

SUMMARY OF TEXANA GCD WELL DRILLING RELATED RULES

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6:30 PM

Jackson County
Extension Building

411 N. Wells
Edna, Texas

TGCD HISTORY

- District Created in 2001
- Rules adopted and implemented initially
- District goes dormant around 2005
- District “re-organizes” the Board of Directors in 2010
- New Rules adopted on January 13, 2011
- New Rules effective on February 25, 2011
 - Grandfathering Date = January 13, 2011

POLICY POSITIONS

- Eliminate eminent domain powers
- Locally-elected board
- District funding by ad valorem tax \leq \$0.01/\$100
- Grandfathering of existing wells
- Expansion of exempt-use definition
- Voluntary registration for grandfathered, exempt-use wells
- Mandatory registration for new or non-exempt-use wells
- Historic use protection for grandfathered, non-exempt-use
- Exempt-use wells exempt from metering
- Non-exempt-use wells report production
- Replacement wells: no drilling permit, assume original status
- Manage for sustainability and long-term availability

GRANDFATHERING

- Wells existing prior to adoption date (1/13/2011) of 2010 TGCD management plan are:
 - Excluded from well spacing requirements
 - Excluded from district fees
 - Eligible to obtain a perpetual validation permit for historic non-exempt-use (both purpose of use and quantity)
- Wells drilled after the adoption of the 2010 TGCD management plan (1/13/2011) that are not replacements for a grandfathered well are non-grandfathered wells

EXEMPT-USE

■ Exempt-Use means:

- Production of groundwater from a well solely for domestic use (see rule definitions), livestock use, personal recreational use (see rule definitions),
- OR
- Production of groundwater from a well not in excess of 35,000 gallons per day
- OR
- Production from a well exempted from TGCD regulation by the State Law

■ Exempt from: fees, production permits, production reporting

■ Non-Exempt-Use means:

- Production of groundwater from a well not exempted from TGCD regulation by State Law that does not satisfy the Exempt-Use definition

THE TGCD REQUIREMENTS MATRIX

	Grandfathered	Non-Grandfathered (New)
Exempt-Use	<ol style="list-style-type: none"> 1. No Drilling Permits 2. No Operating Permits 3. No Validation Permits 4. No Fees 5. No Production Reporting 6. <u>Voluntary</u> Registration 	<ol style="list-style-type: none"> 1. No Drilling Permits 2. No Operating Permits 3. No Validation Permits 4. No Fees 5. No Production Reporting 6. <u>Mandatory</u> Registration via well log
Non-Exempt-Use	<ol style="list-style-type: none"> 1. Registration Required 2. Validation Permit for Historic Use 3. Operating Permit for New Non-Exempt-Use (Consideration of Spacing and Production Limitations) 4. Report GW Production 	<ol style="list-style-type: none"> 1. Registration Required 2. Drilling Permit (spacing limits) 3. Operating Permit (production limits) 4. Report GW Production

Note: Transport is not a groundwater use but is regulated by TGCD rules.

REGISTRATION

- **Voluntary for:**
 - **Grandfathered, Exempt-Use Wells**
- **Mandatory for:**
 - **Non-Grandfathered Wells (new wells that are not replacement wells)**
 - **Non-Exempt-Use Wells both Grandfathered and Non-Grandfathered**

DRILLING PERMITS

- Drilling Permit only authorizes drilling a well.
- Drilling Permit required for drilling all wells except:
 - Wells exempted by State Law,
 - replacement well, or
 - exempt-use wells
- **Spacing and Completion Requirements: State Requirements,**
- **Permit Term: 180 days**
- **Non-Grandfathered Wells Spacing Requirement: 50' minimum property line offset**
- **Non-Exempt-Use Wells Spacing Requirement: 1' offset from registered wells not owned by drilling permit applicant or from authorized drilling permit location not held by the drilling permit applicant.**

PRODUCTION PERMITS

- **Type of Production Permits: Validation Permit or Operating Permit**
- **Production Permit required prior to non-exempt-use production**
- **Aggregate withdrawal for well systems**
- **Permit Term for Validation of Historic Use Permit: Not Specified**
- **Permit Term for Non-Grandfathered, Non-Exempt-Use: 5 years or less**
- **Permit Renewal if**
 - 1) Same Available GW;
 - 2) Abiding by TGCD Rules;
 - 3) Permitted Production will not cause aquifer damage
- **Production Reports Required (+/- 10% accuracy)**
- **Operating Permit Production Limitation: 250 GPM/contiguous acre controlled**
- **Operating Permit Production Limitation: 1/2 ac-ft/yr/acre controlled**

WELL REPLACEMENT AND RE-WORKING

- Replacement wells must be drilled within 2,500 ft of original wells
- Cannot increase the degree to which a well violates spacing requirements for a new well
- Replacement wells assume the grandfathered status, use exemption status (exempt-use, non-exempt-use) and permits of the original well.
- Permits not required for replacing a well that is:
 - Exempt-use wells
 - Properly authorized non-exempt-use wells
- Permits not required to re-work a well if the well status or production zone not altered

EXCEPTIONS

■ Exceptions to Production Requirements

■ Rule 4.1(6) -

- TGCD may alter production requirements if adjacent landowners waive any objection to drawdown impacts.
- TGCD may consider allowing greater drawdown impacts if good cause is shown.

■ Exceptions to Spacing Requirements

■ Rule 4.2(4) -

- TGCD may alter spacing requirements if adjacent landowners waive any objection to the proposed well location.
- TGCD may consider allowing encroachment of new well if good cause is shown (may include additional production conditions).
- TGCD may increase or decrease spacing requirements if good cause is shown

WELL LOGS

- Chapter 36 of Texas Water Code requires well logs to be submitted to GCDs
 - Sec. 36.112. DRILLERS' LOGS. A district shall require that accurate drillers' logs be kept of water wells and that copies of drillers' logs and electric logs be filed with the district.

- **76.700. Responsibilities of the Licensee--State Well Reports.**
 - Every well driller shall deliver or send by first-class mail a photocopy to the local groundwater conservation district...within 60 days from the completion or cessation of drilling...

- **Deliver Logs to TGDC at:**
 - **TGCD, 411 N. Wells, Suite 118, Edna, TX 77957**

TGCD APPLICATIONS

- Applications can be downloaded from TGCD Webpage:
 - <http://www.co.jackson.tx.us/ips/cms/TexanaGroundwater.html>

CONTACT INFORMATION

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