



AVWF- 20231108-01

Texana Groundwater Conservation District

Mailing Address: P.O. Box 1098, Edna, Texas 77957

(361) 781 - 0624

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Website: www.TexanaGCD.org

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APPLICATION TO VALIDATE HISTORIC USE OF A WELL FIELD

Complete this application for the purposes of obtaining a historic use production permit for a grandfathered, non-exempt well field.

WELL FIELD means the collection of non-exempt use wells located on a contiguous tract of land or on tracts of noncontiguous land, without intervening private ownership or private control, owned or controlled by a person, and operated to produce groundwater for one or more non-exempt use purposes.

Note: In accordance with the District's rules, the District may request additional information not requested in this application in order to consider the application administratively complete.



AVWF- 20231109-01

Instructions:

1. Complete the form to the best of your knowledge and belief.
2. Type or print all information.
3. Attach copies of any relevant documentation or information to this application including:
 - a. a scaled map of the well field that accurately describes the geographic extent of the boundary of the well field relative to public roads, the location of property lines within and at the perimeter of the well field, and the location of each water well within the boundary of the well field;
 - b. documentation demonstrating the ownership or control of the contiguous tract of land on which the well field is located; and
 - c. documentation demonstrating authority to act as an agent of the landowner if the application is submitted under the signature other than the landowner's signature.
4. If a portion of the information requested on this form cannot be provided, enter "unknown" in the related blank space.



AVWF- 20231108-02

Texana Groundwater Conservation District

SECTION 1: WELL OWNER INFORMATION			
Last Name, First Name, Middle Initial			
Powers Keith			
Owner Entity (Partnership / Corporation / Trust, etc.)			
Jackson County WCID 1			
Mailing Address:	P.O. Box 407		
City:	Lolita	State:	Tx. Zipcode: 77971
Phone:	361-874-4369		
E-Mail:	lolitawater1@gmail.com		

SECTION 2: WELL FIELD LOCATION INFORMATION			
Property Address:	FM 616		
City:	Lolita	State:	Tx. Zipcode: 77971
Nearest Intersection:	Prairie Street		
Latitude:	28.84037	Longitude:	-96.54322
If the subject well field is registered with the District, specify the well field registration identification:	WFRC- <u>N/A</u>		
If the subject well is not registered with the District, specify the well field registration application identification:	ARWF- <u>N/A</u>		
Specify the acreage of the well field:	0.5 acres		



Texana Groundwater Conservation District

SECTION 3: HISTORIC USE INFORMATION

EXEMPT USE means the operation of a well, well field, or well system:

1. For the sole purpose of producing groundwater to be used for domestic use purposes;
2. For the sole purpose of providing groundwater for personal recreation from a well that is completed, or equipped so that it is incapable of producing more than 35,000 gallons of groundwater per day;
3. For the sole purpose of providing groundwater for livestock watering purposes;
4. For the sole purpose of providing groundwater for fire fighting;
5. For the sole purpose of providing a heat source or heat sink to a freshwater closed loop geothermal well; or
6. For the sole purpose of providing access to monitor groundwater resources that does not consume more than 5,000 gallons of water per year.

EXEMPT USE WELL means a well utilized to produce groundwater to be used solely for exempt use purposes or a well otherwise exempt under the provisions of Section 36.117 of the Texas Water Code.

NON-EXEMPT USE WELL means a well that is not an exempt use well.

Was each well of the subject well field used in a manner that qualifies as a NON-EXEMPT USE WELL?"

YES | NO

Specify the year prior to 2011 for which historic use validation is requested:

2003

Specify the purpose to which the groundwater produced by the subject well field was used within the year for which validation of historic use is requested:

Public Water System

Specify the volume of groundwater produced by the subject well field within the year for which validation of historic use is requested:

61.36

Ac-Ft



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Texana Groundwater Conservation District

SECTION 4: WELL INFORMATION

Well Field Well # 1

Latitude: 28.840523 Longitude: -96.542145

If the subject well is registered with the District, specify the well registration identification:

WRC- N/A

If the subject well is not registered with the District, specify the well registration application identification:

ARW- N/A

Well Field Well # 2

Latitude: 28.840503 Longitude: -96.543149

If the subject well is registered with the District, specify the well registration identification:

WRC- N/A

If the subject well is not registered with the District, specify the well registration application identification:

ARW- N/A

Well Field Well # 3

Latitude: 28.840207 Longitude: -96.543123

If the subject well is registered with the District, specify the well registration identification:

WRC- N/A

If the subject well is not registered with the District, specify the well registration application identification:

ARW- N/A

Well Field Well # 4

Latitude: Longitude:

If the subject well is registered with the District, specify the well registration identification:

WRC- _____

If the subject well is not registered with the District, specify the well registration application identification:

ARW- _____

Note: For well fields comprised of more than 4 wells, additional copies of this page of the form should be submitted so that all associated wells of the well field are identified in the application submittal.



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SECTION 5: HISTORIC USE EVIDENCE INFORMATION

Describe the evidence supporting the validation request. (Attach additional documentation or explanation to the application as needed.)

Texas Water Development Board
Water Use Survey
Water Use in Calendar Year:
2003



Texana Groundwater Conservation District

SECTION 6: AGREEMENT

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; and I agree to operate the well field in accordance with the Texana Groundwater Conservation District's Rules and the State of Texas' regulations. Further, I certify under penalty of law that I am the well field owner or I am authorized to act as the agent of the well field owner.

Keith Powers
Signature of Well Owner or Authorized Agent

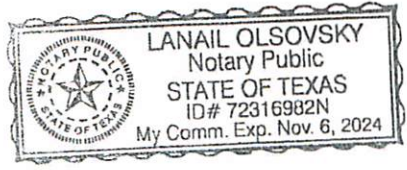
10-05-2023
Date

Keith Powers
Printed Name of Well Owner or Authorized Agent

NOTARY PUBLIC'S CERTIFICATE

Subscribed and sworn to before me, by the said Keith Powers,
this 5th day of Oct., 2023, to certify which witness my hand
and seal of office.

Lanail Olsovsky
Notary Public Signature
Lanail Olsovsky
Notary Public Printed Name



Notary Public in and for Jackson County, Texas.

My commission expires Nov. 6, 2024.



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Texana Groundwater Conservation District

AFFIDAVIT OF PAST PRODUCTION

Before me, the undersigned authority, appeared Keith Powers who, being duly sworn states as follows:

- "1. I am 18 years of age or older and competent to submit this affidavit.
- 2. To the best of my knowledge and belief, the information contained in the attached application to validate the historic use of a well field is true and correct.
- 3. All available information concerning groundwater production during the validation period has been provided to the Texana Groundwater Conservation District."

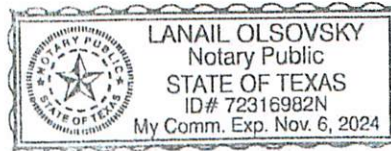
Keith Powers Signature

NOTARY PUBLIC'S CERTIFICATE

Subscribed and sworn to before me, by the said Keith Powers, this 5th day of Oct., 2023, to certify which witness my hand and seal of office.

Lanail Olsovsky
Notary Public Signature

Lanail Olsovsky
Notary Public Printed Name



Notary Public in and for Jackson County, Texas.

My commission expires Nov. 6, 2024.

TEXAS WATER DEVELOPMENT BOARD WATER USE SURVEY

WATER USE IN CALENDAR YEAR: 2003

SYSTEM NAME: JACKSON COUNTY WCID 1
 OPERATOR NAME:
 MULTIPLE SURVEY ORG:
 MAILING ADDRESS 1: PO BOX 407
 MAILING ADDRESS 2:
 CITY/STATE/ZIP: LOLITA TX 77971-0407
 PWS NAME: JACKSON COUNTY WCID 1

SURVEY NUMBER: 0507200
 PRIMARY USED COUNTY: JACKSON
 PRIMARY USED RIVER BASIN: COLORADO-LAVACA
 ORGANIZATION MAIN PHONE: - -
 MAIN EMAIL:
 WEB:
 PWS CODE: 1200003

INTAKE:

Water Type		County	Basin	Aquifer	Well Name (if applicable)		Metered or Estimated	Brackish / Saline (Y or N)	% Treated Prior to Intake	Total Volume (gallons)	
GROUND WATER SELF SUPPLIED		JACKSON	COLORADO-LAVACA	GULF COAST AQUIFER			M	N	0.00	19,996,988	
JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
1,390,890	1,251,500	1,308,540	2,083,480	2,820,110	2,372,880	1,381,410	1,721,620	1,566,788	1,647,270	1,212,170	1,240,330

CONNECTIONS & USAGE:

	CONNECTIONS	VOLUME (GALLONS)
TOTAL METERED RETAIL:	212	0
Residential - Single Family	0	0
Residential - Multi Family	0	0
Institutional	0	0
Commercial	0	0
Industrial	0	0
Agriculture	0	0
Reuse	0	0
TOTAL UNMETERED:	0	0

WATER SYSTEM INFORMATION:

Estimated full-time residential population served directly by this system	700
---	-----

Confirmation of the Contiguous Tracts of Groundwater Ownership

The Texana 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 Texana GCD - Jackson County WCID 1 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 0.5 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.

Keith Powers

Signature of the Applicant

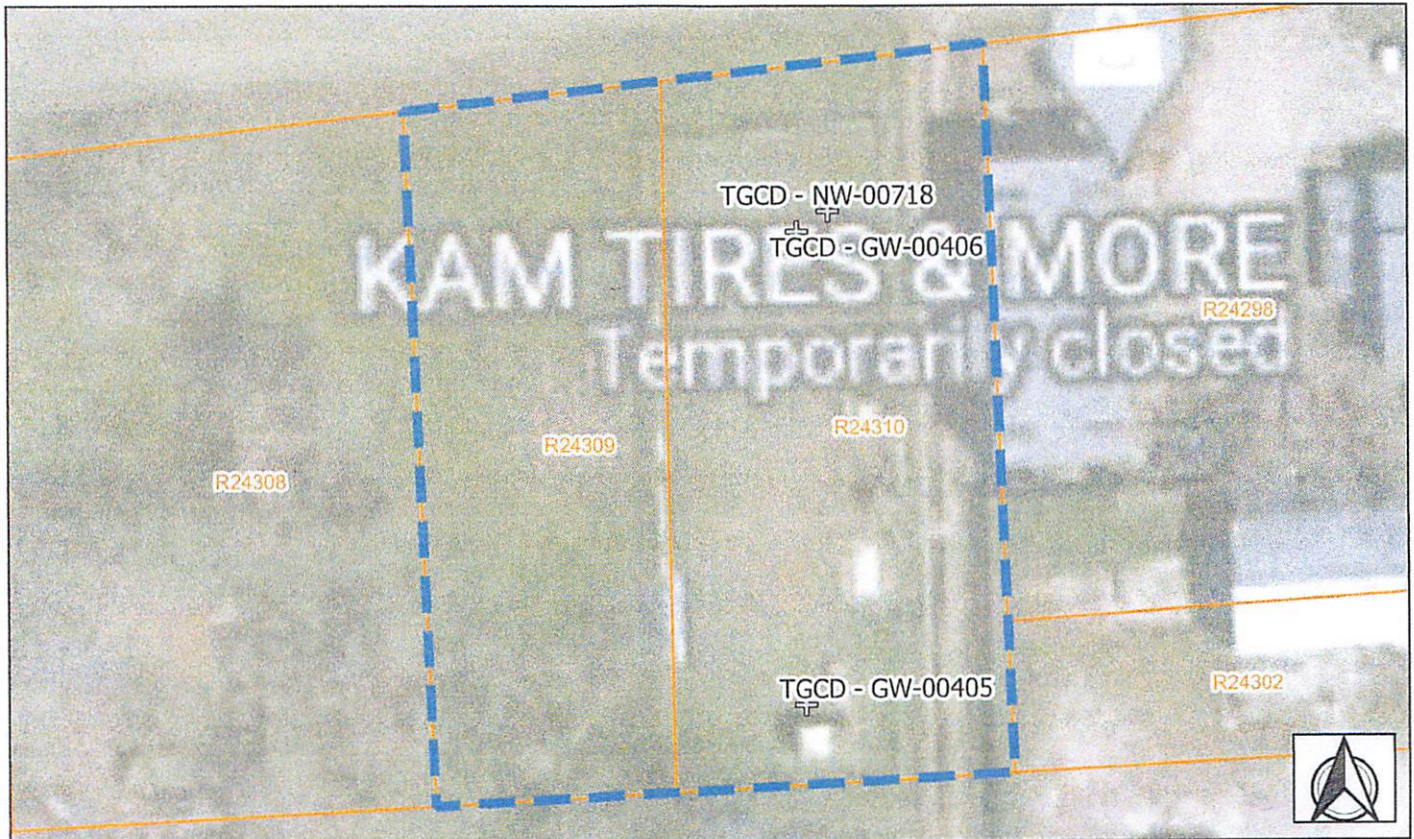
10-05-2023

Date

Keith Powers

Printed Name

Printed Date: September 19, 2023



Disclaimer: The records, files, and documents maintained by the Texana 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

The Texana 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 land (dashed line symbol) associated with permitting request Texana GCD - Jackson County WCID 1 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 land is 0.5 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.

Keith Powers

Signature of the Applicant

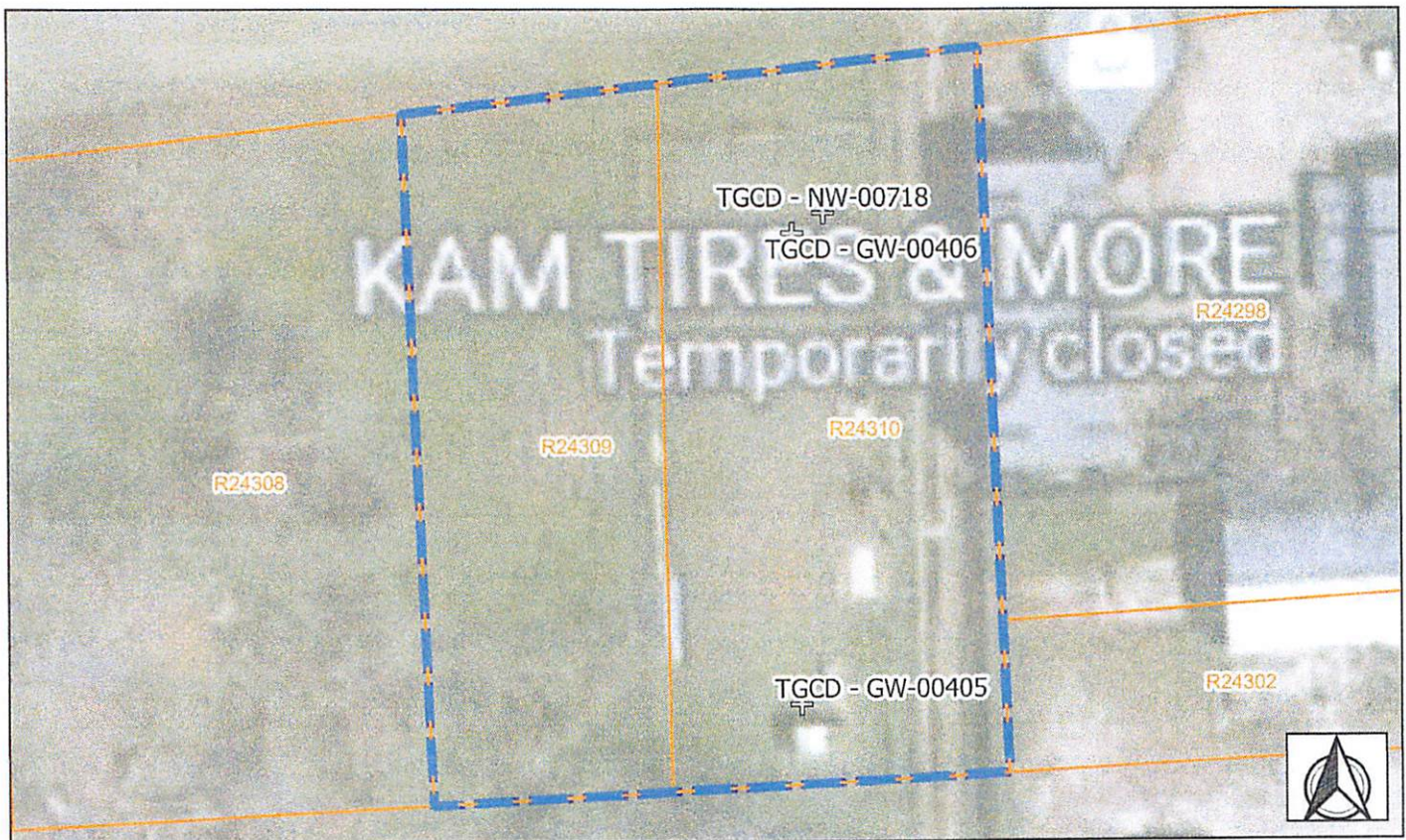
10-05-2023

Date

Keith Powers

Printed Name

Printed Date: September 19, 2023



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Public Hearing Notice

Pursuant to Chapter 36, Texas Water Code, the Texana Groundwater Conservation District will conduct a public hearing on October 17, 2024, at 6:00 PM at LNRA Headquarters, Building C, 4631 FM 3131, Edna, Jackson County, Texas. This hearing will be conducted to receive public input concerning the proposed rule revisions. The proposed rules specify the regulations related to registration and permitting of water wells, protection of historic use, water well spacing, groundwater production, well completion standards, fees, violations and enforcement, permit renewal and amendment, and administrative procedures.

A copy of the Proposed Rules of the Refugio Groundwater Conservation District may be reviewed or copied at the consolidated offices of Victoria County, Calhoun County, Refugio, and Texana Groundwater Conservation Districts located at Pattie Dodson Health Center, 2805 N. Navarro St., Ste 210, Victoria, Texas 77901. In addition, the Proposed Rules of the Texana Groundwater Conservation District are available on the District's website at www.texanagcd.org.

RULES OF THE TEXANA GROUNDWATER CONSERVATION DISTRICT

ADOPTED:

EFFECTIVE:

DRAFT

PROLOGUE

INTRODUCTION

The rules of the Texana Groundwater Conservation District were originally adopted on January 13, 2011.

The rules of the Texana Groundwater Conservation District were originally in effect as of February 25, 2011.

The rules of the Texana Groundwater Conservation District were revised on May 21, 2015.

The rules of the Texana Groundwater Conservation District were revised on January 19, 2023.

The rules of the Texana Groundwater Conservation District were modified and re-adopted on _____.

In accordance with Section 59 of Article XVI of the Texas Constitution, Chapter 8857, 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 Texana 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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SECTION 1: DEFINITIONS AND CONCEPTS

RULE 1.1: DEFINITIONS OF TERMS

In the administration of its duties, the Texana 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 Texana Groundwater Conservation District.

DISTRICT ACT means Chapter 8854, 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 cumulative 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 Texana 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 December 14, 2015, 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 December 14, 2015, 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 December 14, 2015, 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 December 14, 2015, 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 cumulative 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.

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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 hours (2 hours) before and not more than seven days (7 days) before 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 foot (1 foot) of separation per one gallon per minute of production capacity of the non-grandfathered well.
- 3. A person shall not produce groundwater from a well for non-historic uses, except wells operated solely to produce groundwater under a production permit for deep-saline non-historic use, at a rate exceeding a ratio of one gallon per minute per foot (1 GPM / 1 foot) of separation between the well and the nearest point along the boundary of ownership of land containing the well.
- 4. 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:
 - 4.1. 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
 - 4.2. 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.
- 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 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.
- 6. 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.
- 7. 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.

8. 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.
9. 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 Jackson, 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 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.
10. 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.
11. 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 the 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 written notice of intent to plug a well to the district, at least two (2) hours before and not more than seven days (7 days) before commencing the plugging activities associated with the well, using a form prescribed by the district that includes the name and address of the person plugging the well, the well driller license number if the person plugging the well is a licensed well driller, the name and address of the person that owns the subject well, the geographic coordinate of the subject well, the date the well plugging activities will commence, a statement certifying that the person plugging the subject well notified the person that owns the subject well of the of the existence of regulations established by the district, the dated signature of the person plugging the subject well, and the dated signature of the person that owns the subject 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.

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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 well owner or authorized agent of a non-grandfathered well within the boundary of the district shall submit an administratively complete application for the registration of the non-grandfathered well within ninety days (90 days) of obtaining ownership of the well.
8. The district shall assign a use exemption status classification and a grandfathered status classification to all wells registered with the district.
9. 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. the name and address of the individual or entity, if any, authorized to serve as the legal agent of the well owner regarding all matters related to physical access of the subject water well;
 - 4.8. the name and address of the individual or entity, if any, authorized to serve as the legal agent of the well owner regarding all matters related to submittal of reports associated with the subject water well;
 - 4.9. the name and address of the individual or entity, if any, authorized to serve as the legal agent of the well owner regarding all matters related to permitting matters associated with the subject water well;
 - 4.10. a statement certifying, under penalty of law, that the well owner possesses the legal authority to produce groundwater resources from the subject well.
 - 4.11. 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;
 - 4.12. 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
 - 4.13. 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.

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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 owner of groundwater resources produced from a non-exempt-use well shall report the volume of groundwater produced from the non-exempt-use well for the preceding calendar year to the district.
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 owner of groundwater resources produced from 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 owner of groundwater resources produced from 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 owner of groundwater resources produced from 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 owner of groundwater resources produced from 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 owner of groundwater resources produced from 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 owner of groundwater resources produced from 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 years (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 district shall not renew a permit associated with a proposed well.
3. The well owner, authorized agent, or the authorized operator of a permit shall submit an administratively complete application requesting the renewal of the permit prior to the permit expiration date.
4. 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.
5. The district shall, without a hearing, consider an application to renew a permit submitted to the district provided that:
 - 5.1. 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
 - 5.2. the authorized operator is not requesting an amendment to the permit in conjunction with the request to renew the permit.
6. The district shall not renew a permit if the owner of groundwater resources or authorized operator:
 - 6.1. is delinquent in paying a fee required by the district;
 - 6.2. 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

- 6.3. 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.
7. 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 in effect until the final settlement or adjudication on the matter of the substantive violation.
8. 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:
 - 8.1. is delinquent in paying a fee required by the district;
 - 8.2. 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
 - 8.3. 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.
9. 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.
10. The board of directors shall consider administratively complete applications to amend a permit or waiver requested by the well owner, authorized agent, or the authorized operator of a permit or waiver that involve the substantive provisions of the related permit or waiver such as production rates, production amounts, purposes of use, or conditions of the permit.
11. The general manager may process and issue amendments to permits and waivers associated with administratively complete applications to amend a permit requested by the well owner, authorized agent, or the authorized operator of a permit that are solely administrative in nature that do not involve the substantive provisions of the related permits or waivers such as production rates, production amounts, purposes of use, or conditions of the permit.
12. 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:
 - 12.1. the conclusion of the permit amendment or renewal process, as applicable; or
 - 12.2. final settlement or adjudication on the matter of whether the change to the permit requires a permit amendment.
13. The district may initiate the process for amending a permit in connection with the renewal of a permit.
14. 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.

RULE 4.4.1: APPLICATION REQUIREMENTS RELATED TO PERMIT RENEWAL REQUESTS

1. The applicant for an application for the renewal of a production permit or 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:
 - 1.1. the name and mailing address of the applicant;
 - 1.2. the permit identification number of the subject permit;
 - 1.3. the well identification numbers of the associated water wells;
 - 1.4. a negative or affirmative response to questions regarding the present facts and circumstances relevant to the original application for and subsequent approval of the subject permit;
 - 1.5. 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; and
 - 1.6. the dated signature of the applicant.

RULE 4.4.2: APPLICATION REQUIREMENTS RELATED TO PERMIT AMENDMENT REQUESTS

1. The applicant for an application for the amendment of a production permit or 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:
 - 1.1. the name and mailing address of the applicant;
 - 1.2. the permit identification number of the subject permit;
 - 1.3. the well identification numbers of the associated water wells;
 - 1.4. a description of the request amendment;
 - 1.5. 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; and
 - 1.6. the dated signature of the applicant.

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 rate of a production permit for non-historic use of a non-exempt-use well, except wells operated solely to produce groundwater under a production permit for deep-saline non-historic use, to a rate not exceeding a ratio of one gallon per minute per foot (1 GPM / 1 foot) of separation between the well and the nearest point along the boundary of ownership of land containing 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 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.

5. 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 rate of a production permit for non-historic use for each well of a non-exempt-use well field, except wells operated solely to produce groundwater under a production permit for deep-saline non-historic use, to a rate not exceeding a ratio of one gallon per minute per foot (1 GPM / 1 foot) of separation between the well and the nearest point along the boundary of ownership of land containing 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 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.
5. 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 rate of a production permit for non-historic use for each well of a non-exempt-use well system, except wells operated solely to produce groundwater under a production permit for deep-saline non-historic use, to a rate not exceeding a ratio of one gallon per minute per foot (1 GPM / 1 foot) of separation between the well of the well system and the nearest point along the boundary of ownership of land containing the well.
4. 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.
5. 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 or San Antonio River 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, during a reporting period, 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 for a pumping test 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 San Antonio River 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 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.

2. The district shall condition production permits for deep-saline non-historic use with the following performance conditions:
 - 2.1. 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;
 - 2.2. 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;
 - 2.3. 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;
 - 2.4. 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;
 - 2.5. 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;
 - 2.6. 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;
 - 2.7. 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 $\mu\text{S}/\text{cm}$);
 - 2.8. 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 $\mu\text{S}/\text{cm}$);
 - 2.9. 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%);
 - 2.10. 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

- 2.11. land subsidence measured within the boundary of the subject tracts of contiguous ownership of groundwater resources shall not exceed one foot (1 foot).
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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 applications 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.

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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.

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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. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. The board of directors may accept a counteroffer or otherwise modify any settlement offer associated with an alleged violation.
11. 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.

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 offer 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.

Texana Groundwater Conservation District

RESOLUTION

Resolution Number: 2011-10-20-A

Establishing the District Fee and Surcharge Schedule

WHEREAS, the Legislature of the State of Texas created the Texana Groundwater Conservation District in 2001 by the 77th Texas Legislature, regular session, enacting SB 1911, May 17, 1999 and passed the House with amendments on May 28, 1999. This act is recorded in Chapter 1294 of the Acts of the 77th Texas Legislature. The District was confirmed through a referendum of the voters of Jackson County; and

WHEREAS, The Texas Water Code has delegated to the District the power to make and enforce rules, including the ability to establish and prescribe reasonable fees and surcharges; and

WHEREAS, the District has adopted District Rules that became effective upon approval of the District Management Plan by the Executive Administrator of the Texas Water Development Board and said rules provide for the establishment of a schedule of fees and surcharges by resolution:

NOW THEREFORE BE IT RESOLVED THAT:

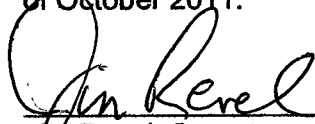
The District establishes the fees and surcharges of the District as described in the attached fee and surcharge schedule and that the schedule becomes effective upon approval of this resolution. As provided by the District Rules, all grandfathered and exempt-use wells are exempt from the fee schedule except for transport fees and surcharges.

Adopted by a vote of 7 ayes and 0 nays on this the 20th day of October 2011.



Michael Skalicky, President, Board of Directors

I, the undersigned, do hereby certify that the Board of Directors of the Texana Groundwater Conservation District adopted the above resolution on the 20th day of October 2011.



Jim Revel, Secretary, Board of Directors

Texana Groundwater Conservation District

Fee and Surcharge Schedule

District Fees

Drilling permit application without variance request:

1. \$100.00 per application upon submittal.

Operating permit application without variance request:

1. \$100.00 per application upon submittal.

Drilling permit application with variance request(s):

1. \$1,000.00 per application with variance request upon submittal;
2. Remaining balance of any costs incurred by the TGCD associated with outside technical review of application prior to scheduling and publishing notice for any public hearings.

Operating permit application with variance request(s):

1. \$5,000.00 per application with variance request upon submittal;
2. Remaining balance of any costs incurred by the TGCD associated with outside technical review of application prior to scheduling and publishing notice for any public hearings.

Transport permit applications:

1. \$5,000.00 per application upon submittal;
2. Remaining balance of any costs incurred by the TGCD associated with outside technical review of application prior to scheduling and publishing notice for any public hearings.

Fee Refund

The General Manager shall determine the consultation costs incurred in the processing, evaluation, and consideration of a permit application and refund any remaining portion of any fee after final disposition of the associated application.

Export Surcharges

\$0.025 per 1000 gallons (\$8.15 per acre-foot) of water transported or exported from Jackson County.

Resolution

Resolution Number: RES-20241017-A

Establishing the District Fee and Surcharge Schedule

Whereas, on September 30, 2024, a notice of hearing was published in the Victoria Advocate regarding a public hearing on the adoption of the proposed rules of the district; and

Whereas, on October 17, 2024, the board of directors of the district, with a quorum being present, conducted public hearings regarding the adoption of the proposed rules of the district; and

Whereas, on October 17, 2024, the board of directors of the district adopted the proposed rules of the district that became effective immediately and said rules provide for the establishment of a schedule of fees and surcharges by resolution:

Now therefore be it resolved that;

The district establishes the fees and surcharges of the district as described in the attached fee and surcharge schedule and that the schedule becomes effective upon approval of this resolution.

Adopted by a vote of _____ ayes and _____ nays on this the 17th day of October 2024.

Presiding Officer of the Texana Groundwater Conservation District

I, the undersigned, do hereby certify that the Board of Directors of the Texana Groundwater Conservation District adopted the above resolution on the 17th day of October 2024.

Secretary of the Board of the Texana Groundwater Conservation District

Fee and Surcharge Schedule

Administrative and Application Fees

- Fee for an application for a historic-use production permit: **\$150.00**.
- Fee for an application for a high-capacity non-historic-use production permit: **\$6,500.00**.
- Fee for an application for a deep-saline non-historic-use production permit: **\$6,500.00**.
- Fee for an application for a transfer permit: **\$6,500.00**.
- Fee for an application for a district waiver request: **\$6,500.00**.

The general manager shall determine the consultation costs incurred in the processing, evaluation, and consideration of a permit application after final disposition of the application and refund any remaining portion of any application fee to the applicant.

Production Fees

- Fee for the production of groundwater less than or equal to the authorized groundwater production amount of a non-exempt-use well in a calendar year: **\$0.00**.
- **Excess Production Bracket 1** – production of less than 1 acre-foot of excess production of groundwater in a calendar year from a well: **\$10.00** for groundwater produced in a calendar year in excess of the annual production amount authorized for the subject well.
- **Excess Production Bracket 2** – production of 1 acre-foot to 10 acre-feet of excess production groundwater in a calendar year from a well: **\$20.00 per acre-foot** of groundwater produced in a calendar year in excess of the annual production amount authorized for the subject well, not to exceed \$10,000.00 per day of continued production of groundwater in excess of the annual production amount authorized for the subject well.
- **Excess Production Bracket 3**: production of 10 acre-feet to 100 acre-feet of excess production of groundwater in a calendar year from a well: **\$100.00 per acre-foot** of groundwater produced in a calendar year in excess of the annual production amount authorized for the subject well, not to exceed \$10,000.00 per day of continued production of groundwater in excess of the annual production amount authorized for the subject well.
- **Excess Production Bracket 4**: production of 100 acre-feet or more of excess production groundwater in a calendar year from a well: **\$500.00 per acre-foot** of groundwater produced in a calendar year in excess of the annual production amount authorized for the subject well, not to exceed \$10,000.00 per day of continued production of groundwater in excess of the annual production amount authorized for the subject well.

Transfer Fees

- Fee associated with the transfer of groundwater under the transfer permit: **\$67.12 per acre-foot** transferred out of the District.

Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

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The meeting of the Texana Groundwater Conservation District Board of Directors convened at 411 N. Wells, Edna, Texas 77957 on Thursday, July 18, 2024, at 6:00 PM.

The following representatives of Texana Groundwater Conservation District attended the meeting:

Precinct 1:	John Boone	Present
Precinct 2:	Michael Skalicky	Absent
Precinct 3:	Clifford Born	Present
Precinct 4:	Charles Marr	Present
At Large:	Jim Revel	Absent
At Large:	Alfred Tupa	Present
At Large:	Robert Gendke	Present
General Manager:	Tim Andruss	Present
Legal Counsel:	Jim Allison of Allison, Bass & Magee, LLP	Present

Agenda Item 1: Call the meeting to order and welcome guests.

Meeting Discussion: Mr. Tupa called the meeting to order at approximately 6:00 PM.

Board Action: None.

Agenda Item 2: Receive public comments.

Meeting Discussion: Mr. Tupa offered to accept public comment from attendees.

No comments were made at this time.

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 offered the following report:

Regarding Well Registration Processing for FY2024.

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As of July 16, 2024, staff had received 16 well registration applications (ARWs) since October 1, 2023.

As of July 16, 2024, staff had received 34 Notices of Intent to Drill a Well (NIDWs) since October 1, 2023.

Regarding Production Permit Renewal Processing for FY2024.

As of July 16, 2024, staff had received 26 production permit renewal requests (ARPs) since October 1, 2023.

Regarding Permit Processing for FY2024.

As of July 16, 2024, staff had initiated 11 permitting request case (PRCs) since October 1, 2023.

As of July 16, 2024, staff had 20 permitting request case pending.

As of July 16, 2024, staff had 147 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 167,063 acre-feet.

Regarding Groundwater Production Report Processing for CY2023.

As of July 16, 2024, staff had processed 205 groundwater production reports for the preceding calendar year since October 1, 2023.

As of July 16, 2024, staff had recorded groundwater production reports for 205 water wells reporting 24,627 acre-feet of groundwater production during CY2023. (TWDB estimated the volume of groundwater produced for rural domestic, livestock, mining, and rig supply exempt uses in Jackson County in Year 2020 was 1,581 acre-feet.

Regarding Manage Investigations related to Permitting Violations for FY2024.

As of July 16, 2024, staff had initiated 2 investigations related to groundwater management (i.e., permitting) since October 1, 2023.

As of July 16, 2024, staff had 6 active investigations related to groundwater management (i.e., permitting).

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Regarding Manage Enforcement Cases related to Permitting Violations for FY2024.

As of July 16, 2024, the Board had initiated 11 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2023.

As of July 16, 2024, staff had 3 unresolved enforcement cases related to groundwater management (i.e., permitting).

Board Action: None.

3.1 – Permit Hearing for PRC-20230321-01 – Bowers and Saha LLC

Meeting Discussion: Mr. Andruss explained on April 20, 2023, the Board approved the following motion:

Mr. Revel moved to:

1. designate the permitting request case contested;
2. authorize the general manager to engage and pay for services rendered by a qualified technical consultant for the review of application and supporting documentation for the purposes of expressing an opinion regarding the validity of the technical statements within the application and degree to which the "DiSorbo Report" and monitoring data supports technical claims by Bower and Saha; and
3. schedule a meeting for the purpose of receiving a report from the technical consultant and continue the contested case proceedings.
4. grant Bowers and Saha LLC forbearance authorizing
 - a) pumping of 30% of their permitted groundwater volume in the fresh zone, and their full permitted volume in the brackish zone so long as water levels in monitoring wells do not decline more than 20 feet below the initial condition of the of the monitoring well,
 - b) authorization to produce groundwater from the fresh zone while air temperature falls below 40 degrees for two or more consecutive days,
 - c) elimination of weekly monitoring requirements by the permitted entity, until the review of the amendment request by the District is completed, and presented to the board, or otherwise withdrawn by the board.

Mr. Skalicky seconded the motion. The motion passed unanimously.

On March 8, 2024, Mr. Andruss, Dr. Uddameri, Mr. Frankson, and Mr. Kubecka met as part of the efforts of the District to reach a settlement between the parties

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of the contested case related to the waiver amendment request submitted by Bower and Saha Aquaculture related to waiver WV-20191219-01. As of April 8, 2024, a settlement had not been agreed to by the parties.

On April 4, 2024, staff forwarded a copy of the draft revisions developed as part of our efforts to negotiate terms of a revised waiver for the BSA fish farm to Mr. Kubecka and Mr. Frankson.

On June 18, 2024, staff requested that Dr. Uddameri provide "a written expression of support for the draft revisions developed as part of our efforts to negotiate terms of a revised waiver for the BSA fish farm. In particular, it would be helpful, if you expressed an opinion whether or not 1) the proposed monitoring of , 2) the proposed reporting of, and [3]) the proposed responses to measured aquifer conditions of the draft revision of the existing waiver will adequately protect the fresh groundwater resources used by existing groundwater users in the vicinity of the production wells with the continued production of groundwater as authorized by the associated production permit."

On July 12, 2024, Dr. Uddameri provided a response to the request of June 18, 2024. Dr. Uddameri expressed support for the draft revisions developed as part of our efforts to negotiate terms of a revised waiver for the BSA fish farm.

Mr. Kubecka updated the board on the situation at the fish farm and indicated he would submit an amended application for consideration at the next meeting.

Board Action: Mr. Boone moved to instruct the General Manager to issue a formal hearing for the amendment waiver. Mr. Gendke seconded the motion. The motion passed unanimously.

3.2 – Permit Hearing for PRC-20231012-01 – Chris Hajovsky

Meeting Discussion: Mr. Andruss explained Mr. Christopher Hajovsky seeks, under permitting request case PRC-20231012-01 - AAPC-20231012-01 - Chris Hajovsky, a waiver of the rules of the district and an amendment to production permit VPW-20161215-01 associated with grandfathered well GW-00348 to authorize the production of groundwater permitted under historic use validation permit VPW-20161215-01 (1,007.51 acre-feet per year) from grandfathered well GW-00348 and non-grandfathered well NW-00751. The subject wells are located on a 398-acre tract of land near the intersection of FM 1157 and County Rd. 206 in Jackson County, Texas.

On April 10, 2024, the District notified Mr. Hajovsky of its intent to contest the permitting request.

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On June 18, 2024, the District notified Mr. Hajovsky of its concern regarding the good cause basis provided within waiver request:

"Mr. Hajovsky,

As you know, your permitting request case is scheduled for hearing by the Board of Directors of the Texana Groundwater Conservation District on July 18, 2024, at 6:00 PM at the office building of the District. I reviewed your request with legal counsel of the district, Mr. Allison, yesterday. He encouraged me to notify you of my concerns that the waiver request submitted with the permitting application does not articulate an adequate basis for recommending the Board find good cause to grant the requested waiver.

In particular, my concern is the good cause basis you provide within the request (i.e., granting the waiver would improve your ability to produce groundwater for irrigation purposes from the tract of land while not resulting in authorized production of the new well field exceeding the production limitations established for the historic use permit issued for grandfathered well GW-00348) does not articulate how the approval of the waiver request would benefit the conditions or management of the groundwater resources within Jackson County. "

The permitting request represents a significant departure from one of the fundamental aspects of the rules of the district. In particular, the rules of the district limit the historic use protection provisions to grandfathered wells and to the pattern of use that occurred in the historic period. Furthermore, the rules prohibit, under Rule 4.1(6), extending historic use protections to non-grandfathered wells. Essentially, the applicant is seeking to extend the historic use protections validated (under permit VPW-20161215-01) for a grandfathered well (grandfathered well GW-00348) to an additional well (non-grandfathered well NW-00751).

The applicant appears to assert that granting the requested waiver is justifiable because the current production capacity of wells GW-00348 and NW-00751, in aggregate, will not exceed the reported capacity or the validated annual production rate of well GW-00348 in the historic period and therefore should not cause impacts on the groundwater resources to any greater degree than the impacts caused during the historic period.

Mr. Hajovsky was present at the meeting and discuss permitting options he was considering to address his situation.

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Board Action: Mr. Born moved to accept the applicant's request to delay consideration at this time to give him the opportunity to communicate with the General Manager to discuss possible revisions. Mr. Boone seconded the motion. The motion passed unanimously.

3.3 – Production Permit Renewals for FY2024

Meeting Discussion: Mr. Andruss explained as of July 16, 2024, staff had received administratively complete application seeking the renewal of production permit scheduled to expire in July 2024.

RULE 4.8: PERMIT RENEWAL

1. The General Manager of the District may authorize an authorized operator of a non-exempt use well, well field, or well system for which an application to renew a production permit or transport permit to continue operating under the conditions of the prior permit, subject to any changes necessary under these rules, or the District's management plan, for the period of time during which the renewal application is the subject of a contested case hearing.
2. The District shall without a hearing renew or approve an application to renew a production permit before the date on which the production permit expires, provided that:
 - a. the application, if required by the district, is submitted in a timely manner and accompanied by any required fees in accordance with district rules; and
 - b. the authorized operator is not requesting a change related to the renewal that would require a permit amendment under district rules.
3. The District shall not renew a permit if the applicant or authorized operator:
 - a. is delinquent in paying a fee required by the district;
 - b. is subject to a pending enforcement action for a substantive violation of a district permit, order, or rule that has not been settled by agreement with the district or a final adjudication; or
 - c. 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 district permit, order, or rule.
4. A production permit that the District did not renew because the applicant or authorized operator is subject to a pending enforcement action for a substantive violation of a district permit, order, or rule that has not been settled by agreement with the District or a final adjudication remains in effect until the final settlement or adjudication on the matter of the substantive violation.

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5. A production permit as it existed prior to the initiation of the production permit amendment process shall be renewed without penalty if an associated production permit amendment process results in a denial of the amendment unless the applicant or authorized operator:

- a. is delinquent in paying a fee required by the district;
- b. is subject to a pending enforcement action for a substantive violation of a district permit, order, or rule that has not been settled by agreement with the district or a final adjudication; or
- c. 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 district permit, order, or rule.

Board Action: Mr. Gendke moved to approve the following production permit renewals and authorize the general manager to issue production permit renewals for the permits associated with the following renewal requests in accordance with the Rules of the District: ARPP-20240430-01, ARPP-20240430-02, ARPP-20240430-03, ARPP-20240430-04, ARPP-20240430-05, ARPP-20240430-06, ARPP-20240430-07, ARPP-20240430-08, ARPP-20240430-09, ARPP-20240430-10, ARPP-20240430-11, ARPP-20240430-12, ARPP-20240430-13, ARPP-20240430-14, ARPP-20240430-15, ARPP-20240430-16, ARPP-20240430-17, ARPP-20240430-18, ARPP-20240430-19, ARPP-20240430-20, ARPP-20240430-21 and ARPP-20240528-01. Mr. Boone seconded the motion. The motion passed unanimously.

3.4 – Enforcement Hearing re ECV-20240429-01

Meeting Discussion: Mr. Andruss explained on April 18, 2024, the Board passed a motion to:

1. find that the well owner as of December 31, 2023, (Registered Well Owner: Donald Lewis Leach Jr.; JCAD Landowner: Terranona Properties LP) violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well GW-00453 and GW-00544 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 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if Registered Well Owner: Donald Lewis Leach Jr. (JCAD Landowner: Terranona Properties LP) consents to the following conditions:
 - a. acknowledges the violation by June 30, 2024;
 - b. pays a settlement fee of \$0.00 by June 30, 2024; and

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c. submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

In response to the action taken by the Board, staff recorded violation Enforcement Case Violation - ECV-20240429-01 - Donald Lewis Leach Jr. - Failure to Report Groundwater Production CY2023 for Well(s) - GW-00453 and GW-00544 - Active

On May 3, 2024, staff attempted to provide notice of violation ECV-20240429-01 to Donald Lewis Leach Jr. by certified mail (CMRRR 7022 1670 0003 4383 1621).

On May 6, 2024, Mr. Donald Lewis Leach contacted staff of the District in regards to enforcement case violation ECV-20240429-01 and stated the he had sold the property over a year ago to a Mr. Hernandez and that the phone number for Mr. Hernandez is 832-790-2578.

On May 9, 2024, staff of the District attempted to contact Mr. Hernandez to obtain contact information in regards to enforcement case violation ECV-20240429-01.

On June 3, 2024, staff attempted to provide notice of violation ECV-20240429-01 to Donald Lewis Leach Jr. by certified mail (CMRRR 7022 1670 0003 4383 1911).

On June 4, 2024, staff of the district hand delivered 2nd NOV Letter to an employee with Twin Lakes RV Park.

On June 4, 2024, staff of the District was able to obtain a forwarding address for Twin Lakes RV Park.

On June 6, 2024, staff of the District mailed by certified mail 2nd NOV Letter regarding enforcement case violation ECV-20240429-01 to Twin Lakes RV Park, C/O Creations by DNA, 5611 Grape St., Houston, Texas 77096 by certified mail (CMRRR 7022 1670 0003 4383 2055).

On July 1, 2024, the staff attempted to provide notice of this enforcement hearing and staff's intent to seek authorization to pursue enforcement of the rules by filing a civil suit against Twin Lakes RV Park at the next regularly scheduled meeting of the board of directors to Twin Lakes RV Park by certified mail (CMRRR 7022 1670 0003 4383 2307).

Board Action: Mr. Born moved to designate ECV-20240429-01 resolved and take no further action. Mr. Gendke seconded the motion. The motion passed unanimously.

3.5 – Enforcement Hearing re ECV-20240429-06

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Meeting Discussion: Mr. Andruss explained on April 18, 2024, the Board passed a motion to:

1. find that the well owner as of December 31, 2023, (Registered Well Owner: TRI-COUNTY POINT; JCAD Landowner: TRI-COUNTY POINT) violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well GW-00418, GW-00419, GW-00420, and GW-00421 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 \$250.00 penalty for the violation per RULE 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if Registered Well Owner: TRI-COUNTY POINT (JCAD Landowner: TRI-COUNTY POINT)) consents to the following conditions:
 - a) acknowledges the violation by June 30, 2024;
 - b) pays a settlement fee of \$20.00 by June 30, 2024; and
 - c) submits a administratively complete groundwater production report for calendar year 2023 by June 30, 2024.

In response to the action taken by the Board, staff recorded violation Enforcement Case Violation - ECV-20240429-06 - TRI-COUNTY POINT - Failure to Report Groundwater Production CY2023 for Well(s) - GW-00418, GW-00419, GW-00420, and GW-00421 - Active

On May 3, 2024, staff attempted to provide notice of violation ECV-20240429-06 to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 1676).

On May 23, 2024, Mr. Ben Glynn provided the following response to the district regarding the 1st NOV Letter for violation ECV-20240429-06.

On May 29, 2024, staff of the District processed the following production reports that were submitted by Mr. Ben Glynn for CSWR-Texas Utility Operating Company.

Administratively Complete groundwater production reports for CY2023, for wells GW-00418 and GW-00420.

Administratively Incomplete groundwater production reports for CY2023, for wells GW-00419 and GW-00421.

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On May 29, 2024, staff of the District mailed and emailed Mr. Ben Glynn for CSWR-Texas Utility Operating Company letter requesting additional information.

On June 3, 2024, staff attempted to provide notice of violation ECV-20240429-06 to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 1874).

On June 5, 2024, staff attempted to hand deliver notice of violation ECV-20240429-06 to CSWR-Texas Utility Operating Company.

On July 1, 2024, the staff attempted to provide notice of this enforcement hearing and staff's intent to seek authorization to pursue enforcement of the rules by filing a civil suit against CSWR-Texas Utility Operating Company at the next regularly scheduled meeting of the board of directors to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 2338).

Board Action: Mr. Gendke moved to open and record the enforcement hearing at approximately 7:29 PM regarding violation ECV-202404029-06. Mr. Boone seconded the motion. The motion passed unanimously.

The hearing was opened on July 18, 2024, at 7:29 PM

The enforcement case ID: ECV-20240429-06.

The alleged violator: CSWR-Texas Utility Operating Company

The alleged violation: Rule 2.6

The general manager of the district was sworn in.

A representative for CSWR was not present.

Mr. Gendke moved to cease the recording of the enforcement hearing after receiving no comments from the alleged violator and recess the hearing to a future meeting to give the General Manager to work with the alleged violator to resolve the violation. Mr. Boone seconded the motion. The motion passed unanimously.

3.6 – Enforcement Hearing re ECV-20240503-03

Meeting Discussion: Mr. Andruss explained on April 18, 2024, the Board passed a motion to:

1. find that the Tri County Point Water Systems violated RULE 4.9: PRODUCTION RELATED VIOLATIONS of the Rules of the District related to water well(s) owned by the Tri County Point Water Systems 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;

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2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$0.00 penalty to be paid by the Tri County Point Water Systems 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 Tri County Point Water Systems consents to the following conditions:
 - a) acknowledges the violation by June 30, 2024;
 - b) pays a settlement fee of \$0.00 by June 30, 2024; and
 - c) submits a administratively complete production permit application to the District by June 30, 2024.

In response to the action taken by the Board, staff recorded violation Enforcement Case Violation - ECV-20240503-03 - Tri County Point Water Systems - Failure to Obtain Production Permit - Active

On May 3, 2024, staff attempted to provide notice of violation ECV-20240503-03 to Tri County Point Water Systems by certified mail (CMRRR 7022 1670 0003 4383 1706).

On June 3, 2024, staff attempted to provide notice of violation ECV-20240503-03 to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 1935).

On June 4, 2024, staff of the attempted to hand delivered 2nd NOV Letter to an employee with CSWR-Texas Utility Operating Company.

On July 1, 2024, the staff attempted to provide notice of this enforcement hearing and staff's intent to seek authorization to pursue enforcement of the rules by filing a civil suit against CSWR-Texas Utility Operating Company at the next regularly scheduled meeting of the board of directors to CSWR-Texas Utility Operating Company by certified mail (CMRRR 7022 1670 0003 4383 2185).

Board Action: Mr. Tupa moved to open and record the enforcement hearing at approximately 7:31 PM regarding violation ECV-20240503-03. Mr. Born seconded the motion. The motion passed unanimously.

The hearing was opened on July 18, 2024, at 7:31 PM

The enforcement case ID: ECV-20240503-03

The alleged violator: CSWR-Texas Utility Operating Company

The alleged violation: Rule 4.9

The general manager of the district was sworn in.

A representative for CSWR was not present.

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Mr. Tupa moved to cease the recording of the enforcement hearing after receiving no comments from the alleged violator and recess the hearing to a future meeting to give the General Manager to work with the alleged violator to resolve the violation. Mr. Gendke 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 offered the following report:

Regarding Well Inspections for FY2024.

As of July 16, 2024, staff had recorded 11 well inspection forms (WIFs) since October 1, 2023.

Regarding Manage Investigations related to Groundwater Protection for FY2024.

As of July 16, 2024, staff had initiated 0 investigations related to Groundwater Protection since October 1, 2023:

As of July 16, 2024, staff had 1 active investigation related to Groundwater Protection.

Regarding Manage Enforcement Cases related to Groundwater Protection for FY2024.

As of July 16, 2024, the Board had initiated 0 enforcement cases related to Groundwater Protection since October 1, 2023.

As of July 16, 2024, 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

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Meeting Discussion: Mr. Andruss offered the following report:

Regarding Monitor Drought Conditions for FY2024.

As of July 16, 2024, the U.S. Drought Monitor indicates that 0% of Jackson County is experiencing abnormally dry or moderate drought conditions.

As of July 16, 2024, drought condition information related to the district and the surrounding region of Texas collected from the Water Data for Texas website indicates that no portions of Jackson County are experiencing drought conditions.

Regarding Synoptic Aquifer Monitoring for FY2024.

As of July 16, 2024, staff had collected 72 water level measurements since October 1, 2023.

Regarding Continuous Water Level Monitoring for FY2024.

On January 18, 2024, staff provided a revised quote from WelIntel for the installation, configuration, and data services to monitor a single site within Jackson County as requested by the Board. Staff have suspended all efforts related to implementing a program to setup continuous aquifer monitoring sites within the District until such time as the Board provides guidance on how to proceed, if at all.

Regarding Baseline Water Quality Aquifer Monitoring for FY2024.

As of July 16, 2024, staff had collected 60 water quality field measurements since October 1, 2023.

As of July 16, 2024, staff had collected 0 water quality samples since October 1, 2023.

As of July 16, 2024, staff had received 0 water quality lab reports since October 1, 2023.

Regarding Ad-Hoc Baseline Water Quality Sampling for FY2024.

No report.

Regarding Annual Water Level Assessment for FY2024.

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No report.

Regarding Annual Water Quality Assessment for FY2024.

On July 8, 2024, staff received a proposal from Dr. Young of Intera for a project to update the water level assessment report.

Regarding Monitoring Network Assessment and Improvement Project for FY2024.

No report.

Regarding Aquifer Monitoring for WV-20191219-01 for FY2024.

Regarding West Ranch Monitoring for FY2024.

On January 18, 2024, staff provided an update regarding recent water quality data gathered from a site and the potential of significant changes near West Ranch. See: MFC-20240118-5.2 - Monitoring Near West Ranch. Staff have suspended all efforts to implement a program to renew monitoring activities near West Ranch until such time as the Board provides guidance on how to proceed, if at all.

Board Action: None.

5.1 – Intera Proposal for Update of Water Level Assessment Report

Meeting Discussion: Mr. Andruss explained on July 8, 2024, Dr. Young of Intera submitted a proposal to Victoria County GCD to apply geostatistical techniques to interpret measured 2023 water levels in Calhoun County GCD, Refugio GCD, Texana GCD and Victoria County GCD. The proposed work will expand the analysis of measured water levels performed by Dr. Young and others in previous years to include measured water levels in 2023.

The cost for performing the completing the work is \$18,000. The project will be fixed priced. The presentations and the memorandum will be completed in approximately 5 months. Intera will deliver a memorandum and presentations for each participating GCD documenting contours of hydraulic head for CY2023, calculations of water level changes between CY2000 and CY2023, and the geostatistical techniques used to interpret water level measurements.

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Board Action: Mr. Boone moved to accept the proposal and authorize Intera to proceed with the work with a cost not to exceed \$18,000.00 contingent upon Calhoun County GCD, Refugio GCD, and Victoria County GCD agreeing to cost-share at \$4,500.00 per district. Mr. Born seconded the motion. The motion passed unanimously.

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:

Regarding Promote Conservation for FY2024.

No Report.

Regarding Conservation Education and Teacher Professional Development for FY2024

On June 26 and 27, 2024, district staff conducted workshops to provide professional develop regarding water conservation to science teachers of Victoria County. The workshops were attended by 9 teachers from Victoria County and facilitated by Dr. Teresa Le Sage-Clements and Dr. Dmitri Sobolev of UHV, Ms. Denise Andruss and Mr. Snyder (RGCD Director) of VISD, Mr. Willie Immenhauser, Mr. Mike Benavides, Ms. Caitlynn Davenport, and Mr. Andruss of VCGCD.

The teachers participated in activities and exercises related to understanding the hydrologic cycle; the use of physical models to understand watershed and aquifers; site visits and sample collection at the Guadalupe River at Riverside Park, a water well at the Clements Ranch, and the wetlands at the INVISTA Plant in Victoria County; risks to water resource; water resource conservation approaches; and technological and scientific advancements in water conservation.

The participating teachers provided evaluation of the workshops to assist in improving similar projects undertaken in the future.

Based on the feedback received from the participants and facilitators, staff anticipates developing a similar project proposal for consideration by the Board in FY2025.

Board Action: None.

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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 offered the following report:

Regarding Regional Water Planning Participation for FY2024.

Representatives of the district did not participate in the meeting of the Lavaca Regional Planning Group (Region P) held on May 6, 2024. The next meeting of the Lavaca Regional Planning Group (Region P) is scheduled for July 24, 2024, at 12:00 PM at the LNRA Offices.

Regarding GMA 15 Joint Planning for 4th Planning Cycle in FY2024.

The representatives of Groundwater Management Area 15 met on July 11, 2024, in Fayette County. The primary topics of discussed at the meeting were the project scope and cost of the technical work proposed by Intera (the preferred and only respondent to the associated RFP) and groundwater availability modeling. Staff encouraged the representatives to contribute more funding to the GMA 15 Joint Planning Fund to avoid substantial limitation to the scope of the proposed technical work to be performed by Intera.

Board Action: None.

7.1 – GMA 15 Joint Planning

Meeting Discussion: Mr. Andruss explained the representatives of Groundwater Management Area 15 met on July 11, 2024, in Fayette County. The primary topics of discussed at the meeting were the project scope and cost of the technical work proposed by Intera (the preferred and only respondent to the associated RFP) and groundwater availability modeling. Staff encouraged the representatives to contribute more funding to the GMA 15 Joint Planning Fund to avoid substantial limitation to the scope of the proposed technical work to be performed by Intera.

Staff resumed efforts to negotiate terms of an agreement with Intera for providing the proposed technical services to the GMA-15 Committee because 1) the majority of the member districts of GMA 15 have adopted the by-laws and cost-sharing agreement, 2) the majority of the member district the GMA-15 Committee have submitted their contributions to the fund for the technical services for the 4th cycle

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of joint planning, and 3) the TWDB agreed to allow the use of the “GAM for the central portion of the Gulf Coast Aquifer System” by GMA 15.

As of May 31, 2024, the GMA 15 Joint Planning Fund has a balance of \$70,832.21. The costs for the proposal submitted by Intera for the adoption of the DFC in the 4th Joint Planning Cycle was \$90,000.

Due to the funding gap between GCD contributions and Intera’s proposed cost, VCGCD and Intera are examining ways to alter the scope of the project to address the funding short fall. VCGCD has suggested revisions for consideration by Intera.

Staff recommended to the representatives of the funding districts at the GMA 15 meeting to seek additional funding in the amount of \$2,000 to fully fund the project as initially proposed.

Additional contributions could be available for additional GAM simulations, updates to historic pumping in the CGC-GAM, improvements to the explanatory report, or addendums to the GMA 15 explanatory report.

Board Action: Mr. Born moved to authorize the increased contribution of \$2,000 to the GMA 15 Joint Planning Fund. Mr. Boone seconded the motion. The motion passed unanimously.

Agenda Item 8: Consideration of and possible action on matters related to groundwater policy including the Management Plan of the District and the Rules of the District.

8.0 – Report regarding Groundwater Policy

Meeting Discussion: Mr. Andruss offered the following report:

Regarding Management Plan Revisions for FY2024.

No report.

Regarding Rule Amendments for FY2024.

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 October 2024.

Regarding Legislative Support and Lobbying for FY2024.

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No report.

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, and support services provided to and from other groundwater conservation districts.

9.0 – Report regarding Administration and Management

Meeting Discussion: Mr. Andruss offered the following report:

Regarding Election Coordination for CY2024.

On June 28, 2024, staff posted the Notice of Candidate Filing Deadline on the website of the district.

Regarding Financial Audit for FY2023.

No Report.

Regarding Investment Management for FY2024.

No Report.

Regarding Financial Record Processing and Reporting for FY2024.

No Report.

Regarding Budget Development for FY2025.

No Report.

Regarding Asset Tracking for FY2024.

No Report.

Regarding Public Funds Training for FY2024.

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No Report.

Regarding Website Improvements.

No Report.

Regarding Public Notice and Meeting Coordination for FY2024.

The next meetings of the Board are scheduled for **August 15, 2024** (Budget and Tax Rate Matters), and **October 17, 2024**, with each meeting to convene at **6:00 PM**. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

Regarding Performance Audit for FY2023.

No Report.

Regarding Project Management for FY2024.

No Report.

Regarding Administrative Policy Review for FY2024.

No Report.

Regarding Transparency Reporting for FY2024.

No Report.

Regarding Cybersecurity Training for FY2024.

No Report.

Regarding Consultant Review for FY2024.

No Report.

Regarding Open Government Training for FY2024.

No Report.

Regarding District Liability Insurance Review and Renewal.

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No Report.

Regarding Digital Record Archiving for FY2024.

No Report.

Regarding Physical Record Archiving for FY2024.

No Report.

Board Action: None.

9.1 – Minutes of the Previous Meetings

Meeting Discussion: Mr. Andruss explained the minutes for the previous meeting were sent the board members prior to the meeting.

Board Action: Mr. Born moved to accept and approve the meeting minutes for April 18, 2024, as drafted. Mr. Boone seconded the motion. The motion passed unanimously.

9.2 – Financial Reports of the District

Meeting Discussion: Mr. Andruss explained the internal financial reports of the District for March, April and May 2024, have been sent to the directors prior to the meeting.

Board Action: Mr. Born moved to accept and approve the financial reports for March, April and May 2024. Mr. Gendke seconded the motion. The motion passed unanimously.

9.2.1 – Financial Transaction Review

Meeting Discussion: Mr. Andruss explained that there have been 6 accounts payable and 13 accounts receivable transactions since April 12, 2024, as of July 5, 2024.

Board Action: None.

9.3 – Investments of the District.

Meeting Discussion: Mr. Andruss explained the investment reports for March, April and May 2024, have been sent to the board prior to the meeting.

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Board Action: Mr. Boone moved to accept the investment reports for March, April and May 2024. Mr. Born seconded the motion. The motion passed unanimously.

9.4 – Unpaid Accounts Payable

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. Gendke moved to authorize the general manager to pay the following items:

1. Allison, Bass and Magee, LLP – Inv# 7343 - \$810.00
2. Victoria County GCD – Reimbursement - \$889.29

Mr. Boone seconded the motion. The motion passed unanimously.

9.5 – Annual Performance Report of the District

Meeting Discussion: Mr. Andruss explained on July 18, 2024, management compiled the annual performance report for the fiscal year ending September 30, 2023. Based on the review of the activities and projects of the Texana Groundwater Conservation District between October 1, 2022, and September 30, 2023, and an assessment of the performance standards, management has determined that all goals and associated objectives established within the Management Plan of the District have been fully or partially achieved during the fiscal year ending September 30, 2023.

Board Action: Mr. Gendke moved to accept and approve the annual performance report for the fiscal year ending September 30, 2023. Mr. Born seconded the motion. The motion passed unanimously.

9.6 – Financial Audit for FY2023

Meeting Discussion: Mr. Andruss explained on October 19, 2023, the Board accepted 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. Goldman presented the audit.

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Board Action: Mr. Gendke moved to accept and approve the financial audit for the fiscal year ending September 30, 2023. Mr. Boone seconded the motion. The motion passed unanimously.

9.7 – Preliminary Budget Information for FY2025

Meeting Discussion: Mr. Andruss explained staff will develop and present a budget for the fiscal year ending September 30, 2025, at the meeting scheduled for August 15, 2024, that attempts to fund the operations of the District in a manner that provides for 1) the accomplishment of the management plan goals and objectives and 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) the avoidance of a budget deficit in Fiscal Year 2024-2025. Management anticipates proposing an increased expense budget due to impacts of inflation.

The anticipated balance of the Operating Fund at the end of the fiscal year is \$61,139.10. The anticipated balance of the Reserve Fund at the end of the fiscal year is \$1,112,845.31.

The VCGCD will consider options regarding the services it provides to other GCDs at the meeting scheduled for July 19, 2024. If the Board of the VCGCD wishes to offer revisions to the current agreement, the VCGCD will provide notice of its cancellation of the current agreement and a new agreement for those services it intends to offer other GCDs. The District may also consider revisions or cancelation of the current agreement to avoid its automatic renewal.

Staff will develop the proposed budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2024-2025 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 25%
- Groundwater Monitoring: 25%
- Groundwater Protection: 10%
- Groundwater Research: 5%
- Groundwater Resource Planning: 5%
- Legal Contingencies: 25%

Staff will develop the proposed budget anticipating the approval of a tax rate equal to the No-New-Revenue Tax Rate calculated by the Tax Assessor-Collector for Tax Year 2024.

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Board Action: Mr. Born moved to authorize the general manager to publish the required tax rate notices for the district based on the lesser of the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2024 or the Tax Rate for Tax Year 2023. Mr. Boone seconded the motion. The motion passed unanimously.

9.8 – Cyber Liability and Data Breach Response Coverage

Meeting Discussion: Mr. Andruss explained TML has created a new cybersecurity insurance fund in response to increased financial exposure from cybercriminal behavior. TML is requiring all entities to deliberately “opt-in” to continue cybersecurity coverage.

Board Action: Mr. Boone moved to accept and opt-in to the Core+ edition of the TML Cyber Liability and Data Breach Response Coverage and authorize the general manager to submit any necessary documentation necessary to obtain the coverage for the District at a cost of \$1,250.00. Mr. Marr seconded the motion. The motion passed unanimously.

9.9 – Prosperity Bank Depository Services Contract

Meeting Discussion: Mr. Andruss explained Prosperity Bank has offered to extend the depository services agreement with the district until April 30, 2026.

Board Action: Mr. Born moved to authorize the General Manager to execute the depository services agreement submitted by Prosperity Bank to extend the depository services agreement with the District until April 30, 2026. Mr. Boone 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: Mr. Allison gave his report.

Board Action: None.

Agenda Item 11: Adjourn

11.0 – Adjourn Meeting

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Meeting Discussion: None.

Board Action: Mr. Gendke moved to adjourn the meeting after concluding all business of the District, at approximately 9:03 PM. Mr. Born seconded the motion. The motion passed unanimously.

The above and foregoing minutes were read and approved on this the _____ day of _____, _____.

ATTEST:

District Director

District Director

Texana Groundwater Conservation District

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The meeting of the Texana Groundwater Conservation District Board of Directors convened at 411 N. Wells, Edna, Texas 77957 on Thursday, August 29, 2024, at 6:00 PM.

The following representatives of Texana Groundwater Conservation District attended the meeting:

Precinct 1:	John Boone	Present
Precinct 2:	Michael Skalicky	Absent
Precinct 3:	Clifford Born	Present
Precinct 4:	Charles Marr	Absent
At Large:	Jim Revel	Absent
At Large:	Alfred Tupa	Present
At Large:	Robert Gendke	Present
General Manager:	Tim Andruss	Present
Legal Counsel:	Jim Allison of Allison, Bass & Magee, LLP	Absent

Agenda Item 1: Call the meeting to order and welcome guests.

Meeting Discussion: Mr. Tupa called the meeting to order at approximately 6:00 PM.

Board Action: None.

Agenda Item 2: Receive public comments.

Meeting Discussion: Mr. Tupa offered to accept public comment from attendees.

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.

Meeting Discussion: None.

Board Action: None.

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

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Meeting Discussion: None.

Board Action: None.

4.1 – Texas Well Owner Network Well Screening

Meeting Discussion: Mr. Andruss explained on July 24, 2024, Mr. Pigg, Coordinator of the Texas Well Owner Network of the Texas A&M AgriLife Extension Service notified staff of an upcoming well screening program to be held for Jackson, Calhoun, and Matagorda Counties on September 23 and 24, 2024. The program will consist of AgriLife personnel accepting and processing groundwater samples collected by well owners and an informational meeting to discuss sample results with participating well owners. The samples will be screened/tested for the following constituents: coliform bacteria, E. coli bacteria, nitrates, salinity and pH. The processing fee is \$15.00 per sample.

Detection and awareness of contamination by well owners could lead to better protection of groundwater resources within Jackson County. Wells with bacterial and nitrate contamination will likely require some treatment and possibly corrective actions to safeguard groundwater resources at and near the subject well.

If the district were to provide financial and technical support (assistance with collection and delivery of samples), staff anticipate gaining more access to wells for monitoring and inspection purposes to support the full achievement of the goals and objectives established in the management plan of the district.

Board Action: Mr. Boone moved to pay the processing fee for up to 50 wells at a total authorized cost of \$750.00 contingent upon sponsored well owners 1) registering the well with the district, and 2) authorizing staff to inspect the subject well, measure the water level from the subject well if feasible, and measure water quality field measurement from the subject well if feasible. Mr. Born seconded the motion. The motion passed unanimously.

Agenda Item 5: Consideration of and possible action on matters related to groundwater monitoring.

Meeting Discussion: None.

Board Action: None.

Agenda Item 6: Consideration of and possible action on matters related to groundwater conservation.

Meeting Discussion: None.

Board Action: None.

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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.

Meeting Discussion: None.

Board Action: None.

Agenda Item 8: Consideration of and possible action on matters related to groundwater policy including the Management Plan of the District and the Rules of the District.

8.0 – Report regarding Groundwater Policy

Meeting Discussion: None.

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, support services provided to and from other groundwater conservation districts, contracts related to the 2024 election and the potential cancellation of the 2024 election, and vacancies in the office of director of the district.

9.0 – Report regarding Administration and Management

Meeting Discussion: Mr. Andruss explained on July 19, 2024, Mr. Revel resigned from the Board of Directors of the Texana Groundwater Conservation District.

On July 22, 2024, Mr. Skalicky resigned from the Board of Directors of the Texana Groundwater Conservation District.

The next meetings of the Board are scheduled for October 17, 2024, with each meeting to convene at 6:00 PM. Regular meetings will be rescheduled as necessary and special meeting may be scheduled to address unforeseen issues.

Board Action: None.

9.1 – FY2025 Budget

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Meeting Discussion: Mr. Andruss explained on July 19, 2024, the Board of Directors of the Victoria Groundwater Conservation District considered the operations of the district and their support services provided to other groundwater conservation district including Texana GCD. Based on this consideration, the VCGCD Board has elected to terminate the existing interlocal agreement with the district (as well as the agreements with RGCD and CCGCD) and offer an agreement intended to improvement of performance of VCGCD staff in providing services to the boards of the VCGCD and cooperating district by increasing VCGCD staffing to 7 full-time employees at a consolidated office for at least a 5-year period. This arrangement would result in significant expenses to be incurred related to additional personnel and associated equipment and office expenses that would be offset by increases to the fees paid to the VCGCD by cooperating districts. (The budgetary information was developed on the presumption that each cooperating district would agree to the arrangement proposed by the VCGCD.)

Staff developed a recommended budget for the fiscal year ending September 30, 2025, that attempts to fund the operations of the District in a manner that provides for 1) the accomplishment of the management plan goals and objectives, 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) avoid a budget deficit in Fiscal Year 2024-2025.

Staff developed the proposed budget anticipating continued cooperation with Victoria County GCD through a new long-term interlocal cooperation agreement.

Staff developed the proposed budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2024-2025 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 10%
- Groundwater Monitoring: 25%
- Groundwater Protection: 25%
- Groundwater Research: 5%
- Groundwater Resource Planning: 5%
- Legal Contingencies: 25%

Staff developed the proposed budget anticipating the approval of a tax rate equal to the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2024 and a 5% APY on expected reserved funds. The proposed revenue exceeds the proposed expenses for the operating fund by \$130,500.

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Below is a summary of the expected balances of the Operating and Reserve Funds anticipated under the recommended budget:

- Expected Beginning Balance: \$931,000.00
- Budgeted Revenue: \$324,200.00
- Budgeted Expenses: -\$193,700.00
- Expected Ending Balance: \$1,061,500.00

Staff developed an alternate budget for the fiscal year ending September 30, 2025, that attempts to fund the operations of the District in a manner that provides for 1) the accomplishment of the management plan goals and objectives, 2) the completion of certain projects and tasks associated with the administration of the district, groundwater conservation, groundwater management and permitting, groundwater monitoring, groundwater policy development, groundwater protection, groundwater research, and groundwater resource planning, and 3) avoid a budget deficit in Fiscal Year 2024-2025.

Staff developed the alternate budget anticipating discontinued cooperation with Victoria County GCD. This budget anticipates significant increases in expenses related to full-time employees and decreased expenses related to support services provided by VCGCD.

Staff developed the alternate budget anticipating the commitment of the monies of the Reserve Fund in Fiscal Year 2024-2025 in accordance with the following schedule:

- Groundwater Conservation: 5%
- Groundwater Management: 10%
- Groundwater Monitoring: 25%
- Groundwater Protection: 25%
- Groundwater Research: 5%
- Groundwater Resource Planning: 5%
- Legal Contingencies: 25%

Staff developed the alternate budget anticipating the approval of a tax rate equal to the No-New-Revenue Tax Rate calculated by the Tax Assessor - Collector for Tax Year 2024 and a 5% APY on expected reserved funds. The proposed revenue exceeds the proposed expenses for the operating fund by \$136,900.

Below is a summary of the expected balances of the Operating and Reserve Funds anticipated under the alternate budget:

- Expected Beginning Balance: \$1,088,000.00
- Budgeted Revenue: \$332,100.00
- Budgeted Expenses: -\$195,200.00
- Expected Ending Balance: \$1,224,800.00

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Board Action: Mr. Born moved to adopt the recommended budget for Fiscal Year 2025 by order and authorize the presiding officer to execute the draft interlocal agreements with the Victoria County Groundwater Conservation District. Mr. Gendke seconded the motion. The motion passed unanimously.

9.2 – Tax Rate for TY2024

Meeting Discussion: Mr. Andruss explained the District completed the public notice requirements related to the required public hearing regarding the proposed tax rate for tax year 2024.

Based on calculations completed by the Jackson County Tax Assessor-Collector, the following tax rates exist for the District for Tax Year 2024:

- No-New-Revenue Tax Rate: \$0.0072/\$100
- Voter-Approval Tax Rate: \$0.0077/\$100

Board Action: Mr. Gendke moved to open the public hearing regarding the proposed tax rate at 7:24 PM. Mr. Boone seconded the motion. The motion passed unanimously.

Mr. Gendke moved to close the public hearing after receiving no public comment regarding the proposed tax rate at 7:25 PM. Mr. Boone seconded the motion. The motion passed unanimously.

Mr. Gendke moved to approve and adopt the No-New-Revenue Tax Rate as the adopted tax rate by order. Mr. Boone seconded the motion. The motion passed unanimously.

9.3 – Appraisal Roll for Tax Year 2024

Meeting Discussion: None.

Board Action: Mr. Born moved to accept and approve the appraisal roll for Tax Year 2024 and adopt the Order Approving the 2024 Appraisal Roll. Mr. Gendke seconded the motion. The motion passed unanimously.

9.4 – JCTAC Interlocal Agreement for FY2025

Meeting Discussion: Mr. Andruss explained On June 3, 2024, staff received a copy of the interlocal cooperation agreement from the Jackson County Tax Assessor-Collector regarding tax collection services for Tax Year 2024.

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Previously, Mr. Allison had identified an error in the agreement in paragraph 6 regarding the payee of a bond to be signed by the JCTAC. Property Tax Code 6.29(b) reads "(b) A taxing unit whose taxes are collected by the collector for another taxing unit, by an officer or employee of another taxing unit or of an appraisal district, or by any other person other than the unit's own collector may require that collector, officer, employee, or other person to give bond conditioned on the faithful performance of his duties. To be effective, the bond must be made payable to and must be approved by and paid for by the governing body of the unit requiring bond in an amount determined by the governing body. The governing body may prescribe additional requirements for the bond."

Board Action: Mr. Boone moved to authorize the president of the district to execute the agreement with the Jackson County Tax Assessor-Collector for Tax Year 2024 contingent upon the revision of the agreement and determination that the agreement is legally sufficient by general counsel of the district. Mr. Born seconded the motion. The motion passed unanimously.

9.5 – Review of Consultants

Meeting Discussion: Mr. Andruss explained the District previously reviewed and considered the services provided by consultants on January 18, 2024. The District has obtained services from Jim Allison of Allison, Bass and Magee, Dr. Venkatesh Uddameri as well as Steve Young of Intera, Inc. in the past. The services provided by each consultant have been considered acceptable by the District. The services provide by Dr. Venkatesh Uddameri and Steve Young of Intera, Inc. have been obtained through interlocal cooperation agreements with the VCGCD.

Board Action: Mr. Boone moved to continue the authorization for the General Manager to obtain proposals and services from Dr. Venkatesh Uddameri, Steve Young of Intera, Inc., and other consultants contracted with the VCGCD in accordance with the conditions established in the agreements between VCGCD and the consultants as appropriate. Mr. Gendke seconded the motion. The motion passed unanimously.

9.6 – FY2025 Budgetary Authorizations

Meeting Discussion: Mr. Andruss explained In order to efficiently administer the operations of the district, the board has granted limited authority to the general manager to spend funds on certain expenses that are referred to regular and routine expenses within the constraints of the approved budget. This authorization applies to expenses such as subscription services, lease payments and so on. Other expenses require board consideration and explicit authorization from the board to pay such as invoices from technical consultants and contractors.

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Regardless of the procedure under which authorization is obtained to spend funds, all expenditure transactions (as well as revenue transactions) are presented to the board for review and oversight within the meeting packets of regular meetings.

When appropriate, the authorization to make payment on non-routine expense is obtained when the associated financial obligation is authorized by the board. This frequently occurs when the Board accepts a proposal from a technical consultant.

However, in some instances, this procedure proves to be inefficient and hinders management's ability to administer the projects of the district designed to achieve the operational objectives of the district. This circumstance frequently arises in instances where the district seeks to sponsor external activities such as proposals to promote water conservation or have a technical matter addressed by a consultant.

Board Action: Mr. Boone moved to 1) authorized general manager to engage and pay consultants under the agreements approved by the board and 2) authorize the general manager to award sponsorships and pay the corresponding expenses in accordance with the approved operational budget of the district. Mr. Gendke seconded the motion. The motion passed unanimously.

9.7 – Budget Amendments

Meeting Discussion: Mr. Andruss explained based on a review of the financial transactions recorded by the district through May 31, 2024, and correction of assignment of expenses to budget programs and budget categories, the following amendments are recommended for consideration by the Board.

If approved, the budget surplus anticipated at September 30, 2024, would increase from \$36,700 to \$128,700.

Board Action: Mr. Boone moved to approve the recommended amendments to the FY2024 Budget. Mr. Gendke seconded the motion. The motion passed unanimously.

9.8 – Bills and Invoices

Meeting Discussion: Mr. Andruss explained the District has outstanding bills and 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. Born moved to:

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1: move to authorize the General Manager to pay the outstanding bills and invoices for goods and services received by the District.

2: move to authorize the General Manager to pay the invoice ILA-202501-01-T from the Victoria County GCD for the Regular and Routine Fees for FY2025 and the Office and Equipment Fees for FY2025 - FY2029 if the board approves and the presiding officer executes the new interlocal agreement with VCGCD, contingent upon agreement execution by the presiding office of the Victoria County GCD.

Mr. Boone seconded the motion. The motion passed unanimously.

9.9 – Election Matters and Director Vacancies

Meeting Discussion: Mr. Andruss explained The the Secretary of State Office has published Election Advisory 2024-17. See November 5, 2024 Election and December 14, 2024 Runoff Election Law Calendar (state.tx.us). Within the advisory, a number of key dates are identified regarding the upcoming elections:

- Monday, August 19, 2024 (78th day before Election Day)
 - Political Subdivisions Other Than Counties: 5:00 p.m. — Last day for a candidate in a political subdivision (other than a county) to file an application for a place on the ballot for general election for officers for most political subdivisions, except as otherwise provided by the Texas Election Code. (Secs. 143.007(c), 144.005(d), Election Code; Sec. 11.055, Education Code; Chapter 286, Health & Safety Code). See Candidacy Filing outline for more details.
 - Political Subdivisions Other Than Counties (General Election): Deadline for political subdivisions to order a general election to be held on Tuesday, November 5, 2024. (Sec. 3.005).
- Friday, August 23, 2024 (74th day before Election Day)
 - Political Subdivisions Other Than Counties: 5:00 p.m. — Deadline for write-in candidates to file Declarations of Write-In Candidacy (PDF) for regular officers for city, school district, library district, junior college district, hospital district, common school districts, Chapter 36 and 49 Water Code districts, and other political subdivision elections, unless otherwise provided by law. (Secs. 144.006(b), 146.054(b), 146.055, Election Code; Secs. 11.056, 11.304, 130.0825, Education Code; Secs. 326.0431, 326.0432, Local Government Code; Sec. 285.131, Health and Safety Code; Secs. 36.059, 49.101, 63.0945, Water Code). See Candidacy Filing outline and Local Candidates' Guide for more information.
- Monday, August 26, 2024 (71st day before Election Day)
 - Political Subdivisions Other Than Counties: Recommended first day that a general or special election must be cancelled if all filing deadlines have passed, each candidate for an office listed on the

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ballot is unopposed (except as discussed below), and write-in votes may be counted only for names appearing on a list of write-in candidates. The Certification of Unopposed Candidates for Other Political Subdivisions (PDF) may be used to certify candidates as unopposed. Also, see our Sample Order of Cancellation (PDF).

The terms of the following offices are scheduled to expire in November 2024:

- Director, Precinct 1; (currently held by Mr. Dierschke)
- Director, Precinct 3; (currently held by Mr. Johnson)

As of August 19, 2024, the District had not received applications for a place on the ballot.

Board Action: Mr. Boone moved to cancel the election for all positions effective August 26, 2024. Mr. Gendke seconded the motion. The motion passed unanimously.

Agenda Item 10: Consideration of and possible action on matters related to legal counsel report.

Meeting Discussion: None.

Board Action: None.

Agenda Item 11: Adjourn

Meeting Discussion: None.

Board Action: Mr. Born moved to adjourn the meeting after concluding all business of the District, at approximately 7:42 PM. Mr. Gendke seconded the motion. The motion passed unanimously.

The above and foregoing minutes were read and approved on this the _____ day of _____, _____.

ATTEST:

District Director

District Director

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240630-01 - June 2024

TexanaGroundwater Conservation DistrictInternal Control Review Report

Reporting Period Start: 6/1/24

Reporting Period Stop: 6/30/24

Related Documentation

[TGCD - Adm - FM - Financial Registry - FY2024 - Check Out 20240930.CPD - Check In 20241007.1211 CPD](#)

Bank Statement Links:

1. [TGCD - Adm - FM - Bank Statements - BS-20240630-01 - Prosperity 9448 - RECONCILED](#)
2. [TGCD - Adm - FM - Bank Statements - BS-20240630-02 - Prosperity 7512 - UNRECONCILED](#)
3. [TGCD - Adm - FM - Bank Statements - BS-20240630-03 - CD# 0515 - RECONCILED](#)
4. [TGCD - Adm - FM - Bank Statements - BS-20240630-04 - CD# 0517 - RECONCILED](#)

List of UNPAID Accounts Payable (ACCTPs) Note Links:

- 1.

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. [TGCD - Adm - FM - Collateral Records - CR-20240630-01 - Prosperity Bank - June 2024](#)

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?

Comments: N/A

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:

PDF of Executed Report:

Caitlyn Davenport

Note Template Link: [TGCD - Adm - FM - Internal Control Review Reports - ICRR-YYYYMMDD-SQ](#)

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	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 505,767.03
Prosperity Bank	Pledged Collateral	3138X6MR3	FNMA CRA #AU6667	FHLB		AA+	\$ 91,538.59
Prosperity Bank	Pledged Collateral	3133KYUZ0	FR #RB5100	FHLB		AA+	\$ -
Prosperity Bank	Pledged Collateral	31418DZ54	FNMA #MA4363	FHLB		AA+	\$ 455,547.47
Prosperity Bank	Pledged Collateral	31417DY56	FNMA #AB7031	FHLB		AA+	\$ -
Prosperity Bank	Pledged Collateral	3132D6AC4	FR #SB8103	FHLB		AA+	\$ 118,042.15
Total							\$ 1,420,895.24

The funds of the District are adequately protected by FDIC Insurance and pledged collateral.

Note: cash-basis accounting method used to develop reports.

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 9448	Prosperity 9448 : BS-20240531-01: DATE: 05/31/2024	BS-20240630-01	Reserve	\$ 377,589.85	\$ 287,891.42	\$ (75,000.00)	\$ 590,481.27	\$ 590,481.27	\$ -
Prosperity 7152	Prosperity 7152 : BS-20240531-02: DATE: 05/31/2024	BS-20240630-02	Operating	\$ 23,655.87	\$ 77,046.17	\$ (74,210.08)	\$ 26,491.96	\$ 26,491.96	\$ -
CD# 0515	CD# 0515 : BS-20240331-03: DATE: 03/31/2024	BS-20240630-03	Reserve	\$ 254,239.74	\$ 6,435.68	\$ -	\$ 260,675.42	\$ 260,675.42	\$ -
CD# 0517	CD# 0517 : BS-20240331-04: DATE: 03/31/2024	BS-20240630-04	Reserve	\$ 254,112.67	\$ 6,244.68	\$ -	\$ 260,357.35	\$ 260,357.35	\$ -
Total				\$ 909,598.13	\$ 377,617.95	\$ (149,210.08)	\$ 1,138,006.00	\$ 1,138,006.00	\$ -

Budget Program	Budget Amount	Budget	Budget	Budget Amount (Amended)	Transaction Total	Budget Balance
		Amendment Recommendation - Mid Year	Amendment Recommendation - End of Year			
1001 - Administration - Revenue	\$ 283,600.00	\$ 10,000.00	\$ -	\$ 293,600.00	\$ 301,076.07	\$ 7,500.00
1003 - Administration - Technology	\$ (20,300.00)	\$ 9,500.00	\$ -	\$ (10,800.00)	\$ (4,647.43)	\$ 6,200.00
1004 - Administration - General	\$ (164,100.00)	\$ 37,500.00	\$ -	\$ (126,600.00)	\$ (23,418.77)	\$ 103,200.00
2000 - Groundwater Conservation	\$ (9,500.00)	\$ 8,000.00	\$ -	\$ (1,500.00)	\$ (6,142.50)	\$ (4,700.00)
3000 - Groundwater Management	\$ (5,000.00)	\$ -	\$ -	\$ (5,000.00)	\$ (6,142.50)	\$ (1,200.00)
4000 - Groundwater Monitoring	\$ (32,600.00)	\$ 19,500.00	\$ -	\$ (13,100.00)	\$ (6,389.50)	\$ 6,800.00
5000 - Groundwater Policy	\$ -	\$ -	\$ -	\$ -	\$ (6,142.50)	\$ (6,200.00)
6000 - Groundwater Protection	\$ (8,000.00)	\$ 2,500.00	\$ -	\$ (5,500.00)	\$ (6,142.50)	\$ (700.00)
8000 - Groundwater Resource Planning	\$ (7,500.00)	\$ (2,000.00)	\$ -	\$ (9,500.00)	\$ (13,642.50)	\$ (4,200.00)
Total	\$ 36,600.00	\$ 85,000.00	\$ -	\$ 121,600.00	\$ 228,407.87	\$ 106,700.00

Note: cash-basis accounting method used to develop reports.
 Tab: Budget Performance by Program

Budget Category	Budget Amount	Budget Amendment Recommendation -		Budget Amount (Amended)	Transaction Total	Budget Balance
		Mid Year	End of Year			
0120 - Tax Collections	\$ 272,300.00	\$ -	\$ -	\$ 272,300.00	\$ 275,345.45	\$ 3,100.00
0130 - Interest Income	\$ 9,400.00	\$ 10,000.00	\$ -	\$ 19,400.00	\$ 23,998.74	\$ 4,600.00
0143 - District Fees - Permitting	\$ 1,900.00	\$ -	\$ -	\$ 1,900.00	\$ 1,541.88	\$ (400.00)
0145 - District Fees - Enforcement	\$ -	\$ -	\$ -	\$ -	\$ 60.00	\$ 100.00
0150 - Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0160 - Refunds	\$ -	\$ -	\$ -	\$ -	\$ 130.00	\$ 200.00
0300 - Reserve Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
210 - Legal Services	\$ (25,000.00)	\$ 10,000.00	\$ -	\$ (15,000.00)	\$ (6,465.00)	\$ 8,600.00
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)	\$ -	\$ 10,000.00
222 - Professional and Technical Services - Tax Assessor	\$ (2,500.00)	\$ 1,500.00	\$ -	\$ (1,000.00)	\$ (605.72)	\$ 400.00
223 - Professional and Technical Services - Appraisal District	\$ (7,500.00)	\$ 5,500.00	\$ -	\$ (2,000.00)	\$ (1,648.57)	\$ 400.00
225 - Professional and Technical Services - Hydrogeologist	\$ (20,000.00)	\$ -	\$ -	\$ (20,000.00)	\$ (3,750.00)	\$ 16,300.00
226 - Professional and Technical Services - Laboratory	\$ (10,000.00)	\$ 9,000.00	\$ -	\$ (1,000.00)	\$ (247.00)	\$ 800.00
227 - Professional and Technical Services - VCGCD	\$ (92,800.00)	\$ -	\$ -	\$ (92,800.00)	\$ (42,997.50)	\$ 49,900.00
230 - Insurance and Bonds	\$ (2,300.00)	\$ -	\$ -	\$ (2,300.00)	\$ (1,747.34)	\$ 600.00
310 - Supplies - Office	\$ (4,000.00)	\$ 2,500.00	\$ -	\$ (1,500.00)	\$ (2,019.33)	\$ (600.00)
315 - Certified Mail and Stamps	\$ (2,500.00)	\$ 2,000.00	\$ -	\$ (500.00)	\$ (135.20)	\$ 400.00
330 - Training and Travel Expenses	\$ (1,500.00)	\$ -	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
360 - Sponsorships and Cost-Sharing	\$ (7,500.00)	\$ (2,000.00)	\$ -	\$ (9,500.00)	\$ (7,500.00)	\$ 2,000.00
361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ -	\$ 500.00
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (2,500.00)	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$ (9,500.00)	\$ 8,000.00	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
380 - Aquifer Monitoring Network Development	\$ (7,500.00)	\$ 7,500.00	\$ -	\$ -	\$ -	\$ -
410 - Equipment - Office	\$ (1,000.00)	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -
420 - Technology Services - Office Productivity	\$ (2,700.00)	\$ 1,200.00	\$ -	\$ (1,500.00)	\$ (1,214.68)	\$ 300.00
430 - Technology Services - Miscellaneous	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ 402.50	\$ 1,000.00
432 - Technology Services - Digital Record and Workflow System	\$ (7,000.00)	\$ 5,800.00	\$ -	\$ (1,200.00)	\$ (836.13)	\$ 400.00
433 - Technology Services - Record Archival System	\$ (800.00)	\$ -	\$ -	\$ (800.00)	\$ (460.48)	\$ 400.00
434 - Technology Services - Website and Email System	\$ (3,000.00)	\$ 1,500.00	\$ -	\$ (1,500.00)	\$ (560.25)	\$ 1,000.00
435 - Technology Services - Phone System	\$ 800.00	\$ (2,000.00)	\$ -	\$ (1,200.00)	\$ (483.61)	\$ 800.00
436 - Technology Services - Internet	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ (258.08)	\$ 300.00
450 - Equipment Maintenance and Repair	\$ (5,500.00)	\$ 4,000.00	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
500 - Public Notices and Publications	\$ (6,000.00)	\$ 3,000.00	\$ -	\$ (3,000.00)	\$ (1,340.95)	\$ 1,700.00
900 - Miscellaneous	\$ (200.00)	\$ (1,000.00)	\$ -	\$ (1,200.00)	\$ (800.86)	\$ 400.00
Total	\$ 36,600.00	\$ 85,000.00	\$ -	\$ 121,600.00	\$ 228,407.87	\$ 107,700.00

Note: cash-basis accounting method used to develop reports.
 Tab: Budget Performance by Category

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240731-01 - July 2024

TexanaGroundwater Conservation DistrictInternal Control Review Report

Reporting Period Start: 7/1/24

Reporting Period Stop: 7/31/24

Related Documentation

TGCD - Adm - FM - Financial Registry - FY2024 - Check Out 20241008.1037 CPD - Check In 20241008.1251 CPD

Bank Statement Links:

1. TGCD - Adm - FM - Bank Statements - BS-20240630-03 - CD# 0515 - RECONCILED
2. TGCD - Adm - FM - Bank Statements - BS-20240630-04 - CD# 0517 - RECONCILED
3. TGCD - Adm - FM - Bank Statements - BS-20240731-01 - Prosperity 9448 - RECONCILED
4. TGCD - Adm - FM - Bank Statements - BS-20240731-02 - Prosperity 7512 - RECONCILED

List of UNPAID Accounts Payable (ACCTPs) Note Links:

- 1.

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. TGCD - Adm - FM - Collateral Records - CR-20240731-01 - Prosperity Bank - July 2024

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?

Comments: N/A

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:

PDF of Executed Report:

Caitlynn Davenport

Note Template Link: [TGCD - Adm - FM - Internal Control Review Reports - ICRR-YYYYMMDD-SQ](#)

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	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 493,025.54
Prosperity Bank	Pledged Collateral	3138X6MR3	FNMA CRA #AU6667	FHLB		AA+	\$ 90,148.16
Prosperity Bank	Pledged Collateral	3133KYUZ0	FR #RB5100	FHLB		AA+	\$ -
Prosperity Bank	Pledged Collateral	31418DZ54	FNMA #MA4363	FHLB		AA+	\$ 452,451.43
Prosperity Bank	Pledged Collateral	31417DY56	FNMA #AB7031	FHLB		AA+	\$ -
Prosperity Bank	Pledged Collateral	3132D6AC4	FR #SB8103	FHLB		AA+	\$ 117,094.11
Total							\$ 1,402,719.24

The funds of the District are adequately protected by FDIC Insurance and pledged collateral.

Note: cash-basis accounting method used to develop reports.

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 9448	Prosperity 9448 : BS-20240531-01: DATE: 05/31/2024	BS-20240731-01	Reserve	\$ 377,589.85	\$ 290,474.92	\$ (150,000.00)	\$ 518,064.77	\$ 518,064.77	\$ -
Prosperity 7152	Prosperity 7152 : BS-20240531-02: DATE: 05/31/2024	BS-20240731-02	Operating	\$ 23,655.87	\$ 152,080.16	\$ (77,830.62)	\$ 97,905.41	\$ 97,905.41	\$ -
CD# 0515	CD# 0515 : BS-20240331-03: DATE: 03/31/2024	BS-20240630-03	Reserve	\$ 254,239.74	\$ 6,435.68	\$ -	\$ 260,675.42	\$ 260,675.42	\$ -
CD# 0517	CD# 0517 : BS-20240331-04: DATE: 03/31/2024	BS-20240630-04	Reserve	\$ 254,112.67	\$ 6,244.68	\$ -	\$ 260,357.35	\$ 260,357.35	\$ -
Total				\$ 909,598.13	\$ 455,235.44	\$ (227,830.62)	\$ 1,137,002.95	\$ 1,137,002.95	\$ -

Budget Program	Budget Amount	Budget	Budget	Budget Amount (Amended)	Transaction Total	Budget Balance
		Amendment Recommendation - Mid Year	Amendment Recommendation - End of Year			
1001 - Administration - Revenue	\$ 283,600.00	\$ 10,000.00	\$ -	\$ 293,600.00	\$ 303,693.56	\$ 10,100.00
1003 - Administration - Technology	\$ (20,300.00)	\$ 9,500.00	\$ -	\$ (10,800.00)	\$ (6,463.84)	\$ 4,400.00
1004 - Administration - General	\$ (164,100.00)	\$ 37,500.00	\$ -	\$ (126,600.00)	\$ (25,222.90)	\$ 101,400.00
2000 - Groundwater Conservation	\$ (9,500.00)	\$ 8,000.00	\$ -	\$ (1,500.00)	\$ (6,142.50)	\$ (4,700.00)
3000 - Groundwater Management	\$ (5,000.00)	\$ -	\$ -	\$ (5,000.00)	\$ (6,142.50)	\$ (1,200.00)
4000 - Groundwater Monitoring	\$ (32,600.00)	\$ 19,500.00	\$ -	\$ (13,100.00)	\$ (6,389.50)	\$ 6,800.00
5000 - Groundwater Policy	\$ -	\$ -	\$ -	\$ -	\$ (6,142.50)	\$ (6,200.00)
6000 - Groundwater Protection	\$ (8,000.00)	\$ 2,500.00	\$ -	\$ (5,500.00)	\$ (6,142.50)	\$ (700.00)
8000 - Groundwater Resource Planning	\$ (7,500.00)	\$ (2,000.00)	\$ -	\$ (9,500.00)	\$ (13,642.50)	\$ (4,200.00)
Total	\$ 36,600.00	\$ 85,000.00	\$ -	\$ 121,600.00	\$ 227,404.82	\$ 105,700.00

Note: cash-basis accounting method used to develop reports.
 Tab: Budget Performance by Program

Budget Category	Budget Amount	Budget Amendment Recommendation -		Budget Amount (Amended)	Transaction Total	Budget Balance
		Mid Year	End of Year			
0120 - Tax Collections	\$ 272,300.00	\$ -	\$ -	\$ 272,300.00	\$ 276,316.81	\$ 4,100.00
0130 - Interest Income	\$ 9,400.00	\$ 10,000.00	\$ -	\$ 19,400.00	\$ 25,624.87	\$ 6,300.00
0143 - District Fees - Permitting	\$ 1,900.00	\$ -	\$ -	\$ 1,900.00	\$ 1,541.88	\$ (400.00)
0145 - District Fees - Enforcement	\$ -	\$ -	\$ -	\$ -	\$ 80.00	\$ 100.00
0150 - Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0160 - Refunds	\$ -	\$ -	\$ -	\$ -	\$ 130.00	\$ 200.00
0300 - Reserve Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
210 - Legal Services	\$ (25,000.00)	\$ 10,000.00	\$ -	\$ (15,000.00)	\$ (6,465.00)	\$ 8,600.00
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)	\$ -	\$ 10,000.00
222 - Professional and Technical Services - Tax Assessor	\$ (2,500.00)	\$ 1,500.00	\$ -	\$ (1,000.00)	\$ (605.72)	\$ 400.00
223 - Professional and Technical Services - Appraisal District	\$ (7,500.00)	\$ 5,500.00	\$ -	\$ (2,000.00)	\$ (3,297.14)	\$ (1,300.00)
225 - Professional and Technical Services - Hydrogeologist	\$ (20,000.00)	\$ -	\$ -	\$ (20,000.00)	\$ (3,750.00)	\$ 16,300.00
226 - Professional and Technical Services - Laboratory	\$ (10,000.00)	\$ 9,000.00	\$ -	\$ (1,000.00)	\$ (247.00)	\$ 800.00
227 - Professional and Technical Services - VCGCD	\$ (92,800.00)	\$ -	\$ -	\$ (92,800.00)	\$ (42,997.50)	\$ 49,900.00
230 - Insurance and Bonds	\$ (2,300.00)	\$ -	\$ -	\$ (2,300.00)	\$ (1,747.34)	\$ 600.00
310 - Supplies - Office	\$ (4,000.00)	\$ 2,500.00	\$ -	\$ (1,500.00)	\$ (2,019.33)	\$ (600.00)
315 - Certified Mail and Stamps	\$ (2,500.00)	\$ 2,000.00	\$ -	\$ (500.00)	\$ (135.20)	\$ 400.00
330 - Training and Travel Expenses	\$ (1,500.00)	\$ -	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
360 - Sponsorships and Cost-Sharing	\$ (7,500.00)	\$ (2,000.00)	\$ -	\$ (9,500.00)	\$ (7,500.00)	\$ 2,000.00
361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ -	\$ 500.00
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (2,500.00)	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$ (9,500.00)	\$ 8,000.00	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
380 - Aquifer Monitoring Network Development	\$ (7,500.00)	\$ 7,500.00	\$ -	\$ -	\$ -	\$ -
410 - Equipment - Office	\$ (1,000.00)	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -
420 - Technology Services - Office Productivity	\$ (2,700.00)	\$ 1,200.00	\$ -	\$ (1,500.00)	\$ (1,214.68)	\$ 300.00
430 - Technology Services - Miscellaneous	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ 402.50	\$ 1,000.00
432 - Technology Services - Digital Record and Workflow System	\$ (7,000.00)	\$ 5,800.00	\$ -	\$ (1,200.00)	\$ (910.75)	\$ 300.00
433 - Technology Services - Record Archival System	\$ (800.00)	\$ -	\$ -	\$ (800.00)	\$ (518.04)	\$ 300.00
434 - Technology Services - Website and Email System	\$ (3,000.00)	\$ 1,500.00	\$ -	\$ (1,500.00)	\$ (2,000.25)	\$ (600.00)
435 - Technology Services - Phone System	\$ 800.00	\$ (2,000.00)	\$ -	\$ (1,200.00)	\$ (544.70)	\$ 700.00
436 - Technology Services - Internet	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ (364.88)	\$ 200.00
450 - Equipment Maintenance and Repair	\$ (5,500.00)	\$ 4,000.00	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
500 - Public Notices and Publications	\$ (6,000.00)	\$ 3,000.00	\$ -	\$ (3,000.00)	\$ (1,572.85)	\$ 1,500.00
900 - Miscellaneous	\$ (200.00)	\$ (1,000.00)	\$ -	\$ (1,200.00)	\$ (800.86)	\$ 400.00
Total	\$ 36,600.00	\$ 85,000.00	\$ -	\$ 121,600.00	\$ 227,404.82	\$ 106,500.00

Note: cash-basis accounting method used to develop reports.
 Tab: Budget Performance by Category

TGCD - Adm - FM - Internal Control Review Reports - ICRR-20240831-01 - August 2024

TexanaGroundwater Conservation DistrictInternal Control Review Report

Reporting Period Start: 8/1/24

Reporting Period Stop: 8/31/24

Related Documentation

[TGCD - Adm - FM - Financial Registry - FY2024 - Check Out 20241008.1256 CPD - Check In 20241008.1313 CPD](#)

Bank Statement Links:

1. [TGCD - Adm - FM - Bank Statements - BS-20240630-03 - CD# 0515 - RECONCILED](#)
2. [TGCD - Adm - FM - Bank Statements - BS-20240630-04 - CD# 0517 - RECONCILED](#)
3. [TGCD - Adm - FM - Bank Statements - BS-20240831-01 - Prosperity 9448 - RECONCILED](#)
4. [TGCD - Adm - FM - Bank Statements - BS-20240831-02 - Prosperity 7512 - RECONCILED](#)

List of UNPAID Accounts Payable (ACCTPs) Note Links:

- 1.

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. [TGCD - Adm - FM - Collateral Records - CR-20240831-01 - Prosperity Bank - August 2024](#)

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?

Comments: N/A

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:

PDF of Executed Report:

Caitlynn Davenport

Note Template Link: [TGCD - Adm - FM - Internal Control Review Reports - ICRR-YYYYMMDD-SQ](#)

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	3138WDYL9	FNMA #AS4314	FHLB		AA+	\$ 490,423.72
Prosperity Bank	Pledged Collateral	3138X6MR3	FNMA CRA #AU6667	FHLB		AA+	\$ 89,385.92
Prosperity Bank	Pledged Collateral	3133KYUZ0	FR #RB5100	FHLB		AA+	\$ -
Prosperity Bank	Pledged Collateral	31418DZ54	FNMA #MA4363	FHLB		AA+	\$ 466,159.10
Prosperity Bank	Pledged Collateral	31417DY56	FNMA #AB7031	FHLB		AA+	\$ -
Prosperity Bank	Pledged Collateral	3132D6AC4	FR #SB8103	FHLB		AA+	\$ 118,009.57
Total							\$ 1,413,978.31

The funds of the District are adequately protected by FDIC Insurance and pledged collateral.

Note: cash-basis accounting method used to develop reports.

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 9448	Prosperity 9448 : BS-20240531-01: DATE: 05/31/2024	BS-20240831-01	Reserve	\$ 377,589.85	\$ 292,890.22	\$ (150,000.00)	\$ 520,480.07	\$ 520,480.07	\$ -
Prosperity 7152	Prosperity 7152 : BS-20240531-02: DATE: 05/31/2024	BS-20240831-02	Operating	\$ 23,655.87	\$ 152,138.79	\$ (124,175.98)	\$ 51,618.68	\$ 51,618.68	\$ -
CD# 0515	CD# 0515 : BS-20240331-03: DATE: 03/31/2024	BS-20240630-03	Reserve	\$ 254,239.74	\$ 6,435.68	\$ -	\$ 260,675.42	\$ 260,675.42	\$ -
CD# 0517	CD# 0517 : BS-20240331-04: DATE: 03/31/2024	BS-20240630-04	Reserve	\$ 254,112.67	\$ 6,244.68	\$ -	\$ 260,357.35	\$ 260,357.35	\$ -
Total				\$ 909,598.13	\$ 457,709.37	\$ (274,175.98)	\$ 1,093,131.52	\$ 1,093,131.52	\$ -

Budget Program	Budget Amount	Budget	Budget	Budget Amount (Amended)	Transaction Total	Budget Balance
		Amendment Recommendation - Mid Year	Amendment Recommendation - End of Year			
1001 - Administration - Revenue	\$ 283,600.00	\$ 10,000.00	\$ -	\$ 293,600.00	\$ 306,167.49	\$ 12,600.00
1003 - Administration - Technology	\$ (20,300.00)	\$ 9,500.00	\$ -	\$ (10,800.00)	\$ (6,463.84)	\$ 4,400.00
1004 - Administration - General	\$ (164,100.00)	\$ 37,500.00	\$ -	\$ (126,600.00)	\$ (34,713.26)	\$ 91,900.00
2000 - Groundwater Conservation	\$ (9,500.00)	\$ 8,000.00	\$ -	\$ (1,500.00)	\$ (12,285.00)	\$ (10,800.00)
3000 - Groundwater Management	\$ (5,000.00)	\$ -	\$ -	\$ (5,000.00)	\$ (12,285.00)	\$ (7,300.00)
4000 - Groundwater Monitoring	\$ (32,600.00)	\$ 19,500.00	\$ -	\$ (13,100.00)	\$ (12,532.00)	\$ 600.00
5000 - Groundwater Policy	\$ -	\$ -	\$ -	\$ -	\$ (12,285.00)	\$ (12,300.00)
6000 - Groundwater Protection	\$ (8,000.00)	\$ 2,500.00	\$ -	\$ (5,500.00)	\$ (12,285.00)	\$ (6,800.00)
8000 - Groundwater Resource Planning	\$ (7,500.00)	\$ (2,000.00)	\$ -	\$ (9,500.00)	\$ (19,785.00)	\$ (10,300.00)
Total	\$ 36,600.00	\$ 85,000.00	\$ -	\$ 121,600.00	\$ 183,533.39	\$ 62,000.00

Budget Category	Budget Amount	Budget Amendment Recommendation -		Budget Amount (Amended)	Transaction Total	Budget Balance
		Mid Year	End of Year			
0120 - Tax Collections	\$ 272,300.00	\$ -	\$ -	\$ 272,300.00	\$ 277,261.76	\$ 5,000.00
0130 - Interest Income	\$ 9,400.00	\$ 10,000.00	\$ -	\$ 19,400.00	\$ 27,133.85	\$ 7,800.00
0143 - District Fees - Permitting	\$ 1,900.00	\$ -	\$ -	\$ 1,900.00	\$ 1,541.88	\$ (400.00)
0145 - District Fees - Enforcement	\$ -	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00
0150 - Grants	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0160 - Refunds	\$ -	\$ -	\$ -	\$ -	\$ 130.00	\$ 200.00
0300 - Reserve Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
210 - Legal Services	\$ (25,000.00)	\$ 10,000.00	\$ -	\$ (15,000.00)	\$ (7,275.00)	\$ 7,800.00
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)	\$ -	\$ 10,000.00
222 - Professional and Technical Services - Tax Assessor	\$ (2,500.00)	\$ 1,500.00	\$ -	\$ (1,000.00)	\$ (605.72)	\$ 400.00
223 - Professional and Technical Services - Appraisal District	\$ (7,500.00)	\$ 5,500.00	\$ -	\$ (2,000.00)	\$ (4,945.71)	\$ (3,000.00)
225 - Professional and Technical Services - Hydrogeologist	\$ (20,000.00)	\$ -	\$ -	\$ (20,000.00)	\$ (3,750.00)	\$ 16,300.00
226 - Professional and Technical Services - Laboratory	\$ (10,000.00)	\$ 9,000.00	\$ -	\$ (1,000.00)	\$ (247.00)	\$ 800.00
227 - Professional and Technical Services - VCGCD	\$ (92,800.00)	\$ -	\$ -	\$ (92,800.00)	\$ (86,884.29)	\$ 6,000.00
230 - Insurance and Bonds	\$ (2,300.00)	\$ -	\$ -	\$ (2,300.00)	\$ (1,747.34)	\$ 600.00
310 - Supplies - Office	\$ (4,000.00)	\$ 2,500.00	\$ -	\$ (1,500.00)	\$ (2,019.33)	\$ (600.00)
315 - Certified Mail and Stamps	\$ (2,500.00)	\$ 2,000.00	\$ -	\$ (500.00)	\$ (135.20)	\$ 400.00
330 - Training and Travel Expenses	\$ (1,500.00)	\$ -	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
360 - Sponsorships and Cost-Sharing	\$ (7,500.00)	\$ (2,000.00)	\$ -	\$ (9,500.00)	\$ (7,500.00)	\$ 2,000.00
361 - Sponsorships and Cost-Sharing - Well Plugging	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ -	\$ 500.00
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$ (2,500.00)	\$ 2,500.00	\$ -	\$ -	\$ -	\$ -
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$ (9,500.00)	\$ 8,000.00	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
380 - Aquifer Monitoring Network Development	\$ (7,500.00)	\$ 7,500.00	\$ -	\$ -	\$ -	\$ -
410 - Equipment - Office	\$ (1,000.00)	\$ 1,000.00	\$ -	\$ -	\$ -	\$ -
420 - Technology Services - Office Productivity	\$ (2,700.00)	\$ 1,200.00	\$ -	\$ (1,500.00)	\$ (1,214.68)	\$ 300.00
430 - Technology Services - Miscellaneous	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ 402.50	\$ 1,000.00
432 - Technology Services - Digital Record and Workflow System	\$ (7,000.00)	\$ 5,800.00	\$ -	\$ (1,200.00)	\$ (910.75)	\$ 300.00
433 - Technology Services - Record Archival System	\$ (800.00)	\$ -	\$ -	\$ (800.00)	\$ (518.04)	\$ 300.00
434 - Technology Services - Website and Email System	\$ (3,000.00)	\$ 1,500.00	\$ -	\$ (1,500.00)	\$ (2,000.25)	\$ (600.00)
435 - Technology Services - Phone System	\$ 800.00	\$ (2,000.00)	\$ -	\$ (1,200.00)	\$ (544.70)	\$ 700.00
436 - Technology Services - Internet	\$ (500.00)	\$ -	\$ -	\$ (500.00)	\$ (364.88)	\$ 200.00
450 - Equipment Maintenance and Repair	\$ (5,500.00)	\$ 4,000.00	\$ -	\$ (1,500.00)	\$ -	\$ 1,500.00
500 - Public Notices and Publications	\$ (6,000.00)	\$ 3,000.00	\$ -	\$ (3,000.00)	\$ (1,572.85)	\$ 1,500.00
900 - Miscellaneous	\$ (200.00)	\$ (1,000.00)	\$ -	\$ (1,200.00)	\$ (800.86)	\$ 400.00
Total	\$ 36,600.00	\$ 85,000.00	\$ -	\$ 121,600.00	\$ 183,533.39	\$ 62,500.00

Note: cash-basis accounting method used to develop reports.
 Tab: Budget Performance by Category

Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

INVESTMENT REPORT Fiscal Year 2023 - 2024 As of June 30, 2024

Detailed Description of Investment Position - PFIA 2256.023(b)(1)

The investment position of the Texana 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: 217837512) 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: 219189448) 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: 9570010515) 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: 9570010517) 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 (217837512)	Operating	0.85%	\$26,491.96	\$26,491.96
Interest-Bearing Money Market Bank Account*	Prosperity Bank (219189448)	Operating and Reserve	3.34%	\$590,481.27	\$590,481.27
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010515)	Reserve	3.35%	\$260,675.42	\$260,675.42
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010517)	Reserve	3.25%	\$260,357.35	\$260,357.35
Total:				\$1,138,006.00	\$1,138,006.00

* 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	\$1,170,895.24	\$1,420,895.24

* 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 #: 9570010515	3/29/2025
Interest-Bearing Certificate of Deposit Account #: 9570010517	3/29/2025

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, TGCD Investment Officer

10/7/24
Date



Visit us online at ProsperityBankUSA.com

Statement Date

6/30/2024

7074 1 AV 0.507
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 N WELLS ST
EDNA TX 77957-2730

Account No

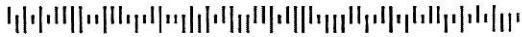
****7512

Page 1 of 5

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Texana Groundwater
Conservation District



STATEMENT SUMMARY Public Fund Contractual Ckg w Int Account No ****7512

06/01/2024	Beginning Balance			\$74,319.34
	1 Deposits/Other Credits	+		\$22.22
	9 Checks/Other Debits	-		\$47,849.60
06/30/2024	Ending Balance	30	Days in Statement Period	\$26,491.96 ✓
	Total Enclosures			9

DEPOSITS/OTHER CREDITS

Date	Description	Amount
06/30/2024	Accr Earning Pymt Added to Account	\$22.22

CHECKS

Check Number	Date	Amount	Check Number	Date	Amount	Check Number	Date	Amount
1220	06-04	\$3,750.00	1223	06-04	\$7,166.25	1226	06-04	\$7,166.25
1221	06-04	\$7,166.25	1224	06-04	\$7,166.25	1233*	06-21	\$1,025.76
1222	06-04	\$7,166.25	1225	06-04	\$7,166.25	1238*	06-28	\$76.34

TOTAL OVERDRAFT FEES

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Return Item Fees	\$0.00	\$0.00

DAILY ENDING BALANCE

Date	Balance	Date	Balance	Date	Balance
06-01	\$74,319.34	06-21	\$26,546.08	06-30	\$26,491.96
06-04	\$27,571.84	06-28	\$26,469.74		

EARNINGS SUMMARY

** Below is an itemization of the Earnings paid this period. **

Interest Paid This Period	\$22.22	Annual Percentage Yield Earned	0.85% ✓
Interest Paid YTD	\$157.55	Days in Earnings Period	30

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103471 : 00707401

MEMBER FDIC



NYSE Symbol "PB"

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1220
 DATE: 2-26-24
 PAY TO THE ORDER OF: Victoria Groundwater
 \$ 3,750.00
 Three thousand seven hundred + fifty 00/100 DOLLARS
 PROSPERITY BANK
 FOR: 016-20240226-01-T
 #001220# C113122655C 217837512#

6/4/2024 1220 \$3,750.00

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1221
 DATE: 2-26-24
 PAY TO THE ORDER OF: Victoria Groundwater
 \$ 716.25
 Seven hundred one hundred sixty six 25/100 DOLLARS
 PROSPERITY BANK
 FOR: 202307-01-T
 #001221# C113122655C 217837512#

6/4/2024 1221 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1222
 DATE: 2-26-24
 PAY TO THE ORDER OF: Victoria Groundwater
 \$ 716.25
 Seven hundred one hundred sixty six 25/100 DOLLARS
 PROSPERITY BANK
 FOR: 202308-01-T
 #001222# C113122655C 217837512#

6/4/2024 1222 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1223
 DATE: 2-26-24
 PAY TO THE ORDER OF: Victoria County Groundwater
 \$ 716.25
 Seven hundred one hundred sixty six 25/100 DOLLARS
 PROSPERITY BANK
 FOR: 11a-202308-01-T
 #001223# C113122655C 217837512#

6/4/2024 1223 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1224
 DATE: 2-26-24
 PAY TO THE ORDER OF: Victoria Groundwater
 \$ 716.25
 Seven hundred one hundred sixty six 25/100 DOLLARS
 PROSPERITY BANK
 FOR: 11a-202310-01-T
 #001224# C113122655C 217837512#

6/4/2024 1224 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1225
 DATE: 2-26-24
 PAY TO THE ORDER OF: Victoria Groundwater
 \$ 716.25
 Seven hundred one hundred sixty six 25/100 DOLLARS
 PROSPERITY BANK
 FOR: 11a-202311-01-T
 #001225# C113122655C 217837512#

6/4/2024 1225 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1226
 DATE: 2/26/24
 PAY TO THE ORDER OF: Victoria Groundwater
 \$ 716.25
 Seven hundred one hundred sixty six 25/100 DOLLARS
 PROSPERITY BANK
 FOR: 11a-202312-01-T
 #001226# C113122655C 217837512#

6/4/2024 1226 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1233
 DATE: April 18, 24
 PAY TO THE ORDER OF: Victoria County Groundwater
 \$ 1,025.76
 One thousand twenty five 76/100 DOLLARS
 PROSPERITY BANK
 FOR: 11a-20240411-01-T
 #001233# C113122655C 217837512#

6/21/2024 1233 \$1,025.76

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1238
 DATE: 6/21/24
 PAY TO THE ORDER OF: Prosperity Bank
 \$ 76.34
 Seventy six dollars 34/100 DOLLARS
 PROSPERITY BANK
 FOR: 016-20240621
 #001238# C113122655C 217837512#

6/28/2024 1238 \$76.34

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PROSPERITY BANK®

Visit us online at ProsperityBankUSA.com

7075 1 AV 0.507
 TEXANA GROUNDWATER CONSERVATION DISTRICT
 411 N WELLS ST
 EDNA TX 77957-2730

Statement Date 6/30/2024
 Account No ****9448
 Page 1 of 5



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Texana Groundwater
 Conservation District

STATEMENT SUMMARY Public Fund Contractual Money Mkt Account No ****9448

06/01/2024	Beginning Balance		\$587,143.50
	5 Deposits/Other Credits	+	\$3,337.77
	0 Checks/Other Debits	-	\$0.00
06/30/2024	Ending Balance	30 Days in Statement Period	\$590,481.27
	Total Enclosures		3

DEPOSITS/OTHER CREDITS

Date	Description	Amount
06/10/2024	ACH Deposit JACKSON COUNTY Collection ****9448 11312265	\$1,686.37
06/25/2024	Deposit	\$20.00
06/25/2024	Deposit	\$20.00
06/25/2024	Deposit	\$20.00
06/30/2024	Accr Earning Pymt Added to Account	\$1,591.40

TOTAL OVERDRAFT FEES

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Return Item Fees	\$0.00	\$0.00

DAILY ENDING BALANCE

Date	Balance	Date	Balance
06-01	\$587,143.50	06-25	\$588,889.87
06-10	\$588,829.87	06-30	\$590,481.27

EARNINGS SUMMARY

** Below is an itemization of the Earnings paid this period. **

Interest Paid This Period	\$1,591.40	Annual Percentage Yield Earned	3.34% ✓
Interest Paid YTD	\$8,370.35	Days in Earnings Period	30
		Earnings Balance	\$588,335.29

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103481 : 00707501

MEMBER FDIC



NYSE Symbol "PB"

DEPOSIT TICKET
FOR CLEAR COPY, PLEASE PRINT

DATE: 6/25/24

AMOUNT: 20.00

PROSPERITY BANK

\$ 20.00

⑆113122655⑆ 219189448⑆ 151

6/25/2024 \$20.00

DEPOSIT TICKET
FOR CLEAR COPY, PLEASE PRINT

DATE: 6/25/24

AMOUNT: 20.00

PROSPERITY BANK

\$ 20.00

⑆113122655⑆ 219189448⑆ 151

6/25/2024 \$20.00

DEPOSIT TICKET
FOR CLEAR COPY, PLEASE PRINT

DATE: 6/25/24

AMOUNT: 20.00

PROSPERITY BANK

\$ 20.00

⑆113122655⑆ 219189448⑆ 151

6/25/2024 \$20.00

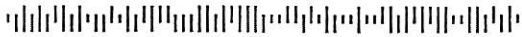
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PROSPERITY BANK[®]

1873 1 AB 0.547
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 NORTH WELLS
EDNA TX 77957

Notice Date: 06/28/2024
Certificate: XXXX0515



Handwritten signature

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JUL 09 2024

Texana Groundwater
Conservation District

Certificate of Deposit Earnings Notice

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NOTICE SUMMARY

Certificate #	XXXX0515
Current Balance	\$260,675.42 ✓
Earning on	06/29/2024
Period Earnings	\$2,176.76
Earnings Paid YTD	\$4,312.26 ✓
Interest Rate	3.3500% ✓
Maturity Term	24 Months
Current Maturity Date	03/29/2025
Next Earnings Date	09/29/2024
Federal Withheld	\$0.00
State Withheld	\$0.00

NOTICE INFORMATION

The earnings will be added to this Certificate.

If you have any questions regarding this notice, please call our Customer Service Center at 800-531-1401 or your local banking center.

Prosperity Bank
102 N Wells St
Edna, TX 77957-2769

MEMBER FDIC



NYSE Symbol "PB"



102231 : 00187301



PROSPERITY BANK®

1873 1 AB 0.547
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 NORTH WELLS
EDNA TX 77957

Notice Date: 06/28/2024
Certificate: XXXX0517

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JUL 09 2024

Toxana Groundwater
Conservation District



Certificate of Deposit Earnings Notice

ERN

NOTICE SUMMARY

Certificate #	XXXX0517
Current Balance	\$260,357.35 ✓
Earning on	06/29/2024
Period Earnings	\$2,115.46
Earnings Paid YTD	\$4,185.67 ✓
Interest Rate	3.2500% ✓
Maturity Term	12 Months
Current Maturity Date	03/29/2025
Next Earnings Date	09/29/2024
Federal Withheld	\$0.00
State Withheld	\$0.00

NOTICE INFORMATION

The earnings will be added to this Certificate.

If you have any questions regarding this notice, please call our Customer Service Center at 800-531-1401 or your local banking center.

Prosperity Bank
102 N Wells St
Edna, TX 77957-2769

MEMBER FDIC



NYSE Symbol "PB"



002232 : 00187302

Pledge Security Listing

June 30, 2024

ID	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Coupon	Maturity Date	Call Date	Moody	S&P	Fitch	ASC 320	Face Amount	Current Par	Current Book Value	Market Value	Gain(Loss)
TEXANA GROUNDWATER CONSERVATION DISTRICT																
4226	3138WDYL9	FNMA #AS4314	FHLB		2.50	01/01/2030		AAA	AA+	AAA	HTM	4,567,109	533,819.23	538,584.06	505,767.03	(32,817.03)
5275	3138X6MR3	FNMA CRA #AU6667	FHLB		3.00	09/01/2028					HTM	2,174,415	96,968.95	98,055.63	91,538.59	(6,517.04)
5558	3132D6AC4	FR #SB8103	FHLB		2.00	05/01/2036		AAA	AA+	AAA	HTM	200,000	132,803.23	136,186.31	118,042.15	(18,144.16)
5573	31418DZ54	FNMA #MA4363	FHLB		1.50	06/01/2041		AAA	AA+	AAA	HTM	700,000	553,884.04	551,772.58	455,547.47	(96,225.11)
Total for TEXANA GROUNDWATER CONSERVATION DISTRICT												7,641,524	1,317,475.45	1,324,598.58	1,170,895.24	(153,703.34)

Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

INVESTMENT REPORT Fiscal Year 2023 - 2024 As of July 31, 2024

Detailed Description of Investment Position - PFIA 2256.023(b)(1)

The investment position of the Texana 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: 217837512) 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: 219189448) 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: 9570010515) 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: 9570010517) 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 (217837512)	Operating	0.85%	\$97,905.41	\$97,905.41
Interest-Bearing Money Market Bank Account*	Prosperity Bank (219189448)	Operating and Reserve	3.34%	\$518,064.77	\$518,064.77
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010515)	Reserve	3.35%	\$260,675.42	\$260,675.42
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010517)	Reserve	3.25%	\$260,357.35	\$260,357.35
Total:				\$1,137,002.95	\$1,137,002.95

* 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	\$1,152,719.24	\$1,402,719.24

* 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 #: 9570010515	3/29/2025
Interest-Bearing Certificate of Deposit Account #: 9570010517	3/29/2025

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, TGCD Investment Officer

10/7/2024
Date



PROSPERITY BANK®

Visit us online at ProsperityBankUSA.com

Statement Date

7/31/2024

10080 1 AV 0.545

Account No

****7512

TEXANA GROUNDWATER CONSERVATION DISTRICT

411 N WELLS ST

EDNA TX 77957-2730

Page 1 of 5

OW

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AUG 05 2024

Texana Groundwater
Conservation District



STATEMENT SUMMARY

Public Fund Contractual Ckg w Int Account No ****7512

07/01/2024	Beginning Balance			\$26,491.96
	2 Deposits/Other Credits		+	\$75,033.99
	4 Checks/Other Debits		-	\$3,620.54
07/31/2024	Ending Balance	31	Days in Statement Period	\$97,905.41 ✓
	Total Enclosures			4

DEPOSITS/OTHER CREDITS

Date	Description	Amount
07/23/2024	Telephone Trf Dep	\$75,000.00
07/31/2024	Accr Earning Pymt Added to Account	\$33.99

CHECKS

Check Number	Date	Amount	Check Number	Date	Amount
1228	07-23	\$1,648.57	1242*	07-23	\$231.90
1239*	07-22	\$300.07	1251*	07-23	\$1,440.00

TOTAL OVERDRAFT FEES

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Return Item Fees	\$0.00	\$0.00

DAILY ENDING BALANCE

Date	Balance	Date	Balance
07-01	\$26,491.96	07-23	\$97,871.42
07-22	\$26,191.89	07-31	\$97,905.41

EARNINGS SUMMARY

** Below is an itemization of the Earnings paid this period. **

Interest Paid This Period	\$33.99	Annual Percentage Yield Earned	0.85% ✓
Interest Paid YTD	\$191.54	Days in Earnings Period	31

0000

103421 : 01008001



MEMBER FDIC



NYSE Symbol "PB" GCD - Meeting Packet for October 17, 2024 - Supplemental Documentation | Page 180 of 201

1228

DATE 9/14/24

PAY TO THE ORDER OF Jackson Central Appraisal District \$ 1648.57

One thousand six hundred forty eight and 57/100 DOLLARS

PROSPERITY BANK

FOR UNVND 1024 Alan T. Tapp

#001228# C113122655C 217837512#

7/23/2024 1228 \$1,648.57

1239

DATE 7/19/24

PAY TO THE ORDER OF Prosperity Bank \$ 300.07

Three hundred dollars and 07/100 DOLLARS

PROSPERITY BANK

FOR Act No. 2816 Alan T. Tapp

#001239# C113122655C 217837512#

7/22/2024 1239 \$300.07

1242

DATE 7/18/24

PAY TO THE ORDER OF Victoria Adair \$ 231.90

Two hundred thirty one and 90/100 DOLLARS

PROSPERITY BANK

FOR UNVND 1024 Alan T. Tapp

#001242# C113122655C 217837512#

7/23/2024 1242 \$231.90

1251

DATE 7/18/24

PAY TO THE ORDER OF Streamline Web \$ 1,440.00

One thousand four hundred forty 00/100 DOLLARS

PROSPERITY BANK

FOR UNVND 1024 Alan T. Tapp

#001251# C113122655C 217837512#

7/23/2024 1251 \$1,440.00

0000



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Statement Date

7/31/2024

10081 1 AV 0.545
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 N WELLS ST
EDNA TX 77957-2730

Account No

****9448

Page 1 of 5

OW
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AUG 05 2024
Texana Groundwater
Conservation District



STATEMENT SUMMARY

Public Fund Contractual Money Mkt Account No ****9448

07/01/2024	Beginning Balance		\$590,481.27
	3 Deposits/Other Credits	+	\$2,583.50
	1 Checks/Other Debits	-	\$75,000.00
07/31/2024	Ending Balance	31 Days in Statement Period	\$518,064.77 ✓
	Total Enclosures		2

DEPOSITS/OTHER CREDITS

Date	Description	Amount
07/03/2024	ACH Deposit JACKSON COUNTY Collection ****9448 11312265	\$971.36
07/22/2024	Deposit	\$20.00
07/31/2024	Accr Earning Pymt Added to Account	\$1,592.14

OTHER DEBITS

Date	Description	Amount
07/23/2024	Telephone/Wire Xfer	\$75,000.00

TOTAL OVERDRAFT FEES

	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Return Item Fees	\$0.00	\$0.00

DAILY ENDING BALANCE

Date	Balance	Date	Balance	Date	Balance
07-01	\$590,481.27	07-22	\$591,472.63	07-31	\$518,064.77
07-03	\$591,452.63	07-23	\$516,472.63		

EARNINGS SUMMARY

** Below is an itemization of the Earnings paid this period. **

Interest Paid This Period	\$1,592.14	Annual Percentage Yield Earned	3.34 %
Interest Paid YTD	\$9,962.49	Days in Earnings Period	31
		Earnings Balance	\$569,622.22

0000

103431 : 01008101



MEMBER FDIC



GCD - Meeting Packet for October 17, 2024 - Supplemental Documentation | Page 182 of 201

NYSE Symbol "PB"

DEPOSIT TICKET
 FROM CLEARING HOUSE
 DATE 7/22/24
 CHECK NO. 219189448
 AMOUNT \$20.00
 PROSPERITY BANK
 45215-2655C 219189448 452

7/22/2024

\$20.00

DEBIT/WITHDRAWAL
 FROM A/C NO. 219189448
 DATE 7-23-24
 TRANS TO ACCT # 217837512
 x/c
 xPer Email
 219189448
 75,000.00
 45215-2655C

7/23/2024

\$75,000.00

0000



PROSPERITY BANK®

1873 1 AB 0.547
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 NORTH WELLS
EDNA TX 77957

Notice Date: 06/28/2024
Certificate: XXXX0515



Handwritten signature

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JUL 09 2024

Texana Groundwater
Conservation District

Certificate of Deposit Earnings Notice

ERN

NOTICE SUMMARY

Certificate #	XXXX0515
Current Balance	\$260,675.42
Earning on	06/29/2024
Period Earnings	\$2,176.76
Earnings Paid YTD	\$4,312.26
Interest Rate	3.3500%
Maturity Term	24 Months
Current Maturity Date	03/29/2025
Next Earnings Date	09/29/2024
Federal Withheld	\$0.00
State Withheld	\$0.00

NOTICE INFORMATION

The earnings will be added to this Certificate.

If you have any questions regarding this notice, please call our Customer Service Center at 800-531-1401 or your local banking center.

Prosperity Bank
102 N Wells St
Edna, TX 77957-2769



102231 : 00187301

MEMBER FDIC



NYSE Symbol "PB"



PROSPERITY BANK®

1873 1 AB 0.547
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 NORTH WELLS
EDNA TX 77957

Notice Date: 06/28/2024
Certificate: XXXX0517

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JUL 09 2024

Texana Groundwater
Conservation District



Certificate of Deposit Earnings Notice

ERN

NOTICE SUMMARY

Certificate #	XXXX0517
Current Balance	\$260,357.35
Earning on	06/29/2024
Period Earnings	\$2,115.46
Earnings Paid YTD	\$4,185.67
Interest Rate	3.2500%
Maturity Term	12 Months
Current Maturity Date	03/29/2025
Next Earnings Date	09/29/2024
Federal Withheld	\$0.00
State Withheld	\$0.00

NOTICE INFORMATION

The earnings will be added to this Certificate.

If you have any questions regarding this notice, please call our Customer Service Center at 800-531-1401 or your local banking center.

Prosperity Bank
102 N Wells St
Edna, TX 77957-2769

MEMBER FDIC



NYSE Symbol "PB"



002232 : 00187302

Pledge Security Listing

July 31, 2024

ID	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Coupon	Maturity Date	Call Date	Moody	S&P	Fitch	ASC 320	Face Amount	Current Par	Current Book Value	Market Value	Gain(Loss)
TEXANA GROUNDWATER CONSERVATION DISTRICT																
4226	3138WDYL9	FNMA #AS4314	FHLB		2.50	01/01/2030		AAA	AA+	AAA	HTM	4,567,109	522,865.47	527,449.91	493,025.54	(34,424.37)
5275	3138X6MR3	FNMA CRA #AU6667	FHLB		3.00	09/01/2028					HTM	2,174,415	95,170.40	96,210.89	90,148.16	(6,062.73)
5558	3132D6AC4	FR #SB8103	FHLB		2.00	05/01/2036		AAA	AA+	AAA	HTM	200,000	131,311.17	134,635.82	117,094.11	(17,541.71)
5573	31418DZ54	FNMA #MA4363	FHLB		1.50	06/01/2041		AAA	AA+	AAA	HTM	700,000	549,151.53	547,066.51	452,451.43	(94,615.07)
Total for TEXANA GROUNDWATER CONSERVATION DISTRICT												7,641,524	1,298,498.57	1,305,363.13	1,152,719.24	(152,643.88)

Texana Groundwater Conservation District

411 N. Wells, Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

INVESTMENT REPORT Fiscal Year 2023 - 2024 As of August 31, 2024

Detailed Description of Investment Position - PFIA 2256.023(b)(1)

The investment position of the Texana 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: 217837512) 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: 219189448) 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: 9570010515) 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: 9570010517) 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 (217837512)	Operating	0.85%	\$51,618.68	\$51,618.68
Interest-Bearing Money Market Bank Account*	Prosperity Bank (219189448)	Operating and Reserve	3.34%	\$520,480.07	\$520,480.07
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010515)	Reserve	3.35%	\$260,675.42	\$260,675.42
Interest-Bearing Certificate of Deposit Bank Account*	Prosperity Bank (9570010517)	Reserve	3.25%	\$260,357.35	\$260,357.35
Total:				\$1,093,131.52	\$1,093,131.52

* 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	\$1,163,978.31	\$1,413,978.31

* 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 #: 9570010515	3/29/2025
Interest-Bearing Certificate of Deposit Account #: 9570010517	3/29/2025

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, TGCD Investment Officer



Date



PROSPERITY BANK®

Visit us online at ProsperityBankUSA.com

Statement Date

8/31/2024

10013 1 AV 0.545
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 N WELLS ST
EDNA TX 77957-2730

Account No

****7512

Page 1 of 5

CW
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Texana Groundwater
Conservation District



Fraudulent phone calls, text messages, and emails are on the rise.
Visit www.prosperitybankusa.com/fraud-prevention for tips and information on how to protect yourself.

STATEMENT SUMMARY		Public Fund Contractual Ckg w Int Account No ****7512	
08/01/2024	Beginning Balance		\$97,905.41
	1 Deposits/Other Credits	+	\$58.63
	9 Checks/Other Debits	-	\$46,345.36
08/31/2024	Ending Balance	31 Days in Statement Period	\$51,618.68
	Total Enclosures		9

DEPOSITS/OTHER CREDITS		
Date	Description	Amount
08/31/2024	Accr Earning Pymt Added to Account	\$58.63

CHECKS								
Check Number	Date	Amount	Check Number	Date	Amount	Check Number	Date	Amount
1240	08-27	\$1,648.57	1244	08-21	\$7,166.25	1247	08-21	\$7,166.25
1241	08-08	\$810.00	1245	08-21	\$7,166.25	1248	08-21	\$7,166.25
1243*	08-21	\$7,166.25	1246	08-21	\$7,166.25	1250*	08-21	\$889.29

TOTAL OVERDRAFT FEES		
	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Return Item Fees	\$0.00	\$0.00

DAILY ENDING BALANCE					
Date	Balance	Date	Balance	Date	Balance
08-01	\$97,905.41	08-21	\$53,208.62	08-31	\$51,618.68
08-08	\$97,095.41	08-27	\$51,560.05		

EARNINGS SUMMARY			
** Below is an itemization of the Earnings paid this period. **			
Interest Paid This Period	\$58.63	Annual Percentage Yield Earned	0.85 %
Interest Paid YTD	\$250.17	Days in Earnings Period	31

0000



103451 : 01001301

MEMBER FDIC



NYSE Symbol "PB"

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1240
 DATE 7/18/24
 PAY TO THE ORDER OF Jackson Central Appraisal District \$ 1,648.⁸²
 One thousand six hundred forty eight and 82/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 1111 Alton F. Tupa
 Chairman

8/27/2024 1240 \$1,648.57

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1241
 DATE 7/18/24
 PAY TO THE ORDER OF Allam Park + Mages \$ 810.⁰⁰
 Eight hundred and no/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 9393 Alton F. Tupa
 Chairman

8/8/2024 1241 \$810.00

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1243
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 7,166.²⁵
 Seven thousand one hundred sixty six and 25/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1243 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1244
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 7,166.²⁵
 Seven thousand one hundred sixty six and 25/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1244 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1245
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 7,166.²⁵
 Seven thousand one hundred sixty six and 25/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1245 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1246
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 7,166.²⁵
 Seven thousand one hundred sixty six and 25/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1246 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1247
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 7,166.²⁵
 Seven thousand one hundred sixty six and 25/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1247 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1248
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 7,166.²⁵
 Seven thousand one hundred sixty six and 25/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1248 \$7,166.25

TEXANA GROUNDWATER CONSERVATION DISTRICT
 1250
 DATE 7/18/24
 PAY TO THE ORDER OF Victoria County Groundwater \$ 889.²⁹
 Eight hundred eighty nine and 29/100 DOLLARS
 PROSPERITY BANK
 FOR A/C NO. 202401-01-T Alton F. Tupa
 Chairman

8/21/2024 1250 \$889.29

0000



Visit us online at ProsperityBankUSA.com

Statement Date

8/31/2024

10014 1 AV 0.545
 TEXANA GROUNDWATER CONSERVATION DISTRICT
 411 N WELLS ST
 EDNA TX 77957-2730

Account No

****9448

Page 1 of 5

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 Texana Groundwater
 Conservation District



Fraudulent phone calls, text messages, and emails are on the rise.
 Visit www.prosperitybankusa.com/fraud-prevention for tips and information on how to protect yourself.

STATEMENT SUMMARY		Public Fund Contractual Money Mkt Account No ****9448	
08/01/2024	Beginning Balance		\$518,064.77
	3 Deposits/Other Credits	+	\$2,415.30
	0 Checks/Other Debits	-	\$0.00
08/31/2024	Ending Balance	31 Days in Statement Period	\$520,480.07 ✓
	Total Enclosures		1

DEPOSITS/OTHER CREDITS		
Date	Description	Amount
08/05/2024	ACH Deposit JACKSON COUNTY Collection ****9448 11312265	\$944.95 ✓
08/19/2024	Deposit	\$20.00 ✓
08/31/2024	Accr Earning Pymt Added to Account	\$1,450.35

TOTAL OVERDRAFT FEES		
	Total For This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Return Item Fees	\$0.00	\$0.00

DAILY ENDING BALANCE			
Date	Balance	Date	Balance
08-01	\$518,064.77	08-19	\$519,029.72
08-05	\$519,009.72	08-31	\$520,480.07

EARNINGS SUMMARY			
** Below is an itemization of the Earnings paid this period. **			
Interest Paid This Period	\$1,450.35	Annual Percentage Yield Earned	3.34 % ✓
Interest Paid YTD	\$11,412.84	Days in Earnings Period	31
		Earnings Balance	\$518,895.53

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103461 : 01001401



MEMBER FDIC



NYSE Symbol "PB"

DEPOSIT TICKET
FOR CASH ONLY, PLEASE PRINT

DATE: 8/19/24

AMOUNT	CHECK NO.	DATE	INITIALS
20.00	20		

PROPERTY BANK

\$ 20.00

⑆111122655⑆ 2191894408 151

8/19/2024

\$20.00

0000



PROSPERITY BANK®

1873 1 AB 0.547
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 NORTH WELLS
EDNA TX 77957

Notice Date: 06/28/2024
Certificate: XXXX0515



Handwritten signature

RECEIVED

JUL 09 2024

Texana Groundwater
Conservation District

Certificate of Deposit Earnings Notice

ERN

NOTICE SUMMARY

Certificate #	XXXX0515
Current Balance	\$260,675.42 ✓
Earning on	06/29/2024
Period Earnings	\$2,176.76
Earnings Paid YTD	\$4,312.26
Interest Rate	3.3500%
Maturity Term	24 Months
Current Maturity Date	03/29/2025
Next Earnings Date	09/29/2024
Federal Withheld	\$0.00
State Withheld	\$0.00

NOTICE INFORMATION

The earnings will be added to this Certificate.

If you have any questions regarding this notice, please call our Customer Service Center at 800-531-1401 or your local banking center.

Prosperity Bank
102 N Wells St
Edna, TX 77957-2769

MEMBER FDIC



NYSE Symbol "PB"



102231 : 00187301



PROSPERITY BANK[®]

1873 1 AB 0.547
TEXANA GROUNDWATER CONSERVATION DISTRICT
411 NORTH WELLS
EDNA TX 77957

Notice Date: 06/28/2024
Certificate: XXXX0517

CW

RECEIVED

JUL 09 2024

Texana Groundwater
Conservation District



Certificate of Deposit Earnings Notice

ERN

NOTICE SUMMARY

Certificate #	XXXX0517
Current Balance	\$260,357.35
Earning on	06/29/2024
Period Earnings	\$2,115.46
Earnings Paid YTD	\$4,185.67
Interest Rate	3.2500%
Maturity Term	12 Months
Current Maturity Date	03/29/2025
Next Earnings Date	09/29/2024
Federal Withheld	\$0.00
State Withheld	\$0.00

NOTICE INFORMATION

The earnings will be added to this Certificate.

If you have any questions regarding this notice, please call our Customer Service Center at 800-531-1401 or your local banking center.

Prosperity Bank
102 N Wells St
Edna, TX 77957-2769



002232 : 00187302

MEMBER FDIC



NYSE Symbol "PB"

Pledge Security Listing

August 31, 2024

ID	CUSIP	Description	Safekeeping Location	Safekeeping Receipt	Coupon	Maturity Date	Call Date	Moody	S&P	Fitch	ASC 320	Face Amount	Current Par	Current Book Value	Market Value	Gain(Loss)
TEXANA GROUNDWATER CONSERVATION DISTRICT																
4226	3138WDYL9	FNMA #AS4314	FHLB		2.50	01/01/2030		AAA	AA+	AAA	HTM	4,567,109	512,138.39	516,553.17	490,423.72	(26,129.45)
5275	3138X6MR3	FNMA CRA #AU6667	FHLB		3.00	09/01/2028					HTM	2,174,415	93,366.23	94,363.50	89,385.92	(4,977.58)
5558	3132D6AC4	FR #5B8103	FHLB		2.00	05/01/2036		AAA	AA+	AAA	HTM	200,000	129,843.51	133,111.79	118,009.57	(15,102.22)
5573	31418DZ54	FNMA #MA4363	FHLB		1.50	06/01/2041		AAA	AA+	AAA	HTM	700,000	545,017.71	542,956.73	466,159.10	(76,797.63)
Total for TEXANA GROUNDWATER CONSERVATION DISTRICT												7,641,524	1,280,365.84	1,286,985.19	1,163,978.31	(123,006.88)

Tim Andruss

From: Tim Andruss
Sent: Thursday, August 8, 2024 9:49 AM
To: admin@texanagcd.org
Subject: FW: Resignation

Forwarded for record keeping purposes.

Tim Andruss
General Manager
Victoria County Groundwater Conservation District
Calhoun County Groundwater Conservation District
Refugio Groundwater Conservation District
Texana Groundwater Conservation District
Phone: 361-579-6863
Email: tim.andruss@vcgcd.org

From: James Revel <jrevel43@gmail.com>
Sent: Friday, July 19, 2024 10:03 AM
To: TGCD - Michael Skalicky <michael_skalicky@me.com>; Tim Andruss <tim.andruss@vcgcd.org>
Cc: j.allison@allison-bass.com
Subject: Resignation

With this notification, I am resigning from the TGWD Board of Directors, effective immediately.

Thank you and the citizens of Jackson County for the opportunity of serving on the Board for over 14 years. I have enjoyed the experience of being involved with helping to preserve, protect and manage the groundwater. I can't help but reflect on some of our activities in moving the organization forward and effectively meeting the goals of the District, some of which include: developing the Districts Rules and Management Plan, vetting legal support, hiring managers and administration, replacing Board members, addressing orphan wells, interacting with the Texas Railroad Commission, and assisting businesses and citizens in legally and effectively utilizing groundwater in their activities.

I appreciate the personal friendships with the Board members, administration and legal support. It has been fun, but I feel like I need to move on and let someone else get involved. My wife and I still have a few places in the world to visit.

I have tried to recruit a replacement in the south end of the County, and I think I have a person that wants to contribute and would be a good addition to the Board. His Name is Mike Wakat. I will follow up with him and have him contact the office.

Jim Revel

Tim Andruss

From: Tim Andruss
Sent: Thursday, August 8, 2024 9:50 AM
To: admin@texanagcd.org
Subject: FW: Resignation

Forwarded for record keeping purposes.

Tim Andruss
General Manager
Victoria County Groundwater Conservation District Calhoun County Groundwater Conservation District Refugio
Groundwater Conservation District Texana Groundwater Conservation District
Phone: 361-579-6863
Email: tim.andruss@vcgcd.org

-----Original Message-----

From: Michael Skalicky <Michael_scalicky@me.com>
Sent: Monday, July 22, 2024 6:06 PM
To: Tim Andruss <tim.andruss@vcgcd.org>; Jim Allison <j.allison@allison-bass.com>; Candace Whittley <candace.whittley@vcgcd.org>
Subject: Resignation

Gentlemen,

It is with deep regret that I have to notify the board that I no longer have the time and dedication that is required to fill the precinct 2 board member position on the Texana Groundwater Conservation District Board of Directors. This is not a decision that I have taken lightly, and due to personal issues that have arisen I can't devote the much needed efforts into my role as a board member. This may seem like this is out of the blue but I have been considering my eventual resignation for some time and have been looking for a potential replacement from my precinct position. I was hoping to have a replacement ready to go before I had to step down but finding a willing participant has been unsuccessful so far. I am proud of what we have accomplished in the past 11 years! We took over from a defunct board that was unfunded and on life-support and got this thing up and running and turned it into something that is serving its purpose of protecting the groundwater for future citizens of Jackson County. That was not an easy process, and I truly appreciate the many previous dedicated people that served with me on the board, some who have passed on and those that have moved on. Tim and Jim, without your guidance, support and dedication we would not be where we are today. I believe I am leaving it in good hands!

Michael Skalicky
Have A Rice Day!!
michael_scalicky@me.com

Interlocal Agreement Between
Texana Groundwater Conservation District
and
Jackson County

This Agreement is made on the ____ day of _____, 20__, by and between the Texana Groundwater Conservation District, a political subdivision of the State of Texas, hereinafter referred to as “DISTRICT” and the Jackson County, hereinafter referred to as the “COUNTY”.

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes units of local government to contract with one or more units of local government to perform government functions and services; and

WHEREAS, this Agreement is entered into pursuant to the authority, under the provisions of, and in accordance with, Chapter 791 of the Texas Government Code, for the performance of governmental functions and services; specifically, the disposition of excess office equipment and furnishings, and for such other and further acts of cooperation as the parties may subsequently agree to by the execution of a separate and specific agreement ratified by the governing bodies of each contracting party, specifically the Board of Directors of the DISTRICT and the COUNTY; and

WHEREAS, DISTRICT and the COUNTY have investigated and determined that it would be advantageous and beneficial to both the COUNTY and to DISTRICT and their taxpayers for these entities to cooperatively dispose of excess office equipment and furnishings; and

WHEREAS, from time to time these entities may wish to engage in various services, such as hauling, dispensing, or disposing of excess office equipment and furnishings, together with the labor and materials necessary to accomplish a public purpose beneficial to these entities; and

THEREFORE, in consideration of the mutual covenants contained herein, the COUNTY and DISTRICT agree as follows:

Services to be Performed

The COUNTY agrees to accept, utilize and dispose of excess office equipment and furnishings from DISTRICT, as more fully detailed on the Attached Exhibit A, incorporated herein by reference, together with all incidental acts, procedures, and methods necessary to accomplish the ends of such project.

Duration of Agreement

Unless cancelled or terminated earlier with thirty (30) days written notice, this Agreement shall commence on the ____ day of _____, 20____, and expires at midnight on _____, 20__.

The undersigned officer and/or agents of the parties hereto are the properly authorized officials of the party presented and have the necessary authority to execute this Agreement on behalf of the parties hereto and each party hereby certifies to the other that any necessary resolutions extending said authority have been duly passed and approved and are now in full force and effect.

EXECUTED by the parties hereto, each respective entity acting by and through its duly authorized official as required by law, on the date specified on the multiple counterparts executed by such entity.

Jackson County

By: _____
County Judge

Date:

Texana Groundwater Conservation District

By: _____
General Manager

Date:

Exhibit A

Filing Cabinet (2)

Bookshelf

Desk

Box of Office Supplies (5-7)

Desktop Computer and Monitors and related electronic equipment

Printers (2)