resource Planning	8100 - Program Implementation	360 - Sponsorships and Cost-Sharing	\$ -		\$ -	\$ -	\$ -
8000 - Groundwater Resource Planning	8100 - Program Implementation	500 - Public Notices and Publications	\$ (1,200.00)		\$ (1,200.00)	\$ -	\$ 1,200.00
						<b>\$ 309,814.22</b>	

Note: cash-basis accounting method used to develop reports.

**Transaction Summary Report by Bank Account, Transaction Type**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022			2023				
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

Row Labels	Sum of Split Amount
<b>Prosperity 4152</b>	<b>\$ 182,984.16</b>
Credit	\$ 349,697.17
Debit	\$ (166,713.01)
<b>Prosperity 3520</b>	<b>\$ (381,522.35)</b>
Credit	\$ 118,477.65
Debit	\$ (500,000.00)
<b>Prosperity CD 0514</b>	<b>\$ 254,239.74</b>
Credit	\$ 254,239.74
<b>Prosperity CD 0516</b>	<b>\$ 254,112.67</b>
Credit	\$ 254,112.67
<b>Grand Total</b>	<b>\$ 309,814.22</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary by Account







**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

◀

▶

Row Labels	Sum of Split Amount
<b>TR-20221011-01-C</b>	<b>\$315.89</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$315.89
<b>TR-20221011-02-C</b>	<b>\$454.23</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$454.23
<b>TR-20221011-03-C</b>	<b>\$691.86</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$691.86
<b>TR-20221024-01-D</b>	<b>(\$63.96)</b>
<b>Pace Analytical</b>	
Prosperity 4152	
<b>Operating</b>	
4000 - Groundwater Monitoring	
<b>4100 - Program Implementation</b>	
220 - Professional and Technical Services	(\$63.96)
<b>TR-20221024-02-D</b>	<b>(\$426.41)</b>
<b>Office Systems</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

◀

▶

Row Labels	Sum of Split Amount
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1700 - Administration - Organizational Management</b>	
310 - Supplies	(\$426.41)
<b>TR-20221024-03-D</b>	<b>(\$170.53)</b>
Prosperity Bank - Visa	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$102.34)
434 - Technology Services - Website and Email System	(\$10.63)
<b>1900 - Administration - Records Management</b>	
433 - Technology Services - Record Archival System	(\$57.56)
<b>TR-20221024-04-D</b>	<b>(\$123.42)</b>
McCreary, Veselka, Bragg and Allen	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1300 - Administration - Financial Management</b>	
210 - Legal Services	(\$123.42)
<b>TR-20221024-05-D</b>	<b>(\$213.30)</b>
McCreary, Veselka, Bragg and Allen	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1300 - Administration - Financial Management</b>	
210 - Legal Services	(\$213.30)
<b>TR-20221024-06-D</b>	<b>(\$111.22)</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1300 - Administration - Financial Management</b>	
210 - Legal Services	(\$111.22)
<b>TR-20221024-07-D</b>	<b>(\$7,147.92)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1700 - Administration - Organizational Management</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.13)
2000 - Groundwater Conservation	
<b>2100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.13)
3000 - Groundwater Management	
<b>3100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.13)
4000 - Groundwater Monitoring	
<b>4100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.13)
5000 - Groundwater Policy	
<b>5100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.13)
6000 - Groundwater Protection	
<b>6100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.13)
8000 - Groundwater Resource Planning	
<b>8100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,021.14)
<b>TR-20221024-08-D</b>	<b>(\$7,326.25)</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1700 - Administration - Organizational Management</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.61)
2000 - Groundwater Conservation	
<b>2100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.61)
3000 - Groundwater Management	
<b>3100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.61)
4000 - Groundwater Monitoring	
<b>4100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.61)
5000 - Groundwater Policy	
<b>5100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.61)
6000 - Groundwater Protection	
<b>6100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.61)
8000 - Groundwater Resource Planning	
<b>8100 - Program Implementation</b>	
227 - Professional and Technical Services - VCGCD	(\$1,046.59)
<b>TR-20221024-09-D</b>	
<b>(\$390.00)</b>	
<b>Allison, Bass and Magee, LLP</b>	
Prosperity 4152	
<b>Operating</b>	
6000 - Groundwater Protection	
<b>6100 - Program Implementation</b>	
210 - Legal Services	(\$390.00)
<b>TR-20221024-10-D</b>	
<b>(\$4,239.00)</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>Golder Associates</b>	
Prosperity 4152	
<b>Operating</b>	
3000 - Groundwater Management	
<b>3100 - Program Implementation</b>	
225 - Professional and Technical Services - Hydrogeologist	(\$4,239.00)
<b>TR-20221025-01-D</b>	<b>(\$8,674.00)</b>
<b>Golder Associates</b>	
Prosperity 4152	
<b>Operating</b>	
3000 - Groundwater Management	
<b>3100 - Program Implementation</b>	
225 - Professional and Technical Services - Hydrogeologist	(\$8,674.00)
<b>TR-20221031-01-C</b>	<b>\$1,970.69</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$1,970.69
<b>TR-20221031-02-C</b>	<b>\$64.03</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$64.03
<b>TR-20221102-01-C</b>	<b>\$7,730.78</b>
<b>CCGCD</b>	
Prosperity 3520	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$7,730.78
<b>TR-20221102-02-C</b>	<b>\$17,963.88</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$17,963.88
<b>TR-20221114-01-D</b>	<b>(\$58.00)</b>
<b>USPS</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1700 - Administration - Organizational Management</b>	
310 - Supplies	(\$58.00)
<b>TR-20221114-02-D</b>	<b>(\$268.40)</b>
<b>Victoria Advocate</b>	
Prosperity 4152	
<b>Operating</b>	
3000 - Groundwater Management	
<b>3100 - Program Implementation</b>	
500 - Public Notices and Publications	(\$268.40)
<b>TR-20221114-03-D</b>	<b>(\$170.53)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List



**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$102.34)
434 - Technology Services - Website and Email System	(\$10.63)
<b>1900 - Administration - Records Management</b>	
433 - Technology Services - Record Archival System	(\$57.56)
<b>TR-20221114-04-D</b>	<b>(\$708.90)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$708.90)
<b>TR-20221114-05-D</b>	<b>(\$2,031.92)</b>
<b>CCAD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1300 - Administration - Financial Management</b>	
223 - Professional and Technical Services - Appraisal District	(\$2,031.92)
<b>TR-20221115-01-C</b>	<b>\$17,136.28</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$17,136.28
<b>TR-20221115-02-C</b>	<b>\$23,206.64</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$23,206.64
<b>TR-20221116-01-C</b>	<b>\$4,008.99</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$4,008.99
<b>TR-20221130-01-C</b>	<b>\$2,767.50</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,767.50
<b>TR-20221130-02-C</b>	<b>\$58.80</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$58.80
<b>TR-20221202-01-C</b>	<b>\$3,430.35</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	\$3,430.35
<b>TR-20221212-01-D</b>	<b>(\$13,757.69)</b>
<b>Golder Associates</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$13,757.69)
<b>TR-20221212-02-D</b>	<b>(\$312.05)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20221212-03-D</b>	<b>(\$595.05)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$595.05)
<b>TR-20221222-01-C</b>	<b>\$1,608.73</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$1,608.73

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20221222-01-D</b>	<b>(\$448.40)</b>
Victoria Advocate	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$448.40)
<b>TR-20221222-02-C</b>	<b>\$3,306.93</b>
CCGCD	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,306.93
<b>TR-20221222-02-D</b>	<b>(\$323.75)</b>
Golder Associates	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$323.75)
<b>TR-20221222-03-C</b>	<b>\$3,453.59</b>
CCGCD	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,453.59
<b>TR-20221231-01-C</b>	<b>\$2,951.88</b>
CCGCD	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,951.88
<b>TR-20221231-02-C</b>	<b>\$59.05</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$59.05
<b>TR-20230111-01-C</b>	<b>\$3,132.72</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,132.72
<b>TR-20230111-02-C</b>	<b>\$8,038.90</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$8,038.90
<b>TR-20230111-03-C</b>	<b>\$3,207.48</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Reserve</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,207.48
<b>TR-202301116-02-D</b>	<b>(\$61.27)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$61.27)
<b>TR-20230116-01-D</b>	<b>(\$68.55)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$68.55)
<b>TR-20230123-01-D</b>	<b>(\$926.10)</b>
<b>TML - Risk Pool</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$926.10)
<b>TR-20230123-02-D</b>	<b>(\$342.39)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	(\$342.39)
<b>TR-20230123-03-D</b>	<b>(\$312.05)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20230123-04-D</b>	<b>(\$184.18)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$184.18)
<b>TR-20230123-05-D</b>	<b>(\$7,519.34)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,519.34)
<b>TR-20230123-06-D</b>	<b>(\$7,614.85)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,614.85)

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List



**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20230123-07-D</b>	<b>(\$8,764.73)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$8,764.73)
<b>TR-20230123-10-D</b>	<b>(\$919.34)</b>
<b>Allison, Bass and Magee, LLP</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$919.34)
<b>TR-20230126-01-C</b>	<b>\$4,422.26</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$4,422.26
<b>TR-20230126-02-C</b>	<b>\$1,883.19</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$1,883.19
<b>TR-20230126-03-C</b>	<b>\$4,255.38</b>
<b>CCGCD</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$4,255.38
<b>TR-20230131-01-C</b>	<b>\$3,293.02</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,293.02
<b>TR-20230131-02-C</b>	<b>\$54.71</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$54.71
<b>TR-20230202-01-C</b>	<b>\$6,813.50</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$6,813.50
<b>TR-20230215-01-C</b>	<b>\$26,449.57</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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▶

Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$26,449.57
<b>TR-20230215-02-C</b>	<b>\$263,898.43</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$263,898.43
<b>TR-20230215-03-C</b>	<b>\$8,674.00</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$8,674.00
<b>TR-20230217-01-D</b>	<b>(\$312.05)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20230217-02-D</b>	<b>(\$294.21)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	(\$294.21)
<b>TR-20230217-03-D</b>	<b>(\$44.95)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$44.95)
<b>TR-20230227-01-C</b>	<b>\$2,628.76</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,628.76
<b>TR-20230227-02-C</b>	<b>\$880.53</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$880.53
<b>TR-20230228-01-C</b>	<b>\$2,980.40</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,980.40

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20230228-02-C</b>	<b>\$76.37</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$76.37
<b>TR-20230320-01-C</b>	<b>\$1,773.73</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$1,773.73
<b>TR-20230321-01-C</b>	<b>\$1,061.40</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$1,061.40
<b>TR-20230321-01-D</b>	<b>(\$2,031.92)</b>
<b>CCAD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$2,031.92)
<b>TR-20230321-02-D</b>	<b>(\$4,500.00)</b>
<b>301 South LLC</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 4152 <b>Operating</b> 1000 - Administration <b>1400 - Administration - Information Management</b> 432 - Technology Services - Digital Record and Workflow System	(\$4,500.00)
<b>TR-20230321-03-D</b>	<b>(\$23.58)</b>
<b>McCreary, Veselka, Bragg and Allen</b> Prosperity 4152 <b>Operating</b> 1000 - Administration <b>1400 - Administration - Information Management</b> 432 - Technology Services - Digital Record and Workflow System	(\$23.58)
<b>TR-20230321-04-D</b>	<b>(\$316.36)</b>
<b>Prosperity Bank</b> Prosperity 4152 <b>Operating</b> 1000 - Administration <b>1400 - Administration - Information Management</b> 432 - Technology Services - Digital Record and Workflow System	(\$316.36)
<b>TR-20230321-05-D</b>	<b>(\$247.36)</b>
<b>Prosperity Bank</b> Prosperity 4152 <b>Operating</b> 1000 - Administration <b>1400 - Administration - Information Management</b> 432 - Technology Services - Digital Record and Workflow System	(\$247.36)
<b>TR-20230329-01-C</b>	<b>\$323.75</b>
<b>CCGCD</b> Prosperity 4152 <b>Operating</b>	

Note: cash-basis accounting method used to develop reports.  
Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$323.75
<b>TR-20230329-02-C</b>	<b>\$830.76</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$830.76
<b>TR-20230330-01-C</b>	<b>\$250,000.00</b>
<b>CCGCD</b>	
Prosperity CD 0514	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$250,000.00
<b>TR-20230330-01-D</b>	<b>(\$500,000.00)</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$500,000.00)
<b>TR-20230330-02-C</b>	<b>\$250,000.00</b>
<b>CCGCD</b>	
Prosperity CD 0516	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List



**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	\$250,000.00
<b>TR-20230331-01-C</b>	<b>\$3,319.48</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,319.48
<b>TR-20230331-02-C</b>	<b>\$118.94</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$118.94
<b>TR-20230403-01-C</b>	<b>\$401.71</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$401.71
<b>TR-20230410-01-C</b>	<b>\$783.32</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$783.32

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20230421-01-C</b>	<b>\$688.15</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$688.15
<b>TR-20230421-01-D</b>	<b>(\$254.70)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$254.70)
<b>TR-20230421-02-D</b>	<b>(\$312.05)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20230424-01-D</b>	<b>(\$930.00)</b>
<b>Allison, Bass and Magee, LLP</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$930.00)
<b>TR-20230424-02-D</b>	<b>(\$100.00)</b>
<b>Calhoun County Clerk</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$100.00)
<b>TR-20230424-04-D</b>	<b>(\$7,310.80)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,310.80)
<b>TR-20230424-05-D</b>	<b>(\$7,166.25)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,166.25)
<b>TR-20230424-06-D</b>	<b>(\$7,372.38)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,372.38)
<b>TR-20230424-07-D</b>	<b>(\$13,750.00)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$13,750.00)
<b>TR-20230424-08-D</b>	<b>(\$208.60)</b>
Victoria Advocate	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$208.60)
<b>TR-20230430-01-C</b>	<b>\$2,912.98</b>
CCGCD	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,912.98
<b>TR-20230430-02-C</b>	<b>\$113.90</b>
CCGCD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$113.90
<b>TR-20230508-01-C</b>	<b>\$975.01</b>
CCGCD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	\$975.01
<b>TR-20230509-01-C</b>	<b>\$464.88</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$464.88
<b>TR-20230517-01-D</b>	<b>(\$250.00)</b>
<b>Streamline</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$250.00)
<b>TR-20230517-02-D</b>	<b>(\$974.00)</b>
<b>Victoria Advocate</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$974.00)
<b>TR-20230517-03-D</b>	<b>(\$183.32)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$183.32)

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20230517-04-D</b>	<b>(\$312.05)</b>
Prosperity Bank - Visa	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20230517-05-D</b>	<b>(\$2,031.91)</b>
CCAD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$2,031.91)
<b>TR-20230524-01-C</b>	<b>\$123.76</b>
CCGCD	
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$123.76
<b>TR-20230524-02-C</b>	<b>\$218.38</b>
CCGCD	
Prosperity 4152	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$218.38
<b>TR-20230531-01-C</b>	<b>\$3,017.88</b>
CCGCD	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,017.88
<b>TR-20230531-02-C</b>	<b>\$111.01</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$111.01
<b>TR-20230601-01-D</b>	<b>(\$1,440.00)</b>
<b>Streamline</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$1,440.00)
<b>TR-20230607-02-D</b>	<b>(\$130.87)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$130.87)
<b>TR-20230613-01-D</b>	<b>(\$312.05)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List



**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20230613-04-D</b>	<b>(\$9,100.00)</b>
<b>Goldman Hunt and Notz</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$9,100.00)
<b>TR-20230613-05-D</b>	<b>(\$442.20)</b>
<b>Victoria Advocate</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$442.20)
<b>TR-20230613-06-D</b>	<b>(\$108.60)</b>
<b>Pace Analytical</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$108.60)
<b>TR-20230613-07-D</b>	<b>(\$67.74)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	(\$67.74)
<b>TR-20230614-01-C</b>	<b>\$883.37</b>
CCGCD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$883.37
<b>TR-20230614-02-C</b>	<b>\$340.07</b>
CCGCD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$340.07
<b>TR-20230614-03-C</b>	<b>\$379.51</b>
CCGCD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$379.51
<b>TR-20230620-01-C</b>	<b>\$325.50</b>
CCGCD	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$325.50

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20230629-01-C</b>	<b>\$284.52</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$284.52
<b>TR-20230630-01-C</b>	<b>\$2,928.34</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,928.34
<b>TR-20230630-02-C</b>	<b>\$106.42</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$106.42
<b>TR-20230630-03-C</b>	<b>\$2,110.96</b>
<b>CCGCD</b>	
Prosperity CD 0514	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,110.96
<b>TR-20230630-04-C</b>	<b>\$2,047.95</b>
<b>CCGCD</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity CD 0516	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$2,047.95
<b>TR-20230707-01-C</b>	<b>\$143.73</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$143.73
<b>TR-20230711-01-C</b>	<b>\$648.31</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$648.31
<b>TR-20230724-01-D</b>	<b>(\$4,500.00)</b>
<b>301 South LLC</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$4,500.00)
<b>TR-20230724-02-D</b>	<b>(\$818.75)</b>
<b>Allison, Bass and Magee, LLP</b>	
Prosperity 4152	
<b>Operating</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$818.75)
<b>TR-20230724-03-D</b>	<b>(\$7,267.49)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,267.49)
<b>TR-20230724-04-D</b>	<b>(\$7,423.29)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,423.29)
<b>TR-20230724-05-D</b>	<b>(\$7,344.69)</b>
<b>VCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$7,344.69)
<b>TR-20230724-06-D</b>	<b>(\$604.45)</b>
<b>Victoria Advocate</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
432 - Technology Services - Digital Record and Workflow System	(\$604.45)
<b>TR-20230724-07-D</b>	<b>(\$144.94)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$144.94)
<b>TR-20230724-08-D</b>	<b>(\$474.41)</b>
<b>Prosperity Bank</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$474.41)
<b>TR-20230724-09-D</b>	<b>(\$35.62)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$35.62)
<b>TR-20230726-01-C</b>	<b>\$394.93</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$394.93

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-20230726-02-C</b>	<b>\$816.61</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$816.61
<b>TR-20230731-01-C</b>	<b>\$3,033.78</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$3,033.78
<b>TR-20230731-02-C</b>	<b>\$107.90</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$107.90
<b>TR-20230810-01-C</b>	<b>\$93.27</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$93.27
<b>TR-20230810-02-C</b>	<b>\$333.03</b>
<b>CCGCD</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List



**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$333.03
<b>TR-20230817-01-C</b>	<b>\$250.81</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$250.81
<b>TR-20230823-01-D</b>	<b>(\$170.52)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$112.96)
<b>1900 - Administration - Records Management</b>	
433 - Technology Services - Record Archival System	(\$57.56)
<b>TR-20230823-02-D</b>	<b>(\$312.05)</b>
<b>Prosperity Bank - Visa</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$312.05)
<b>TR-20230823-03-D</b>	<b>(\$533.15)</b>
<b>Victoria Advocate</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$533.15)
<b>TR-20230823-04-D</b>	<b>(\$2,031.90)</b>
<b>CCAD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$2,031.90)
<b>TR-20230823-05-D</b>	<b>(\$228.62)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$228.62)
<b>TR-20230824-01-C</b>	<b>\$1,128.41</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	\$1,128.41
<b>TR-20230831-01-C</b>	<b>\$3,041.90</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0130 - Interest Income	\$3,041.90
<b>TR-20230831-02-C</b>	<b>\$103.14</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0130 - Interest Income	\$103.14
<b>TR-20230921-01</b>	<b>\$213.77</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$213.77
<b>TR-20230921-02</b>	<b>\$356.70</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0120 - Tax Collections	\$356.70
<b>TR-20230926-01</b>	<b>\$101.34</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
0120 - Tax Collections	\$101.34
<b>TR-20230930-01-C</b>	<b>\$2,128.78</b>
<b>CCGCD</b>	
Prosperity CD 0514	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0130 - Interest Income	\$2,128.78
<b>TR-20230930-02-C</b>	<b>\$2,064.72</b>
<b>CCGCD</b>	
Prosperity CD 0516	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0130 - Interest Income	\$2,064.72
<b>TR-20230930-03-C</b>	<b>\$2,951.65</b>
<b>CCGCD</b>	
Prosperity 3520	
<b>Reserve</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0130 - Interest Income	\$2,951.65
<b>TR-20230930-04-C</b>	<b>\$99.45</b>
<b>CCGCD</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1001 - Administration - Revenue Administration</b>	
0130 - Interest Income	\$99.45

Note: cash-basis accounting method used to develop reports.  
 Tab: Transactions Summary - List

**Transaction Summary Report by Program, Function, Category**

**Statement Reconciliation Date**

Q4 2022 - Q3 2023 QUARTERS ▾

2021		2022				2023			
Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4

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Row Labels	Sum of Split Amount
<b>TR-2030424-03-D</b>	<b>(\$21.68)</b>
<b>McCreary, Veselka, Bragg and Allen</b>	
Prosperity 4152	
<b>Operating</b>	
1000 - Administration	
<b>1400 - Administration - Information Management</b>	
432 - Technology Services - Digital Record and Workflow System	(\$21.68)
<b>Grand Total</b>	<b>\$309,814.22</b>

Bank Account	Account Statement	Reconciled Bank Statement	Fund	Reported Balance as of the Start of the Fiscal Year	Total of Recorded Credit Transactions for Fiscal Year	Total of Recorded Debit Transactions for Fiscal Year	Calculated Balance	Current Reported Balance	Unreconciled Amount
Prosperity 3520	Prosperity 3520 : BS-20231031-01: DATE: 10/31/2023	BS-20231031-01		\$ 1,143,006.97	\$ 3,057.94	\$ -	\$ 1,146,064.91	\$ 1,146,064.91	\$ -
Prosperity 4152	Prosperity 4152 : BS-20231031-02: DATE: 10/31/2023	BS-20231031-02		\$ 484,562.98	\$ 3,184.35	\$ (4,508.44)	\$ 483,238.89	\$ 483,238.89	\$ -
CD# 0514	CD# 0514 : BS-20230929-01: DATE: 09/30/2023	BS-20230929-01		\$ 254,239.74	\$ -	\$ -	\$ 254,239.74	\$ 254,239.74	\$ -
CD# 0516	CD# 0516 : BS-20230929-02: DATE: 09/30/2023	BS-20230929-02		\$ 254,112.67	\$ -	\$ -	\$ 254,112.67	\$ 254,112.67	\$ -
<b>Total</b>				<b>\$ 2,135,922.36</b>	<b>\$ 6,242.29</b>	<b>\$ (4,508.44)</b>	<b>\$ 2,137,656.21</b>	<b>\$ 2,137,656.21</b>	<b>\$ -</b>

Institution	Type	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Credit Rating	Market Value
Prosperity Bank	FDIC Insurance	N/A	N/A	N/A		N/A	\$ 250,000.00
Prosperity Bank	Pledged Collateral	3138WB6T7	FNMA #AS2681	FHLB		AA+	\$ 315,701.35
Prosperity Bank	Pledged Collateral	3138WBBZ7	FNMA #AS1855	FHLB		AA+	\$ 96,828.42
Prosperity Bank	Pledged Collateral	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 256,645.31
Prosperity Bank	Pledged Collateral	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 12.44
Prosperity Bank	Pledged Collateral	3138WJAC2	FNMA #AS8102	FHLB		AA+	\$ 236,593.07
Prosperity Bank	Pledged Collateral	3133KYUN7	FR #RB5089	FHLB		AA+	\$ 277,892.52
Prosperity Bank	Pledged Collateral	31418DV25	FNMA #MA4232	FHLB		AA+	\$ 564,008.86
Prosperity Bank	Pledged Collateral	31418DY71	FNMA #MA4333	FHLB		AA+	\$ 376,208.66
<b>Total</b>							<b>\$ 2,373,890.63</b>

The funds of the District are adequately protected by FDIC Insurance and pledged collateral.



<b>Budget Program</b>	<b>Budget Amount</b>	<b>Transaction Total</b>	<b>Budget Balance</b>
1001 - Administration - Revenue	\$ 452,000.00	\$ 6,242.29	\$ (445,757.71)
1003 - Administration - Technology	\$ (23,900.00)	\$ (157.73)	\$ 23,742.27
1004 - Administration - General	\$ (180,600.00)	\$ (2,130.71)	\$ 178,469.29
2000 - Groundwater Conservation	\$ (14,500.00)	\$ (2,220.00)	\$ 12,280.00
3000 - Groundwater Management	\$ (5,000.00)	\$ -	\$ 5,000.00
4000 - Groundwater Monitoring	\$ (115,100.00)	\$ -	\$ 115,100.00
5000 - Groundwater Policy	\$ -	\$ -	\$ -
6000 - Groundwater Protection	\$ (12,500.00)	\$ -	\$ 12,500.00
8000 - Groundwater Resource Planning	\$ (7,500.00)	\$ -	\$ 7,500.00
<b>Total</b>	<b>\$ 92,900.00</b>		<b>\$ (91,166.15)</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Budget by Program

<b>Budget Category</b>	<b>Budget Amount</b>	<b>Transaction Total</b>	<b>Budget Balance</b>
0120 - Tax Collections	\$ 428,200.00	\$ 3,081.46	\$ (425,118.54)
0130 - Interest Income	\$ 23,800.00	\$ 3,160.83	\$ (20,639.17)
0140 - District Fees - GCD Management and Operations Cost-Sharing Fees	\$ -	\$ -	\$ -
0143 - District Fees - Permitting	\$ -	\$ -	\$ -
0145 - District Fees - Enforcement	\$ -	\$ -	\$ -
0150 - Grants	\$ -	\$ -	\$ -
0160 - Refunds	\$ -	\$ -	\$ -
0215 - District Fees - Legislative Services Cost-Sharing Fees	\$ -	\$ -	\$ -
0300 - Reserve Funds	\$ -	\$ -	\$ -
210 - Legal Services	\$ (25,000.00)	\$ (3,909.11)	\$ 21,090.89
215 - Legislative and Administrative Action Representation Services	\$ (5,000.00)	\$ -	\$ 5,000.00
220 - Professional and Technical Services	\$ (10,000.00)	\$ -	\$ 10,000.00
221 - Professional and Technical Services - Auditor	\$ (10,000.00)	\$ -	\$ 10,000.00
222 - Professional and Technical Services - Tax Assessor	\$ (7,500.00)	\$ -	\$ 7,500.00
223 - Professional and Technical Services - Appraisal District	\$ (7,500.00)	\$ -	\$ 7,500.00
224 - Professional and Technical Services - Accountant	\$ -	\$ -	\$ -
225 - Professional and Technical Services - Hydrogeologist	\$ (37,500.00)	\$ -	\$ 37,500.00
226 - Professional and Technical Services - Laboratory	\$ (10,000.00)	\$ -	\$ 10,000.00
227 - Professional and Technical Services - VCGCD	\$ (92,800.00)	\$ -	\$ 92,800.00
230 - Insurance and Bonds	\$ (2,300.00)	\$ -	\$ 2,300.00
310 - Supplies - Office	\$ (4,000.00)	\$ -	\$ 4,000.00
311 - Supplies - Field	\$ -	\$ -	\$ -
315 - Certified Mail and Stamps	\$ (2,500.00)	\$ -	\$ 2,500.00
325 - Fuel	\$ -	\$ -	\$ -
330 - Training and Travel Expenses	\$ (1,500.00)	\$ -	\$ 1,500.00
340 - Membership/Dues/Subscriptions	\$ -	\$ -	\$ -
350 - Lease	\$ (10,000.00)	\$ -	\$ 10,000.00
360 - Sponsorships and Cost-Sharing	\$ -	\$ -	\$ -
361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (2,500.00)	\$ -	\$ 2,500.00
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (5,000.00)	\$ -	\$ 5,000.00
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$ (14,500.00)	\$ -	\$ 14,500.00
380 - Aquifer Monitoring Network Development	\$ (50,000.00)	\$ -	\$ 50,000.00
410 - Equipment - Office	\$ (2,500.00)	\$ (327.50)	\$ 2,172.50
415 - Equipment - Field	\$ (30,000.00)	\$ -	\$ 30,000.00
420 - Technology Services - Office Productivity	\$ (3,300.00)	\$ -	\$ 3,300.00
430 - Technology Services - Miscellaneous	\$ (500.00)	\$ -	\$ 500.00
432 - Technology Services - Digital Record and Workflow System	\$ (7,300.00)	\$ (89.54)	\$ 7,210.46
433 - Technology Services - Record Archival System	\$ (800.00)	\$ (57.56)	\$ 742.44
434 - Technology Services - Website and Email System	\$ (3,000.00)	\$ (10.63)	\$ 2,989.37
435 - Technology Services - Phone System	\$ (1,200.00)	\$ -	\$ 1,200.00
436 - Technology Services - Internet	\$ (1,200.00)	\$ -	\$ 1,200.00
450 - Equipment Maintenance and Repair	\$ (5,500.00)	\$ -	\$ 5,500.00

Note: cash-basis accounting method used to develop reports.

Tab: Budget by Category

<b>Budget Category</b>	<b>Budget Amount</b>	<b>Transaction Total</b>	<b>Budget Balance</b>
500 - Public Notices and Publications	\$ (6,000.00)	\$ (114.10)	\$ 5,885.90
900 - Miscellaneous	\$ (200.00)	\$ -	\$ 200.00
<b>Total</b>	<b>\$ 92,900.00</b>		<b>\$ (91,166.15)</b>

<b>Program</b>	<b>Sum of Split Amount</b>	
1001 - Administration - Revenue	\$	6,242.29
1003 - Administration - Technology	\$	(157.73)
1004 - Administration - General	\$	(2,130.71)
2000 - Groundwater Conservation	\$	(2,220.00)
(blank)		
<b>Grand Total</b>	<b>\$</b>	<b>1,733.85</b>

Category	Sum of Split Amount	
0120 - Tax Collections	\$	3,081.46
0130 - Interest Income	\$	3,160.83
210 - Legal Services	\$	(3,909.11)
410 - Equipment - Office	\$	(327.50)
432 - Technology Services - Digital Record and Workflow System	\$	(89.54)
433 - Technology Services - Record Archival System	\$	(57.56)
434 - Technology Services - Website and Email System	\$	(10.63)
500 - Public Notices and Publications	\$	(114.10)
(blank)		
<b>Grand Total</b>	\$	<b>1,733.85</b>

Row Labels	Sum of Split Amount
<b>TR-20230922-01-D</b>	<b>\$ (157.73)</b>
<b>Operating</b>	<b>\$ (157.73)</b>
Prosperity 4152	
<b>Debit</b>	
1003 - Administration - Technology	
432 - Technology Services - Digital Record and Workflow System	\$ (89.54)
433 - Technology Services - Record Archival System	\$ (57.56)
434 - Technology Services - Website and Email System	\$ (10.63)
<b>TR-20230922-02-D</b>	<b>\$ (114.10)</b>
<b>Operating</b>	<b>\$ (114.10)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
500 - Public Notices and Publications	\$ (114.10)
<b>TR-20230922-03-D</b>	<b>\$ (327.50)</b>
<b>Operating</b>	<b>\$ (327.50)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
410 - Equipment - Office	\$ (327.50)
<b>TR-20230922-04-D</b>	<b>\$ (315.36)</b>
<b>Operating</b>	<b>\$ (315.36)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
210 - Legal Services	\$ (315.36)
<b>TR-20231020-01-C</b>	<b>\$ 143.22</b>
<b>Operating</b>	<b>\$ 143.22</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 143.22
<b>TR-20231020-02-C</b>	<b>\$ 495.34</b>
<b>Operating</b>	<b>\$ 495.34</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 495.34
<b>TR-20231023-01-C</b>	<b>\$ 2,338.14</b>
<b>Operating</b>	<b>\$ 2,338.14</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary - List

Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 2,338.14
<b>TR-20231023-01-D</b>	<b>\$ (1,560.00)</b>
<b>Operating</b>	<b>\$ (1,560.00)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
210 - Legal Services	\$ (270.00)
2000 - Groundwater Conservation	
210 - Legal Services	\$ (1,290.00)
<b>TR-20231023-02-C</b>	<b>\$ 104.76</b>
<b>Operating</b>	<b>\$ 104.76</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 104.76
<b>TR-20231023-02-D</b>	<b>\$ (2,033.75)</b>
<b>Operating</b>	<b>\$ (2,033.75)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
210 - Legal Services	\$ (1,103.75)
2000 - Groundwater Conservation	
210 - Legal Services	\$ (930.00)
<b>TR-20231031-01-C</b>	<b>\$ 3,057.94</b>
<b>Reserve</b>	<b>\$ 3,057.94</b>
Prosperity 3520	
<b>Credit</b>	
1001 - Administration - Revenue	
0130 - Interest Income	\$ 3,057.94
<b>TR-20231031-02-C</b>	<b>\$ 102.89</b>
<b>Operating</b>	<b>\$ 102.89</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0130 - Interest Income	\$ 102.89
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	



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<b>Grand Total</b>	<b>\$</b>	<b>1,733.85</b>
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Bank Account	Account Statement	Reconciled Bank Statement	Fund	Reported Balance as of the Start of the Fiscal Year	Total of Recorded Credit Transactions for Fiscal Year	Total of Recorded Debit Transactions for Fiscal Year	Calculated Balance	Current Reported Balance	Unreconciled Amount
Prosperity 3520	Prosperity 3520 : BS-20231130-01: DATE: 11/30/2023	BS-20231130-01		\$ 1,143,006.97	\$ 6,025.15	\$ -	\$ 1,149,032.12	\$ 1,149,032.12	\$ -
Prosperity 4152	Prosperity 4152 : BS-20231130-02: DATE: 11/30/2023	BS-20231130-02		\$ 484,562.98	\$ 88,565.66	\$ (21,832.59)	\$ 551,296.05	\$ 551,296.05	\$ -
CD# 0514	CD# 0514 : BS-20230929-01: DATE: 09/30/2023	BS-20230929-01		\$ 254,239.74	\$ -	\$ -	\$ 254,239.74	\$ 254,239.74	\$ -
CD# 0516	CD# 0516 : BS-20230929-02: DATE: 09/30/2023	BS-20230929-02		\$ 254,112.67	\$ -	\$ -	\$ 254,112.67	\$ 254,112.67	\$ -
<b>Total</b>				<b>\$ 2,135,922.36</b>	<b>\$ 94,590.81</b>	<b>\$ (21,832.59)</b>	<b>\$ 2,208,680.58</b>	<b>\$ 2,208,680.58</b>	<b>\$ -</b>

Institution	Type	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Credit Rating	Market Value
Prosperity Bank	FDIC Insurance	N/A	N/A	N/A		N/A	\$ 250,000.00
Prosperity Bank	Pledged Collateral	3138WB6T7	FNMA #AS2681	FHLB		AA+	\$ 315,244.50
Prosperity Bank	Pledged Collateral	3138WBBZ7	FNMA #AS1855	FHLB		AA+	\$ 96,473.51
Prosperity Bank	Pledged Collateral	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 258,285.12
Prosperity Bank	Pledged Collateral	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 12.52
Prosperity Bank	Pledged Collateral	3138WJAC2	FNMA #AS8102	FHLB		AA+	\$ 247,555.73
Prosperity Bank	Pledged Collateral	3133KYUN7	FR #RB5089	FHLB		AA+	\$ 288,595.35
Prosperity Bank	Pledged Collateral	31418DV25	FNMA #MA4232	FHLB		AA+	\$ 596,628.99
Prosperity Bank	Pledged Collateral	31418DY71	FNMA #MA4333	FHLB		AA+	\$ 392,795.98
<b>Total</b>							<b>\$ 2,445,591.70</b>

The funds of the District are adequately protected by FDIC Insurance and pledged collateral.

<b>Budget Program</b>	<b>Budget Amount</b>	<b>Transaction Total</b>	<b>Budget Balance</b>
1001 - Administration - Revenue	\$ 452,000.00	\$ 94,281.90	\$ (357,718.10)
1003 - Administration - Technology	\$ (23,900.00)	\$ (468.96)	\$ 23,431.04
1004 - Administration - General	\$ (180,600.00)	\$ (6,462.72)	\$ 174,137.28
2000 - Groundwater Conservation	\$ (14,500.00)	\$ (4,157.00)	\$ 10,343.00
3000 - Groundwater Management	\$ (5,000.00)	\$ (2,087.00)	\$ 2,913.00
4000 - Groundwater Monitoring	\$ (115,100.00)	\$ (2,087.00)	\$ 113,013.00
5000 - Groundwater Policy	\$ -	\$ (2,087.00)	\$ (2,087.00)
6000 - Groundwater Protection	\$ (12,500.00)	\$ (2,087.00)	\$ 10,413.00
8000 - Groundwater Resource Planning	\$ (7,500.00)	\$ (2,087.00)	\$ 5,413.00
<b>Total</b>	<b>\$ 92,900.00</b>		<b>\$ (20,141.78)</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Budget by Program

<b>Budget Category</b>	<b>Budget Amount</b>	<b>Transaction Total</b>	<b>Budget Balance</b>
0120 - Tax Collections	\$ 428,200.00	\$ 88,206.58	\$ (339,993.42)
0130 - Interest Income	\$ 23,800.00	\$ 6,234.23	\$ (17,565.77)
0140 - District Fees - GCD Management and Operations Cost-Sharing Fees	\$ -	\$ -	\$ -
0143 - District Fees - Permitting	\$ -	\$ 150.00	\$ 150.00
0145 - District Fees - Enforcement	\$ -	\$ -	\$ -
0150 - Grants	\$ -	\$ -	\$ -
0160 - Refunds	\$ -	\$ -	\$ -
0215 - District Fees - Legislative Services Cost-Sharing Fees	\$ -	\$ -	\$ -
0300 - Reserve Funds	\$ -	\$ -	\$ -
210 - Legal Services	\$ (25,000.00)	\$ (4,068.02)	\$ 20,931.98
215 - Legislative and Administrative Action Representation Services	\$ (5,000.00)	\$ -	\$ 5,000.00
220 - Professional and Technical Services	\$ (10,000.00)	\$ -	\$ 10,000.00
221 - Professional and Technical Services - Auditor	\$ (10,000.00)	\$ -	\$ 10,000.00
222 - Professional and Technical Services - Tax Assessor	\$ (7,500.00)	\$ -	\$ 7,500.00
223 - Professional and Technical Services - Appraisal District	\$ (7,500.00)	\$ (2,078.49)	\$ 5,421.51
224 - Professional and Technical Services - Accountant	\$ -	\$ -	\$ -
225 - Professional and Technical Services - Hydrogeologist	\$ (37,500.00)	\$ -	\$ 37,500.00
226 - Professional and Technical Services - Laboratory	\$ (10,000.00)	\$ -	\$ 10,000.00
227 - Professional and Technical Services - VCGCD	\$ (92,800.00)	\$ (14,609.00)	\$ 78,191.00
230 - Insurance and Bonds	\$ (2,300.00)	\$ -	\$ 2,300.00
310 - Supplies - Office	\$ (4,000.00)	\$ -	\$ 4,000.00
311 - Supplies - Field	\$ -	\$ -	\$ -
315 - Certified Mail and Stamps	\$ (2,500.00)	\$ -	\$ 2,500.00
325 - Fuel	\$ -	\$ -	\$ -
330 - Training and Travel Expenses	\$ (1,500.00)	\$ -	\$ 1,500.00
340 - Membership/Dues/Subscriptions	\$ -	\$ -	\$ -
350 - Lease	\$ (10,000.00)	\$ -	\$ 10,000.00
360 - Sponsorships and Cost-Sharing	\$ -	\$ -	\$ -
361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (2,500.00)	\$ -	\$ 2,500.00
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (5,000.00)	\$ -	\$ 5,000.00
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$ (14,500.00)	\$ -	\$ 14,500.00
380 - Aquifer Monitoring Network Development	\$ (50,000.00)	\$ -	\$ 50,000.00
410 - Equipment - Office	\$ (2,500.00)	\$ (327.50)	\$ 2,172.50
415 - Equipment - Field	\$ (30,000.00)	\$ -	\$ 30,000.00
420 - Technology Services - Office Productivity	\$ (3,300.00)	\$ -	\$ 3,300.00
430 - Technology Services - Miscellaneous	\$ (500.00)	\$ (106.74)	\$ 393.26
432 - Technology Services - Digital Record and Workflow System	\$ (7,300.00)	\$ (231.24)	\$ 7,068.76
433 - Technology Services - Record Archival System	\$ (800.00)	\$ (109.72)	\$ 690.28
434 - Technology Services - Website and Email System	\$ (3,000.00)	\$ (21.26)	\$ 2,978.74
435 - Technology Services - Phone System	\$ (1,200.00)	\$ -	\$ 1,200.00
436 - Technology Services - Internet	\$ (1,200.00)	\$ -	\$ 1,200.00
450 - Equipment Maintenance and Repair	\$ (5,500.00)	\$ -	\$ 5,500.00

Note: cash-basis accounting method used to develop reports.

Tab: Budget by Category

<b>Budget Category</b>	<b>Budget Amount</b>	<b>Transaction Total</b>	<b>Budget Balance</b>
500 - Public Notices and Publications	\$ (6,000.00)	\$ (114.10)	\$ 5,885.90
900 - Miscellaneous	\$ (200.00)	\$ (166.52)	\$ 33.48
<b>Total</b>	<b>\$ 92,900.00</b>		<b>\$ (20,141.78)</b>

<b>Program</b>	<b>Sum of Split Amount</b>
1001 - Administration - Revenue	\$ 94,281.90
1003 - Administration - Technology	\$ (468.96)
1004 - Administration - General	\$ (6,462.72)
2000 - Groundwater Conservation	\$ (4,157.00)
3000 - Groundwater Management	\$ (2,087.00)
4000 - Groundwater Monitoring	\$ (2,087.00)
5000 - Groundwater Policy	\$ (2,087.00)
6000 - Groundwater Protection	\$ (2,087.00)
8000 - Groundwater Resource Planning	\$ (2,087.00)
(blank)	
<b>Grand Total</b>	<b>\$ 72,758.22</b>



<b>Category</b>	<b>Sum of Split Amount</b>
0120 - Tax Collections	\$ 88,206.58
0130 - Interest Income	\$ 6,234.23
0143 - District Fees - Permitting	\$ 150.00
210 - Legal Services	\$ (4,068.02)
223 - Professional and Technical Services - Appraisal District	\$ (2,078.49)
227 - Professional and Technical Services - VCGCD	\$ (14,609.00)
410 - Equipment - Office	\$ (327.50)
430 - Technology Services - Miscellaneous	\$ (106.74)
432 - Technology Services - Digital Record and Workflow System	\$ (231.24)
433 - Technology Services - Record Archival System	\$ (109.72)
434 - Technology Services - Website and Email System	\$ (21.26)
500 - Public Notices and Publications	\$ (114.10)
900 - Miscellaneous	\$ (166.52)
(blank)	
<b>Grand Total</b>	<b>\$ 72,758.22</b>

Row Labels	Sum of Split Amount
<b>TR-20230922-01-D</b>	<b>\$ (157.73)</b>
<b>Operating</b>	<b>\$ (157.73)</b>
Prosperity 4152	
<b>Debit</b>	
1003 - Administration - Technology	
432 - Technology Services - Digital Record and Workflow System	\$ (89.54)
433 - Technology Services - Record Archival System	\$ (57.56)
434 - Technology Services - Website and Email System	\$ (10.63)
<b>TR-20230922-02-D</b>	<b>\$ (114.10)</b>
<b>Operating</b>	<b>\$ (114.10)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
500 - Public Notices and Publications	\$ (114.10)
<b>TR-20230922-03-D</b>	<b>\$ (327.50)</b>
<b>Operating</b>	<b>\$ (327.50)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
410 - Equipment - Office	\$ (327.50)
<b>TR-20230922-04-D</b>	<b>\$ (315.36)</b>
<b>Operating</b>	<b>\$ (315.36)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
210 - Legal Services	\$ (315.36)
<b>TR-20231020-01-C</b>	<b>\$ 143.22</b>
<b>Operating</b>	<b>\$ 143.22</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 143.22
<b>TR-20231020-02-C</b>	<b>\$ 495.34</b>
<b>Operating</b>	<b>\$ 495.34</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 495.34
<b>TR-20231023-01-C</b>	<b>\$ 2,338.14</b>
<b>Operating</b>	<b>\$ 2,338.14</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary - List

Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 2,338.14
<b>TR-20231023-01-D</b>	<b>\$ (1,560.00)</b>
<b>Operating</b>	<b>\$ (1,560.00)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
210 - Legal Services	\$ (270.00)
2000 - Groundwater Conservation	
210 - Legal Services	\$ (1,290.00)
<b>TR-20231023-02-C</b>	<b>\$ 104.76</b>
<b>Operating</b>	<b>\$ 104.76</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 104.76
<b>TR-20231023-02-D</b>	<b>\$ (2,033.75)</b>
<b>Operating</b>	<b>\$ (2,033.75)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
210 - Legal Services	\$ (1,103.75)
2000 - Groundwater Conservation	
210 - Legal Services	\$ (930.00)
<b>TR-20231023-03-D</b>	<b>\$ (158.91)</b>
<b>Operating</b>	<b>\$ (158.91)</b>
Prosperity 4152	
<b>Debit</b>	
1001 - Administration - Revenue	
210 - Legal Services	\$ (158.91)
<b>TR-20231023-04-D</b>	<b>\$ (7,233.72)</b>
<b>Operating</b>	<b>\$ (7,233.72)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
227 - Professional and Technical Services - VCGCD	\$ (1,033.38)
2000 - Groundwater Conservation	
227 - Professional and Technical Services - VCGCD	\$ (1,033.39)
3000 - Groundwater Management	
227 - Professional and Technical Services - VCGCD	\$ (1,033.39)
4000 - Groundwater Monitoring	

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary - List

227 - Professional and Technical Services - VCGCD	\$	(1,033.39)
5000 - Groundwater Policy		
227 - Professional and Technical Services - VCGCD	\$	(1,033.39)
6000 - Groundwater Protection		
227 - Professional and Technical Services - VCGCD	\$	(1,033.39)
8000 - Groundwater Resource Planning		
227 - Professional and Technical Services - VCGCD	\$	(1,033.39)
<b>TR-20231023-05-D</b>	<b>\$</b>	<b>(7,375.28)</b>
<b>Operating</b>	<b>\$</b>	<b>(7,375.28)</b>
Prosperity 4152		
<b>Debit</b>		
1004 - Administration - General		
227 - Professional and Technical Services - VCGCD	\$	(1,053.62)
2000 - Groundwater Conservation		
227 - Professional and Technical Services - VCGCD	\$	(1,053.61)
3000 - Groundwater Management		
227 - Professional and Technical Services - VCGCD	\$	(1,053.61)
4000 - Groundwater Monitoring		
227 - Professional and Technical Services - VCGCD	\$	(1,053.61)
5000 - Groundwater Policy		
227 - Professional and Technical Services - VCGCD	\$	(1,053.61)
6000 - Groundwater Protection		
227 - Professional and Technical Services - VCGCD	\$	(1,053.61)
8000 - Groundwater Resource Planning		
227 - Professional and Technical Services - VCGCD	\$	(1,053.61)
<b>TR-20231031-01-C</b>	<b>\$</b>	<b>3,057.94</b>
<b>Reserve</b>	<b>\$</b>	<b>3,057.94</b>
Prosperity 3520		
<b>Credit</b>		
1001 - Administration - Revenue		
0130 - Interest Income	\$	3,057.94
<b>TR-20231031-02-C</b>	<b>\$</b>	<b>102.89</b>
<b>Operating</b>	<b>\$</b>	<b>102.89</b>
Prosperity 4152		
<b>Credit</b>		
1001 - Administration - Revenue		
0130 - Interest Income	\$	102.89
<b>TR-20231107-01-C</b>	<b>\$</b>	<b>150.00</b>
<b>Operating</b>	<b>\$</b>	<b>150.00</b>
Prosperity 4152		
<b>Credit</b>		
2000 - Groundwater Conservation		
0143 - District Fees - Permitting	\$	150.00

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary - List

<b>TR-20231107-02-C</b>	<b>\$</b>	<b>24,421.33</b>
<b>Operating</b>	<b>\$</b>	<b>24,421.33</b>
Prosperity 4152		
<b>Credit</b>		
1001 - Administration - Revenue		
0120 - Tax Collections	\$	24,421.33
<b>TR-20231107-03-C</b>	<b>\$</b>	<b>12,558.63</b>
<b>Operating</b>	<b>\$</b>	<b>12,558.63</b>
Prosperity 4152		
<b>Credit</b>		
1001 - Administration - Revenue		
0120 - Tax Collections	\$	12,558.63
<b>TR-20231121-01-C</b>	<b>\$</b>	<b>2,794.05</b>
<b>Operating</b>	<b>\$</b>	<b>2,794.05</b>
Prosperity 4152		
<b>Credit</b>		
1001 - Administration - Revenue		
0120 - Tax Collections	\$	2,794.05
<b>TR-20231121-01-D</b>	<b>\$</b>	<b>(106.74)</b>
<b>Operating</b>	<b>\$</b>	<b>(106.74)</b>
Prosperity 4152		
<b>Debit</b>		
1003 - Administration - Technology		
430 - Technology Services - Miscellaneous	\$	(106.74)
<b>TR-20231121-02-C</b>	<b>\$</b>	<b>7,108.82</b>
<b>Operating</b>	<b>\$</b>	<b>7,108.82</b>
Prosperity 4152		
<b>Credit</b>		
1001 - Administration - Revenue		
0120 - Tax Collections	\$	7,108.82
<b>TR-20231121-02-D</b>	<b>\$</b>	<b>(371.01)</b>
<b>Operating</b>	<b>\$</b>	<b>(371.01)</b>
Prosperity 4152		
<b>Debit</b>		
1003 - Administration - Technology		
432 - Technology Services - Digital Record and Workflow System	\$	(141.70)
433 - Technology Services - Record Archival System	\$	(52.16)
434 - Technology Services - Website and Email System	\$	(10.63)
1004 - Administration - General		
900 - Miscellaneous	\$	(166.52)
<b>TR-20231121-03-C</b>	<b>\$</b>	<b>38,242.29</b>
<b>Operating</b>	<b>\$</b>	<b>38,242.29</b>
Prosperity 4152		

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary - List

<b>Credit</b>	
1001 - Administration - Revenue	
0120 - Tax Collections	\$ 38,242.29
<b>TR-20231121-03-D</b>	<b>\$ (2,078.49)</b>
<b>Operating</b>	<b>\$ (2,078.49)</b>
Prosperity 4152	
<b>Debit</b>	
1004 - Administration - General	
223 - Professional and Technical Services - Appraisal District	\$ (2,078.49)
<b>TR-20231130-01-C</b>	<b>\$ 2,967.21</b>
<b>Reserve</b>	<b>\$ 2,967.21</b>
Prosperity 3520	
<b>Credit</b>	
1001 - Administration - Revenue	
0130 - Interest Income	\$ 2,967.21
<b>TR-20231130-02-C</b>	<b>\$ 106.19</b>
<b>Operating</b>	<b>\$ 106.19</b>
Prosperity 4152	
<b>Credit</b>	
1001 - Administration - Revenue	
0130 - Interest Income	\$ 106.19
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>(blank)</b>	
<b>Grand Total</b>	<b>\$ 72,758.22</b>

Note: cash-basis accounting method used to develop reports.  
 Tab: Transaction Summary - List

# Calhoun County Groundwater Conservation District

## INVESTMENT REPORT Fiscal Year 2022 - 2023 As of September 30, 2023

**Detailed Description of Investment Position - PFIA 2256.023(b)(1)**

The investment position of the Calhoun Groundwater Conservation District (District) during the reporting period was restricted to: 1) cash deposited into an interest-bearing, demand deposit account for the purposes of holding monies of the Operating Fund, and 2) cash deposited into an interest-bearing, money-market account for the purposes of holding monies of the Operating Fund and Reserve Fund.

During the reporting period, the District deposited cash in an interest-bearing, demand deposit account at Prosperity Bank (Account Number:216844152) for the purpose of holding monies of the Operating Fund, receiving interest deposits of the account, receiving deposits of district fees, and paying of bills and invoices of the District.

During the reporting period, the District deposited cash in an interest-bearing, money market account at Prosperity Bank (Number: 217843520) for the purpose of holding monies of the Operating Fund and the Reserve Fund, receiving interest deposits of the account, and receiving ad valorem tax revenue deposits.

During the reporting period, the District held money of the Reserve Fund in a certificate of deposit (Number: 9570010514) for the purpose of holding monies of the Reserve Fund and receiving interest deposits of the account.

During the reporting period, the District held money of the Reserve Fund in a certificate of deposit (Number: 9570010516) for the purpose of holding monies of the Reserve Fund and receiving interest deposits of the account.

The accounts are secured by FDIC insurance and pledged collateral in accordance with state law and the Investment Policy of the District.

**Summary of Pooled Fund Groups – PFIA 2256.023(b)(4)(A-D)**

The District did not invest any portion of its funds in any pooled fund groups during the reporting period.

Beginning Market Value of Investments in Pooled Fund Groups:	\$0.00
Additions and Changes to the Market Value of Investments in Pooled Fund Groups:	\$0.00
Ending Market Value of Investments in Pooled Fund Groups:	\$0.00
Fully Accrued Interest of Investments in Pooled Fund Groups:	\$0.00



**Book and Market Values by Asset Type and Fund Type Statement – PFIA 2256.023(b)(5)**

Asset Type	Institution	Fund Types	Yield	Book Value	Market Value
Interest-Bearing Demand Deposit Bank Account*	Prosperity Bank (216844152)	Operating	0.25%	\$484,562.98	\$484,562.98
Interest-Bearing Money Market Bank Account*	Prosperity Bank (217843520)	Operating and Reserve	3.20%	\$1,143,006.97	\$1,143,006.97
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010514)	Reserve	3.35%	\$254,239.74	\$254,239.74
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010516)	Reserve	3.25%	\$254,112.67	\$254,112.67
Total:				\$2,135,922.36	\$2,135,922.36

\* Based on monthly statements provided by banking institutions.

**Summary of Insurance and Collateral by Institution**

Institution	FDIC Insurance	Market Value of Pledged Securities as Collateral	Total Insurance and Pledged Securities
Prosperity Bank	\$ 250,000.00	\$1,953,188.91	\$2,203,188.91

\* Based on statements provided by banking institutions.

**Asset Maturity Date Statement – PFIA 2256.0023(b)(6)**

Asset	Maturity Date
Operating Funds in Interest-Bearing Demand Deposit Account	N/A
Reserve Funds in Interest-Bearing Money Market Account	N/A
Interest-Bearing Certificate of Deposit Account #: 9570010514	3/29/2025
Interest-Bearing Certificate of Deposit Account #: 9570010516	3/29/2024

**Investments for Funds Statement – PFIA 2256.0023(b)(7)**

Investment	Fund
Cash Deposits in Interest-Bearing Demand Deposit Account	Operating
Cash Deposits in Interest-Bearing Money Market Account	Reserve
Cash Deposits in Interest-Bearing Certificate of Deposit Account	Reserve
Cash Deposits in Interest-Bearing Certificate of Deposit Account	Reserve

**Statement of Compliance – PFIA 2256.0023(b)(8)**

The portfolio of the District is believed to be in compliance with the District’s Investment Strategy expressed in the District’s Investment Policy and the Public Funds Investment Act.

**Statement regarding Report Preparation – PFIA 2256.0023(b)(2-3)**

By my signature, I represent that 1) this report was written under my direct supervision; 2) I have thoroughly reviewed all the information contained within and used to develop this report; and 3) I believe this report to be true and correct to the best of my knowledge.



\_\_\_\_\_  
Timothy A. Andruss, CCGCD Investment Officer

11/17/2023  
Date

# Calhoun County Groundwater Conservation District

## INVESTMENT REPORT Fiscal Year 2023 - 2024 As of October 31, 2023

### Detailed Description of Investment Position - PFIA 2256.023(b)(1)

The investment position of the Calhoun Groundwater Conservation District (District) during the reporting period was restricted to: 1) cash deposited into an interest-bearing, demand deposit account for the purposes of holding monies of the Operating Fund, and 2) cash deposited into an interest-bearing, money-market account for the purposes of holding monies of the Operating Fund and Reserve Fund.

During the reporting period, the District deposited cash in an interest-bearing, demand deposit account at Prosperity Bank (Account Number:216844152) for the purpose of holding monies of the Operating Fund, receiving interest deposits of the account, receiving deposits of district fees, and paying of bills and invoices of the District.

During the reporting period, the District deposited cash in an interest-bearing, money market account at Prosperity Bank (Number: 217843520) for the purpose of holding monies of the Operating Fund and the Reserve Fund, receiving interest deposits of the account, and receiving ad valorem tax revenue deposits.

During the reporting period, the District held money of the Reserve Fund in a certificate of deposit (Number: 9570010514) for the purpose of holding monies of the Reserve Fund and receiving interest deposits of the account.

During the reporting period, the District held money of the Reserve Fund in a certificate of deposit (Number: 9570010516) for the purpose of holding monies of the Reserve Fund and receiving interest deposits of the account.

The accounts are secured by FDIC insurance and pledged collateral in accordance with state law and the Investment Policy of the District.

### Summary of Pooled Fund Groups – PFIA 2256.023(b)(4)(A-D)

The District did not invest any portion of its funds in any pooled fund groups during the reporting period.

Beginning Market Value of Investments in Pooled Fund Groups:	\$0.00
Additions and Changes to the Market Value of Investments in Pooled Fund Groups:	\$0.00
Ending Market Value of Investments in Pooled Fund Groups:	\$0.00
Fully Accrued Interest of Investments in Pooled Fund Groups:	\$0.00

**Book and Market Values by Asset Type and Fund Type Statement – PFIA 2256.023(b)(5)**

Asset Type	Institution	Fund Types	Yield	Book Value	Market Value
Interest-Bearing Demand Deposit Bank Account*	Prosperity Bank (216844152)	Operating	0.25%	\$483,238.89	\$483,238.89
Interest-Bearing Money Market Bank Account*	Prosperity Bank (217843520)	Operating and Reserve	3.20%	\$1,146,064.91	\$1,146,064.91
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010514)	Reserve	3.35%	\$254,239.74	\$254,239.74
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010516)	Reserve	3.25%	\$254,112.67	\$254,112.67
Total:				\$2,137,656.21	\$2,137,656.21

\* Based on monthly statements provided by banking institutions.

**Summary of Insurance and Collateral by Institution**

Institution	FDIC Insurance	Market Value of Pledged Securities as Collateral	Total Insurance and Pledged Securities
Prosperity Bank	\$ 250,000.00	\$2,123,890.63	\$2,373,890.63

\* Based on statements provided by banking institutions.

**Asset Maturity Date Statement – PFIA 2256.0023(b)(6)**

Asset	Maturity Date
Operating Funds in Interest-Bearing Demand Deposit Account	N/A
Reserve Funds in Interest-Bearing Money Market Account	N/A
Interest-Bearing Certificate of Deposit Account #: 9570010514	3/29/2025
Interest-Bearing Certificate of Deposit Account #: 9570010516	3/29/2024

**Investments for Funds Statement – PFIA 2256.0023(b)(7)**

Investment	Fund
Cash Deposits in Interest-Bearing Demand Deposit Account	Operating
Cash Deposits in Interest-Bearing Money Market Account	Reserve
Cash Deposits in Interest-Bearing Certificate of Deposit Account	Reserve
Cash Deposits in Interest-Bearing Certificate of Deposit Account	Reserve

**Statement of Compliance – PFIA 2256.0023(b)(8)**

The portfolio of the District is believed to be in compliance with the District’s Investment Strategy expressed in the District’s Investment Policy and the Public Funds Investment Act.

**Statement regarding Report Preparation – PFIA 2256.0023(b)(2-3)**

By my signature, I represent that 1) this report was written under my direct supervision; 2) I have thoroughly reviewed all the information contained within and used to develop this report; and 3) I believe this report to be true and correct to the best of my knowledge.



\_\_\_\_\_  
Timothy A. Andruss, CCGCD Investment Officer

1/20/2024  
Date

# Calhoun County Groundwater Conservation District

## INVESTMENT REPORT Fiscal Year 2023 - 2024 As of November 30, 2023

### Detailed Description of Investment Position - PFIA 2256.023(b)(1)

The investment position of the Calhoun Groundwater Conservation District (District) during the reporting period was restricted to: 1) cash deposited into an interest-bearing, demand deposit account for the purposes of holding monies of the Operating Fund, and 2) cash deposited into an interest-bearing, money-market account for the purposes of holding monies of the Operating Fund and Reserve Fund.

During the reporting period, the District deposited cash in an interest-bearing, demand deposit account at Prosperity Bank (Account Number:216844152) for the purpose of holding monies of the Operating Fund, receiving interest deposits of the account, receiving deposits of district fees, and paying of bills and invoices of the District.

During the reporting period, the District deposited cash in an interest-bearing, money market account at Prosperity Bank (Number: 217843520) for the purpose of holding monies of the Operating Fund and the Reserve Fund, receiving interest deposits of the account, and receiving ad valorem tax revenue deposits.

During the reporting period, the District held money of the Reserve Fund in a certificate of deposit (Number: 9570010514) for the purpose of holding monies of the Reserve Fund and receiving interest deposits of the account.

During the reporting period, the District held money of the Reserve Fund in a certificate of deposit (Number: 9570010516) for the purpose of holding monies of the Reserve Fund and receiving interest deposits of the account.

The accounts are secured by FDIC insurance and pledged collateral in accordance with state law and the Investment Policy of the District.

### Summary of Pooled Fund Groups – PFIA 2256.023(b)(4)(A-D)

The District did not invest any portion of its funds in any pooled fund groups during the reporting period.

Beginning Market Value of Investments in Pooled Fund Groups:	\$0.00
Additions and Changes to the Market Value of Investments in Pooled Fund Groups:	\$0.00
Ending Market Value of Investments in Pooled Fund Groups:	\$0.00
Fully Accrued Interest of Investments in Pooled Fund Groups:	\$0.00

**Book and Market Values by Asset Type and Fund Type Statement – PFIA 2256.023(b)(5)**

Asset Type	Institution	Fund Types	Yield	Book Value	Market Value
Interest-Bearing Demand Deposit Bank Account*	Prosperity Bank (216844152)	Operating	0.25%	\$551,296.05	\$551,296.05
Interest-Bearing Money Market Bank Account*	Prosperity Bank (217843520)	Operating and Reserve	3.20%	\$1,149,032.12	\$1,149,032.12
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010514)	Reserve	3.35%	\$254,239.74	\$254,239.74
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010516)	Reserve	3.25%	\$254,112.67	\$254,112.67
Total:				\$2,208,680.58	\$2,208,680.58

\* Based on monthly statements provided by banking institutions.

**Summary of Insurance and Collateral by Institution**

Institution	FDIC Insurance	Market Value of Pledged Securities as Collateral	Total Insurance and Pledged Securities
Prosperity Bank	\$ 250,000.00	\$2,195,591.70	\$2,445,591.70

\* Based on statements provided by banking institutions.

**Asset Maturity Date Statement – PFIA 2256.0023(b)(6)**

Asset	Maturity Date
Operating Funds in Interest-Bearing Demand Deposit Account	N/A
Reserve Funds in Interest-Bearing Money Market Account	N/A
Interest-Bearing Certificate of Deposit Account #: 9570010514	3/29/2025
Interest-Bearing Certificate of Deposit Account #: 9570010516	3/29/2024

**Investments for Funds Statement – PFIA 2256.0023(b)(7)**

Investment	Fund
Cash Deposits in Interest-Bearing Demand Deposit Account	Operating
Cash Deposits in Interest-Bearing Money Market Account	Reserve
Cash Deposits in Interest-Bearing Certificate of Deposit Account	Reserve
Cash Deposits in Interest-Bearing Certificate of Deposit Account	Reserve

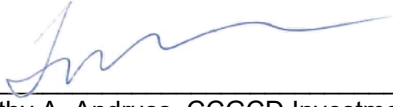
**Statement of Compliance – PFIA 2256.0023(b)(8)**

The portfolio of the District is believed to be in compliance with the District’s Investment Strategy expressed in the District’s Investment Policy and the Public Funds Investment Act.



**Statement regarding Report Preparation – PFIA 2256.0023(b)(2-3)**

By my signature, I represent that 1) this report was written under my direct supervision; 2) I have thoroughly reviewed all the information contained within and used to develop this report; and 3) I believe this report to be true and correct to the best of my knowledge.



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Timothy A. Andruss, CCGCD Investment Officer

1/20/2024  
Date