

**GLASSCOCK GROUNDWATER
CONSERVATION DISTRICT
MANAGEMENT PLAN
1998-2008**

**Adopted: March 17, 1998
Amended: August 19, 2003**

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GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

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GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

DISTRICT MISSION

The Glasscock Groundwater Conservation District strives to bring about conservation, preservation, and the efficient, beneficial and wise use of water for the benefit of the citizens and economy of the District through monitoring and protecting the quality of the groundwater.

REGIONAL COOPERATION AND COORDINATION

The District is a member of the West Texas Regional Groundwater Alliance. The regional alliance consists of ten (10) locally created and locally funded districts that encompass almost eight and three-quarter (8.75) million acres or thirteen (13) thousand square miles of West Texas. This West Texas region is as diverse as the State of Texas. Due to the diversity of this region, each member district provides it's own unique programs to best serve its constituents.

In 1988, four (4) groundwater districts; Coke County UWCD, Glasscock GCD, Irion County WCD, and Sterling County UWCD signed the original Cooperative Agreement. As new districts were created, they too signed the Cooperative Agreement. In the fall of 1996, the original Cooperative Agreement was redrafted and the West Texas Regional Groundwater Alliance was created. The current member districts are:

Coke County UWCD	Emerald UWCD	Glasscock GCD
Hickory UWCD # 1	Irion County WCD	Lipan-Kickapoo WCD
Plateau UWC & SD	Santa Rita UWCD	Sterling County UWCD
Sutton County UWCD	Menard County UWD	Lone Wolf GCD

This Alliance was created because the local districts have a common objective to facilitate the conservation, preservation, and beneficial use of water and related resources. Local districts monitor the water-related activities of the State's largest industries such as farming & ranching, oil & gas and municipalities. The alliance provides coordination essential to the activities of these member districts as they monitor these activities in order to accomplish their objectives.

TIME PERIOD FOR THIS PLAN

This plan becomes effective upon adoption by the District Board of Directors and certification by the Texas Water Development Board (TWDB) affirming the plan is administratively complete. This plan replaces the existing plan adopted by the District Board of Directors on March 17, 1998. This District management plan will remain in effect until a revised plan is certified or September 1, 2008, whichever is earlier.

GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

STATEMENT OF GUIDING PRINCIPLES

The primary concern of the residents of this area of the State regarding groundwater is the potential contamination of the groundwater from the vast amount of oil and gas production and the activities involved in the production of oil and gas. For this reason, the residents asked Representative Tom Craddick to introduce legislation to create this groundwater conservation district. The District recognizes that the groundwater resources of this region are of vital importance to the residents and that this resource must be managed and protected from contamination. The greatest threat to prevent the District from achieving the stated mission is from state mandates and agency bureaucrats who have no understanding of local conditions. A basic understanding of the aquifers and their hydro geologic properties, as well as a quantification of resources is the foundation from which to build prudent planning measures. This management plan is intended as a tool to focus the thoughts and actions of those given the responsibility for the execution of District activities.

General Description

The Glasscock Groundwater Conservation District (GCD) was created by Acts of the 67th Legislature (1981). In August, 1981, the residents confirmed the District and also voted to fund the district operations through local property taxes. It became an active District in August, 1981. On April 15, 1986, the District adopted Rules and By-Laws which became effective immediately and on February 21, 1989 the District adopted a management plan. With the adoption of these rules, the District implemented a well permitting and registration program. The District rules were amended on June 20, 2000.

The current members of the Board of Directors are: Kenneth Braden, Chairman, Dennis Seindenberger, Vice-Chairman, Larry Wheat, Secretary, Mike Hughes, Member, and John Phillips, Member. The District General Manager is Ricky Harston. The Glasscock GCD covers all of Glasscock County and a portion of Northwest Reagan County. The District's economy is based primarily on agriculture, and oil and gas production. The agricultural income is derived primarily from cotton, grain sorghum, wheat, alfalfa, pecans, as well as sheep, goats, and beef cattle production. Recreational hunting leases also contribute to the income of the area.

Location and Extent

The Glasscock GCD has an aerial extent of approximately 864 square miles or approximately 552,960 acres of land in Glasscock County and 65,000 acres in Northwest Reagan County. The total population of the District is approximately 1500 people. There are no incorporated cities within the District boundaries. The two communities within the District are Garden City and St. Lawrence. Land use in the District is for agricultural purposes of which 177,120 acres is crop or

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farm land, 9,000 acres is improved pasture, and the balance of 431,840 acres is range land. The majority of the District is over the Edwards-Trinity (Plateau) aquifer with exception of the northwest part of Glasscock County which is over the Ogallala aquifer. The crop land is located primarily in the southern and northwest portions of the District, with the balance being in pasture and range land. Irrigation covers approximately 69,980 acres of the District's crop land. Of these acres, 49,999 are located in Glasscock County and 19,980 acres are located in Reagan County. Historically, the principle method of irrigation had been furrow irrigation. However, within recent years there has been a gradual trend to change to more highly efficient subsurface drip irrigation and low energy precision application (LEPA) center pivots. There is currently, approximately 35,000 acres of subsurface drip irrigation and 7,000 acres LEPA center pivots within the District.

Topography and Drainage

The District is within what is known as the Permian Basin of Texas. Topographically, the area within the District is generally a nearly level to undulating plain that slopes upward from the east to the west. The altitude of the land surface ranges from 2,300 feet above sea level in the eastern part of the District to about 2,750 feet above sea level in the western part of the District.

The Glasscock GCD lies within the Colorado River Basin. The North Concho River is a tributary of the Colorado River and is located in the northeast part of the District.

Groundwater Resources of the Glasscock GCD

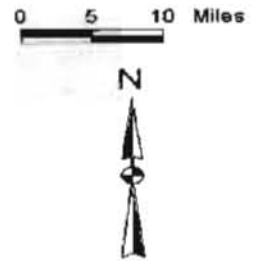
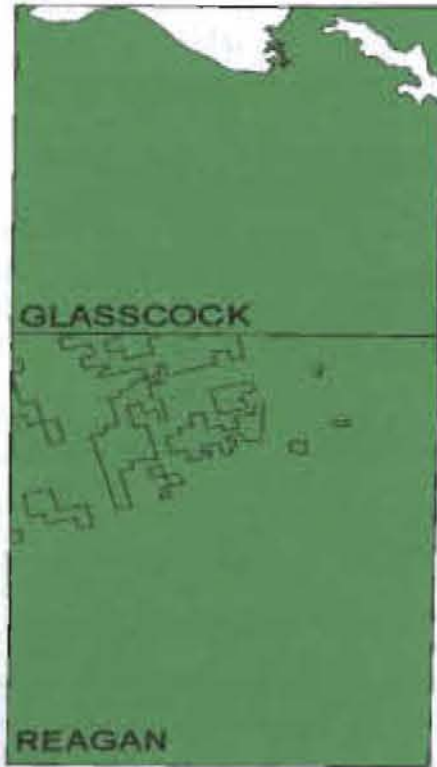
The Edwards-Trinity (Plateau) aquifer is located in allof the District except in the northwest portion of Glasscock County. Water from this aquifer is principally used for irrigation, rural domestic, and livestock needs. This aquifer consists of saturated sediments of lower Cretaceous age Trinity Group formations and overlying limestones and dolomite of the Comanche Peak, Edwards, and Georgetown formations. The Glen Rose Limestone is the primary unit of the Trinity in the southern part of the plateau and is replaced by the Antlers Sand north of the Glen Rose pinch out. Reported well yields range from 20 gal/min, where saturated thickness is thin, to more than 300 gal/min, within the District.


Chemical quality of Edwards-Trinity (Plateau) water ranges from fresh to slightly saline. The water is typically hard and may vary widely in concentrations of dissolved solids made up mostly of calcium and bicarbonate. The salinity of the groundwater tends to increase toward the west. Certain areas have unacceptable levels of fluoride.

Water levels have declined as a result of increased pumpage and the increase of harmful vegetation such as mesquite and prickly pear. The average decline has been approximately 20 feet since 1980. (See map on next page)

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**Extent of the Edward-Trinity (Plateau)
Aquifer in Glasscock GCD**



 Edwards-Trinity (Plateau) Aquifer

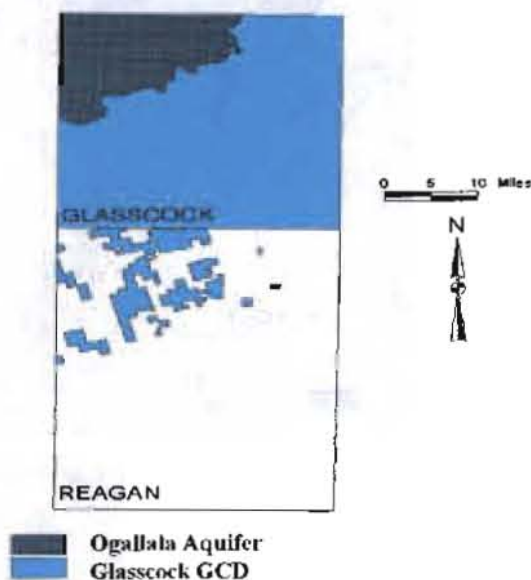
GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

The Ogallala aquifer is located in northwest Glasscock County. The Ogallala is composed primarily of sand, gravel, clay and silts deposited during the Tertiary Period. Water from this aquifer is principally used for irrigation, rural domestic, and livestock needs. Water yields from this aquifer is generally greater than 150 gal/min.

The chemical quality of the water in the aquifer is generally fresh; however, higher levels of dissolved-solids and chloride concentrations can be found within the District.

Water levels have fluctuated in this area due to several acres participating in the USDA Conservation Reserve Program being removed and put back into production. (See map below)

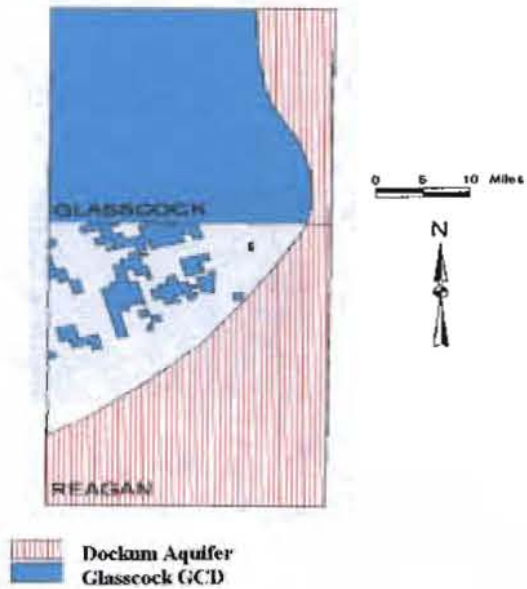
Extent of the Ogallala Aquifer in Glasscock GCD



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The Dockum Group of Triassic age is located in the extreme eastern portion of the District. This aquifer is used principally for livestock needs. (See map below)

**Extent of the Dockum
Aquifer in Glasscock GCD**



The aquifer explanations above were taken from Texas Water Development Board's Report 345 Aquifers of Texas (1995).

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Currently the District is using the Region F-Regional Water Plan Table 4-Glasscock County Projected Water Availability as well as estimates of recharge and availability rates. The data sets describe the saturated thickness and yield, which the product describes as water in storage. When combined with recharge and production values, these estimates can be used by the District to derive goals for future estimates of available groundwater. Currently within the District, there is an estimated 19,876 acre-feet of recoverable water in storage in the Edwards-Trinity (Plateau) aquifer, 3,928 acre-feet in the Ogallala aquifer, and 140 acre-feet in the Dockum Aquifer. There is an estimated 42 acre-feet in surface water from private stock tanks. The existing total usable amount of groundwater in the District is 23,986 acre-feet on an annual basis.

Since the District does not overlie all of Reagan County, some estimates obtained are based on a percentage derived by dividing the amount of acres within the District by the total number of acres contained within Reagan County. The percentage used to develop these estimates is .0864.

Annual Amount of Additional Natural or Artificial Recharge in Glasscock GCD

Based on Region F-Table 3-1 Annual Groundwater Availability, the estimated natural annual recharge within the District is 13,629 acre-feet per year to the Edward-Trinity (Plateau) aquifer and 940 acre-feet per year to the Ogallala aquifer. The Colorado River Municipal Water District's 1994 Summary Weather Modification Report indicated 23% enhancement to rainfall. Based upon this figure an additional 3,777 acre-feet of additional recharge could feasibly be realized by participating in a weather enhancement program.

Surface Water Resources of Glasscock GCD

No surface water management entities exist within the District. There are no surface water impoundments within the District except for livestock consumption. There are no surface water entities located within the District to coordinate the development of this plan.

Projected Water Supplies of Glasscock GCD

**Glasscock County Projected Water Supplies
Region F - Regional Water Plan Table 5**

WUG	SOURCE NAME	2000	2010	2020	2030	2040	2050
County-Other	Edwards-Trinity (Plateau) Aquifer	160	167	169	169	168	170
Garden City	Edwards-Trinity (Plateau) Aquifer	43	43	42	42	41	41
Irrigation	Edwards-Trinity (Plateau) Aquifer	16,772	16,767	16,768	16,768	16,771	16,769

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Irrigation	Ogallala Aquifer	3,896	3,896	3,896	3,896	3,896	3,896
Livestock	Edwards-Trinity (Plateau) Aquifer	167	167	167	167	167	167
Livestock	Livestock Local Supply	42	42	42	42	42	42
Livestock	Ogallala Aquifer	32	32	32	32	32	32
Mining	Edwards-Trinity (Plateau) Aquifer	5	3	1	1	0	0
Total Supply (acre-feet/year)		21,117	21,117	21,117	21,117	21,117	21,117

**Reagan County Projected Water Supplies
Region F - Regional Water Plan Table 5**

WUG	BASIN	SOURCE TYPE	SOURCE NAME	2000	2010	2020	2030	2040	2050
County-Other	Colorado	Groundwater	Edwards-Trinity (Plateau) Aquifer	10	10	10	10	11	7
Irrigation	Colorado	Groundwater	Edwards-Trinity (Plateau) Aquifer	25,213	25,209	25,208	25,209	25,138	25,079
Irrigation	Colorado	Groundwater	Dockum Aquifer	45	45	45	45	45	45
Livestock	Colorado	Groundwater	Edwards-Trinity (Plateau) Aquifer	10	10	10	10	10	10
Mining	Colorado	Groundwater	Edwards-Trinity (Plateau) Aquifer	0	0	0	0	0	0
Total Supplies (Acre-feet/year)				25,278	25,274	25,273	25,274	25,204	25,141

Since the District does not overlie all of Reagan County, some estimates obtained are based on a percentage derived by dividing the amount of acres within the District by the total number of acres contained within Reagan County. The percentage used to develop these estimates is .0864. 90% of the irrigated acres in Reagan County are located within the District, therefore, this percentage was used to develop irrigation estimates.

Groundwater Use in Glasscock GCD

Based on Texas Water Development Board's Water Use Survey, during the last five years ending in 2000, annual groundwater usage in the Glasscock County portion of the District has varied from a high of 65,549 acre-feet to a low of 24,836 acre-feet. The annual estimated usage within the District for the 5 years is as follows:

2000	35,766 acre-feet per year
1999	24,836 acre-feet per year
1998	65,549 acre-feet per year
1997	52,744 acre-feet per year
1996	55,459 acre-feet per year

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Based on Texas Water Development Board's Water Use Survey, during the last five years ending in 2000, annual groundwater usage in the Northwest Reagan County portion of the District has varied from a high of 58,097 acre-feet to a low of 14,457 acre-feet. The annual estimated usage within the District for the 5 years is as follows:

2000	14,457 acre-feet per year
1999	18,655 acre-feet per year
1998	58,097 acre-feet per year
1997	42,395 acre-feet per year
1996	39,931 acre-feet per year

This data was obtained from the Texas Water Development Board's annual survey of historical water use.

Since the District does not overlie all of Reagan County, some estimates obtained are based on a percentage derived by dividing the amount of acres within the District by the total number of acres contained within Reagan County. The percentage used to develop these estimates is .0864. 90% of the irrigated acres in Reagan County are located within the District, therefore, this percentage was used to develop irrigation estimates.

Projected Demands for Water in Glasscock GCD

**Glasscock County Projected Water Demand
Region F - Regional Water Plan Table 2**

Category	WUG	2000	2010	2020	2030	2040	2050
Municipal	Garden City	43	43	42	42	41	41
Municipal	County-Other	160	167	169	169	168	170
Mining	Mining	5	3	1	1	0	0
Irrigation	Irrigation	68,521	67,979	67,437	66,895	66,353	65,810
Livestock	Livestock	241	241	241	241	241	241
	Total Demand (Acre-feet/year)	68,970	68,433	67,890	67,348	66,803	66,262

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**Reagan County Projected Water Demands
Region F - Regional Water Plan Table 2**

BASIN	CATEGORY	WUG	2000	2010	2020	2030	2040	2050
Colorado	Mining	Mining	137	132	127	123	124	128
Colorado	Irrigation	Irrigation	42,027	41,343	40,659	39,975	39,291	38,607
Colorado	Livestock	Livestock	14	14	14	14	14	14
		Total Demands (Acre-feet/year)	42,178	41,489	40,800	40,112	39,429	38,749

Since the District does not overlie all of Reagan County, some estimates obtained are based on a percentage derived by dividing the amount of acres within the District by the total number of acres contained within Reagan County. The percentage used to develop these estimates is .0864. 90% of the irrigated acres in Reagan County are located within the District, therefore, this percentage was used to develop irrigation estimates.

Potential Demand and Supply Issues and Solutions

Based on supply and demand calculations and projections it is obvious that there will be times that demands exceed supply. In this area of the State and with the type of aquifer that serves the area, this is a normal occurrence that is recognized by the local residents.

The supply and demand totals for 2010 are as follows:

Projected Supplies	
Groundwater from Edward-Trinity (Plateau) aquifer	42,418 acre-feet per year
Groundwater from Ogallala aquifer	3,928 acre-feet per year
Groundwater from Dockum aquifer	45 acre-feet per year
Total Projected Supply	46,391 acre-feet per year
Total Projected Demand	109,922 acre-feet per year
Balance (Shortage)	63,531 acre-feet per year

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Since the District does not overlie all of Reagan County, some estimates obtained are based on a percentage derived by dividing the amount of acres within the District by the total number of acres contained within Reagan County. The percentage used to develop these estimates is .0864. 90% of the irrigated acres in Reagan County are located within the District, therefore, this percentage was used to develop irrigation estimates. All estimates of the total usable amount of groundwater in the district, the amount of recharge, the projected water supply and demand for water in the district, and the water supply needs are based on data supplied by the Region F-Tables 2 and 5 County Projected Water Demands and Water Supplies and the District does not express an opinion as to the accuracy of the information since these estimates were developed for regional planning purposes and not for District planning purposes.

The residents of the District understand that groundwater supplies are limited and have modified farming and ranching techniques to match the availability of water. There is currently, approximately 35,000 acres of subsurface drip irrigation and 7,000 acres LEPA center pivots within the District, with more acres going in every year. Efforts are being made by the residents of the District to use the available groundwater resources with maximum efficiency, while monitoring the quality of the groundwater to protect this resource for the years to come.

Management of Groundwater Supplies

For the past 22 years, the District has and will continue to manage the supply of groundwater within the District, in order to conserve the resource while seeking to maintain the economic viability of all resource user groups, public and private. In consideration of the economic and cultural activities occurring within the District, the District will continue to identify and engage in such activities and practices, that if implemented, would result in preservation and protection of the groundwater. The observation network will continue to be reviewed and maintained in order to monitor changing conditions of groundwater within the District. The District will undertake investigations of the groundwater resources within the District and will make the results of investigations available to the public.

The District has, or will amend as necessary, rules to regulate groundwater withdrawals by means of spacing and/or production limits. The relevant factors to be considered in making the determination to grant a permit or limit groundwater withdrawal, will include:

1. The purpose of the District and it's rules;
2. The equitable conservation and preservation of the resource; and
3. The economic hardship resulting from granting or denying a permit or the terms prescribed by the rules.

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In pursuit of the District's mission of preserving and protecting the resource, the District will enforce the terms and conditions of permits and the rules of the District by enjoining the permit holder in a court of competent jurisdiction, as provided for in TWC Chapter 36.102, if necessary.

Actions, Procedures, Performance and Avoidance for Plan Implementation

The District will implement the provisions of this plan and will utilize the provisions of this plan as a guidepost for determining the direction or priority for all District activities. All operations of the District, all agreements entered into by the District, and any additional planning efforts in which the District may participate will be consistent with the provisions of this plan.

The District has adopted and will amend, as necessary, rules relating to the implementation of this plan. The rules adopted by the District shall be pursuant to TWC Chapter 36 and the provisions of this plan. All rules will be adhered to and enforced. The promulgation and enforcement of the rules will be based on the best technical evidence available.

The District shall treat all citizens with equality. Citizens may apply to the District for discretion in enforcement of the rules on grounds of adverse economic effect or unique local characteristics.

In granting of discretion to any rule, the Board shall consider the potential for adverse effect on adjacent owners and aquifer conditions. The exercise of said discretion by the Board shall not be construed as limiting the power of the Board.

The methodology that the District will use to trace it's progress on an annual basis in achieving all of it's management goals will be as follows:

The District manager will prepare and present an annual report to the Board of Directors on District performance in regards to achieving management goals and objectives (during the first monthly Board of Directors meeting each fiscal year, beginning December 31, 2000). The report will include the number of instances each activity was engaged in during the year.

The annual report will be maintained on file at the District office.

**GOALS, MANAGEMENT OBJECTIVES
and PERFORMANCE STANDARDS**

Goal

1.0 Control and Prevent the Waste* of Groundwater

GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

Management Objective

1.1 Each month, the District will investigate all identified wasteful practices within Two (2) working days of identification or complaint received.

Performance Standard

1.1a - Number of wasteful practices identified and the average number of days District personnel took to respond or investigate after identification or complaint received, during the month.

Goal

2.0 Providing for the Efficient Use of Groundwater Within the District

Management Objective

2.1 Each year, the District will provide topcon mapping equipment to all producers upon request (based upon availability) for better irrigation planning and contour farming.

Performance Standard

2.1a - Number of producers requesting (based upon availability) the use of equipment and number of acres mapped, annually.

Management Objective

2.2 Each year, the District will provide laser plane leveling equipment to all producers upon request (based upon availability) for better irrigation planning and contour farming.

Performance Standard

2.1a - Number of producers requesting (based upon availability), the use of equipment, annually.

Goal

3.0 Drought Conditions

Management Objective

3.1 The District will monitor the Palmer Drought Severity Index (PDSI) by Texas Climatic Divisions. If PDSI indicates that the District will experience severe drought conditions, the District will notify all public water suppliers within the District.

Performance Standard

3.1a - The District staff will monitor the PDSI and report findings and actions to the District Board on a quarterly basis.

GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

Goal

4.0 Conservation

Management Objective

4.1 Provide information to area residents about water conservation.

Performance Standard

4.1a- The District staff will publish an article concerning water conservation in a local newsletter or newspaper at least one time a year.

MANAGEMENT GOALS DETERMINED NOT-APPLICABLE

Goal

5.0 Control and prevention of subsidence.

The rigid geologic framework of the region precludes significant subsidence from occurring.

This goal is not applicable to the operations of the District.

Goal

6.0 Conjunctive surface water management issues.

No surface water management entities exist within the District. There are no surface water impoundments within the District except for livestock consumption. The Glasscock GCD has no jurisdiction over surface water. The groundwater within the district is used primarily for irrigated agriculture, rural domestic and livestock needs.

This goal is not applicable to the operations of the District.

Goal

7.0 Addressing natural resource issues which impact the use and availability of groundwater, and which are impacted by the use of groundwater.

The District has no documented occurrences of endangered or threatened species dependent upon groundwater resources.

This goal is not applicable to the operations of the District.

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*** Summary Definitions.**

"Abandoned Well" - shall mean:

1) a well or borehole the condition of which is causing or is likely to cause pollution of groundwater in the District. A well is considered to be in use in the following cases:

(A) a well which contains the casing, pump, and pump column in good condition; or

(B) a well in good condition which has been capped.

2) a well or borehole which is not in compliance with applicable law, including the Rules and Regulations of the District, the Texas Water Well Drillers' Act, Texas Natural Resource Conservation Commission, or any other state or federal agency or political subdivision having jurisdiction, if presumed to be an abandoned or deteriorated well.

"Board" - the Board of Directors of the Glasscock Groundwater Conservation District.

"District" - the Glasscock Groundwater Conservation District.

"TCEQ" - Texas Commission on Environmental Quality.

"TWDB" - Texas Water Development Board.

"Waste" - as defined by Chapter 36 of the Texas Water Code means any one or more of the following:

(1) 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 flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose;

(3) escape of groundwater from a groundwater reservoir to any other reservoir or geologic strata that does not contain groundwater;

(4) 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;

(5) 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

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under Chapter 26;

(6) 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; or

(7) for water produced from an artesian well, "waste" has the meaning assigned by Section 11.205.

GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

KENNETH BRADEN, CHAIRMAN
DENNIS SEIDENBERGER, V-CHAIRMAN
ZANE EOFF, SECRETARY
LARRY WHEAT, DIRECTOR
MIKE HUGHES, DIRECTOR
RICKY HARSTON, GENERAL MANAGER
DONNITA COATS, SECRETARY

P.O. BOX 208 132 N. MAIN GARDEN CITY, TEXAS 79739 PHONE (432)354-2430 FAX (432)354-2322 E-MAIL ggcd@t3wireless.com

MANAGEMENT PLAN

WHEREAS, the Glasscock Groundwater Conservation District was created by Acts of the 67th Legislature (1981), p. 2104, Ch. 489, H.B. 2381, in accordance with Article 16, Section 59 of the Constitution of Texas and Chapters 51 and 52 of the Texas Water Code, as amended; and

WHEREAS, H.B.2381 was amended by Acts of the 77th Legislature (2001), H.B. 561, in accordance with Chapters 36 of the Texas Water Code, as amended; and

WHEREAS, the District is required by Chapter 36.1071 of the Texas Water Code to develop and adopt a Management Plan; and

WHEREAS, the District is required by Chapter 36.1072 of the Texas Water Code to review and readopt the plan with or without revisions at least once every five years and to submit the adopted Management Plan to the Executive Administrator of the Texas Water Development Board for review and certification; and

WHEREAS, the District's readopted Management Plan shall be certified by the Executive Administrator if the plan is administratively complete; and

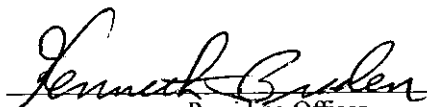
WHEREAS, the District Board of Directors, after reviewing the existing Management Plan, has determined that this plan should be replaced with an amended Management Plan; and

WHEREAS, the District Board of Directors has determined that the Amended Management Plan addresses the requirements of Chapter 36.1071.

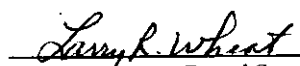
NOW, THEREFORE, be it resolved, that the Board of Directors of the Glasscock Groundwater Conservation District, following notice and hearing, hereby adopts this amended Management Plan; and

FURTHER, be it resolved, that this new Management Plan shall become effective immediately upon adoption.

Adopted this 19th day of August, 2003, by the Board of Directors of the Glasscock Groundwater Conservation District.


Presiding Officer

Attest:


Board Secretary

NOTICE OF HEARING
GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

A Public Hearing is scheduled for *Tuesday, August 19, 2003* at 9:00 a.m. in the District Office of Glasscock Groundwater Conservation District, located at 132 N. Main in Garden City, Texas. The purpose of this hearing is to take public comment on proposed amendments to the District's currently certified 1998-2008 Management Plan.

Copies of the Proposed Amended 10-Year Management Plan are available at the District Office.

All residents of the District and any interested parties may appear and be heard.

NOTICE OF MEETING OF THE GOVERNING BODY FOR THE
GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

Notice is hereby given that the Board of Directors for the Glasscock Groundwater Conservation District will meet in REGULAR SESSION on *Tuesday, August 19, 2003* at 9:00 a.m. in the District Office of Glasscock Groundwater Conservation District, located at 132 N. Main in Garden City, Texas. At such time the Board of Directors will discuss and may take action on any items on this agenda it may determine would be appropriate, to-wit:

REGULAR MEETING AGENDA

- 1) Call to Order.
- 2) Public Comment.
- 3) Read and Consider Minutes of the July 10, 2003 Regular Board Meeting for approval.
- 4) Approve July Financial Statement.
- 5) Pay August bills.
- 6) Discussion and possible action on Resolution to adopt amendments to the Glasscock GCD 1998-2008 Management Plan.
- 7) Discussion and possible action on Employee Insurance ReRates.
- 8) Budget Workshop.
- 9) Number of wasteful practices identified for the month of July.
- 10) WTWMA
- 11) Any other items pertinent to District Business.
- 12) Adjournment.

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Board of Directors of the Glasscock Groundwater Conservation District is a true and correct copy of said Notice. I have posted a true and correct copy of said Notice on the front entrance of Glasscock Groundwater Conservation District Office, located at 132 N. Main, Garden City, Texas and said Notice posted on the *13th day of August, 2003*, and remained posted continuously for at least 72 hours immediately preceding the day of said meeting; a true and correct copy of said Notice was furnished to the Glasscock and Reagan County Clerks, in which the above named political subdivision is located.

Dated this the *13th* day of *August, 2003*

FILED Aug. 13 2003

Rebecca Burt
County Clerk Glasscock County, Tex.

by: _____ Deputy

Glasscock Groundwater Conservation District

By: Donnita Coats
Donnita Coats/Secretary GGCD

GLASSCOCK GROUNDWATER CONSERVATION DISTRICT

KENNETH BRADEN, CHAIRMAN
DENNIS SEIDENBERGER, V-CHAIRMAN
ZANE EOFF, SECRETARY
LARRY WHEAT, DIRECTOR
MIKE HUGHES, DIRECTOR
RICKY HARSTON, GENERAL MANAGER
DONNITA COATS, SECRETARY

P.O. BOX 208 132 N. MAIN GARDEN CITY, TEXAS 79739 PHONE (432)354-2430 FAX (432)354-2322 E-MAIL ggcd@t3wireless.com

August 19, 2003

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. John Grant
President
Region F Regional Water Planning Group
P.O. Box 869
Big Spring, Texas 79721-0869

Subject: Glasscock GCD Management Plan


Dear Mr. Grant:

The Glasscock GCD adopted a 10 year management plan in 1998 which was certified by the Texas Water Development Board on September 17, 2003. Under §36.1072, Texas Water Code, as amended, the District must review and readopt the plan with or without revisions at least once every 5 years. Since the District has changed it's name and there have been additional required goals added, the District has amended its 10 year plan and is submitting it to the Texas Water Development Board for recertification.

Under 31TAC§356.6(a)(5), the District is required to submit a copy of the groundwater management plan to all Regional Water Planning Groups in which any part of the District is located. In compliance with this chapter of the TAC, the District is submitting to you a copy of the newly amended management plan for your review and comments.

Please review this management plan and specify any areas of conflict with the Texas Water Development Board approved regional water plan. Please, submit your comments to the District by September 1, 2003. If you have any questions or want additional information, as you review this plan, please contact me at (432)-354-2430. We appreciate your attention and cooperation in reviewing this management plan.

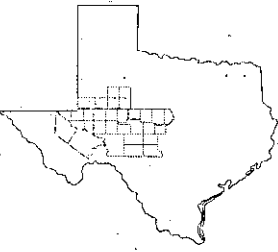
Sincerely,



Ricky Harston
General Manager

Texas Water Development Board
Regional Water Planning
Region F Regional Water Planning Group

*Andrews, Borden, Brown, Coke, Coleman, Concho, Crane, Crockett,
Ector, Glasscock, Howard, Irion, Kimble, Loving, Martin, Mason,
McCulloch, Menard, Midland, Mitchell, Pecos, Reagan, Reeves, Runnels,
Schleicher, Scurry, Sterling, Sutton, Tom Green, Upton, Ward, Winkler*




August 21, 2003

Mr. Rick Harston
Glasscock Groundwater Conservation District
P.O. Box 208
Garden City, TX 79739

Dear Mr. Harston,

We have received your amended management plan and will forward it to the Region F Regional Water Planning Group.

Best regards,


John Grant
Chair, Region F Regional Water Planning Group

Voting Members:

Len Wilson,
Public, Andrews
Wendell Moody,
Public, Concho
Judge Marilyn Egan,
Counties, Runnels
Judge Johnny Jones,
Counties, Crockett
Will Wilde, Secretary
Municipalities, Tom Green
Charles Hagood, Jr.,
Municipalities, Kimble
John Gayle,
Municipalities, Scurry
Buddy Sipes,
Industrial, Midland
Kenneth Dierschke,
Agricultural, Tom Green
Bert Striegler,
Agricultural, McCulloch
Lowell Woodward,
Agricultural
Steven C. Hofer, V-Chair
Environmental, Midland
Caroline Runge,
Environmental, Menard
Stuart Coleman,
Small Business, Coleman
Andrew Valencia,
Elect. Gen. Utilities
Stephen Brown, At-Large
River Authority
John Grant, Chair
Water District
Scott Holland,
Water District, Irion
Cindy Cawley,
Water District, Schleicher
Larry Tumbough,
Water District, Reeves
Richard Gist, At-Large
Water Utilities, Brown

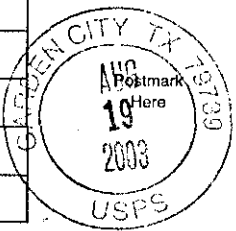
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 8.3
Certified Fee	230
Return Receipt Fee (Endorsement Required)	175
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 488



Sent To John Grant
 Street, Apt. No., or PO Box No. Box 869
 City, State, ZIP+4 Big Spring TX 79721

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. John Grant
 Region F Water Planning
 Group
 P.O. Box 869
 Big Spring, TX
 79721-0869

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 x Ray Jones Addressee

B. Received by (Printed Name) _____ C. Date of Delivery 4/20/03

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

3. Service Type

<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7003 1010 0004 1617 7594

RULES AND BY-LAWS

OF THE

GLASSCOCK GROUNDWATER
CONSERVATION DISTRICT

ADOPTED APRIL 15, 1986
AMENDED JUNE 20, 2000

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**RULES OF THE GLASSCOCK COUNTY
UNDERGROUND WATER CONSERVATION DISTRICT**

*Rules of Glasscock County Underground Water Conservation
District and as amended are hereby published as of April 15, 1986.*

In accordance with Section 59 of Article 16 of the Texas Constitution and with Acts of the 67th Legislature (1981), p. 2104, Ch. 489, H.B. 2381 and Chapters 35 and 36 of the Texas Water Code, the following rules are hereby ratified and adopted as the rules of the District by its Board. All rules or parts of rules in conflict with these rules are hereby repealed. Each rule as worded herein has been in effect since date of passage and as may be hereafter amended.

The rules, regulations and modes of procedure herein contained are and have been adopted for the purpose of simplifying procedure, avoiding delays, saving expense, and facilitating the administration of the groundwater laws of the State and the rules of this District. To the end that these objectives be attained, these rules shall be so construed.

These rules may be used as guides in the exercise of discretion, where discretion is vested. However, under no circumstances and in no particular case shall they, or any of them, be construed as a limitation or restriction upon the exercise of any discretion, where such exist; nor shall they in any event be construed to deprive the Board of an exercise of powers, duties and jurisdiction conferred by law, nor to limit or restrict the amount and character of data or information which may be required for the proper administration of the law. Any references to the Texas Water Code include the section referenced and any subsequent amendments.

RULE 1 - DEFINITIONS

Unless the context hereof indicates a contrary meaning, the words hereinafter defined shall have the following meaning in these rules:

(a) The "Board" shall mean the Board of Directors of the Glasscock County Underground Water Conservation District, consisting of five (5) duly elected members.

(b) "District" shall mean the Glasscock County Underground Water Conservation District, maintaining its principal office in Garden City, Texas. Where application, reports, and other papers are required to be filed with or sent to "the District", this means the District's headquarters in Garden City, Texas.

(c) The term "Well" or "Water Well" shall mean and include any artificial excavation constructed for the purpose of exploring for or producing groundwater.

(d) "Groundwater" means water percolating below the surface of the earth.

(e) "Owner" shall mean and include any person that has the right to produce water from the land either by ownership, contract, lease, easement, or any other estate in the land.

(f) "Person" shall mean any individual, partnership, firm, or corporation, limited liability company, or other legal entity.

(g) "Waste" means any one or more of the following:

- (1) 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 flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose;
- (3) escape of groundwater from a groundwater reservoir to any other reservoir or geologic strata not containing groundwater;
- (4) 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;
- (5) 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, Texas Water Code;
- (6) 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; or
- (7) for water produced from an artesian well, "waste" has the meaning assigned by Section 11.205, Texas Water Code.

(h) An "Authorized Well Site" shall be:

- (1) The location of a proposed well on an application duly filed until such application is denied; or
- (2) The location of a proposed well on a valid permit. (An authorized well site is not a permit to drill.)

(i) "Open or Uncovered Well" shall mean any artificial excavation drilled or dug for the purpose of producing water from a groundwater reservoir, not capped or covered as required by these rules, which is as much as ten (10) feet deep, nor more than six (6) feet in diameter.

(j) "Exempt Well" shall mean any well for which the District is prohibited to require a permit under Texas Water Code §36.117. In general, §36.117 exempts wells for domestic use, wells for livestock use, wells which cannot physically produce more than 25,000 gallons per day (17.4 gallons per minute), and certain wells for hydrocarbon production. Wells to supply water to facilities used primarily for feeding livestock are exempt. Wells to supply water for a subdivision of land for which plat approval is required are not exempt. For all purposes herein, an exempt well shall be exempt from permitting requirements, but shall not be exempt from preregistration or registration requirements.

RULE 2 - WASTE

(a) Groundwater shall not be produced within, or used within or without the District, in such a

manner or under such conditions as to constitute waste as defined in Rule 1 hereof.

(b) Any person producing or using groundwater shall use every possible precaution, in accordance with the most approved methods, to stop and prevent waste of such water.

(c) No person shall pollute or harmfully alter the character of a groundwater reservoir of the District by means of salt water or other deleterious matter admitted from other stratum or strata or from the surface of the ground.

(d) No person shall commit waste as that term is defined by Section (g), Rule 1 of the Rules of the Glasscock County Underground Water Conservation District.

RULE 3 - PERMIT REQUIRED

(a) No person shall hereafter begin to drill or drill a well, or increase the size of a well or pump therein, which well could reasonably be expected to produce, or a pump designed to produce, in excess of 25,000 gallons of water per day, without having first applied to the Board, and had issued a permit to do so, unless the drilling and operation of the well is exempt by the law or by these rules.

(b) No permit shall be required for the drilling of wells exempt by §36.117 of Chapter 36, Texas Water Code. (being generally wells described in Section (j), Rule 1 of the Rules of the Glasscock County Underground Water Conservation District).

(c) Wells exempted under this section shall be registered with the district before drilling. All exempt wells shall be equipped and maintained so as to conform to the district's rules requiring installation of casing, pipe and fittings to prevent the escape of groundwater from a groundwater reservoir to any reservoir not containing groundwater and to prevent the pollution or harmful alteration of the character of the water in any groundwater reservoir.

RULE 4 - DEPOSITS

Each application for a permit to drill a well shall be accompanied by a \$50.00 deposit which shall be accepted by the District. Said deposit shall be returned to the applicant by the District if:

(1) the application is denied; or

(2) if the application is granted, upon receipt of correctly completed registration and log of the well; or

(3) if said permit location is abandoned without having been drilled, upon return and surrender of said permit marked "abandoned" by the applicant. In the event neither the registration and log of the well nor the permit marked "abandoned" is returned to such District within six (6) months after the approval date of the permit or the extension date thereof, the said deposit shall become the property of the District. All deposits heretofore made or which shall hereafter be made shall become the property of the District if such registration and log or permit has not been returned or is not returned to the District with

which deposit was made within six (6) months from the approval date of the permit.

RULE 5 - ISSUANCE OF PERMITS

(a) The Board shall issue or cause to be issued a drilling permit for a well properly spaced upon proper application executed and filed by the owner with the District and containing the matters specified below. An application shall be considered filed when properly made out, completed, and signed and tendered to the District or a person duly designated by such District to receive the same.

Such applications shall be on forms provided by the District and shall be in writing and shall be prepared in accordance with and contain the information called for in the form of application, if any, prescribed by the Board, and all instructions which may have been issued by the Board with respect to filing of an application. Otherwise, the application will not be considered.

(b) Rules for the filing of applications:

(1) If the applicant is an individual, the application shall be signed by the applicant or his duly appointed agent. The agent may be requested to present satisfactory evidence of his authority to represent the applicant.

(2) If the application is by a partnership, the applicant shall be designated by the firm name followed by the words "a Partnership" and the application shall be signed by at least one of the general partners who is duly authorized to bind all of the partners.

(3) In the case of a corporation, limited liability company, public district, county or municipality, the application shall be signed by a duly authorized official. A copy of the resolution or other authorization to make the application may be required by the officer or agent receiving the application.

(4) In the case of an estate or guardianship, the application shall be signed by the duly appointed guardian or representative of the estate.

(c) Such applications shall set forth the following:

(1) The exact proposed location of the well to be drilled as provided in the application including the county, the section, block, survey and township; labor and league; and exact number of yards to the two nearest non-parallel property lines (legal survey line); or other adequate legal description.

(2) The proposed use of the well to be drilled, whether municipal, industrial, or irrigation.

(3) The size, of the pump.

(4) The approximate date drilling operations are to begin.

(5) The location of the three (3) nearest wells within a quarter of a mile of the proposed location, and the names and addresses of the owners thereof.

(6) An agreement by the applicant that a completed well registration and log will be furnished to the District (on forms furnished by it) by the applicant upon completion of this well and prior to the production of water therefrom (except for such production as may be necessary to the drilling and testing of such well).

(7) Such additional data as may be required by the Board.

(8) The name and address of the fee owner of the land upon which the well location is to be made.

RULE 6 - REQUIREMENT OF DRILLER'S LOG, CASING, AND PUMP DATA

(a) Complete records shall be kept and reports thereof made to the District concerning the drilling, maximum production potential, equipping and completion of all wells drilled. Such records shall include an accurate driller's log, any electric log which shall have been made, and such additional data concerning the description of the well, its potential, hereinafter referred to as "maximum rate of production" and its actual equipment and rate of discharge permitted by said equipment as may be required by the Board. Such records shall be filed with the District Board within 60 days after completion of the well.

(b) The well driller shall deliver either in person, by fax, email, or send by first-class mail, a photocopy of the State Well Report to the District within 60 days from the completion or cessation of drilling, deepening, or otherwise altering a well.

(c) No person shall produce water from any well hereafter drilled and equipped within the District, except that necessary to the drilling and testing of such well and equipment, unless or until the District has been furnished an accurate driller's log, any electric log which shall have been made, and a registration of the well correctly furnishing all available information required on the forms furnished by the District.

(c) No person shall be required to equip and produce any well to its maximum rate of production; provided, however, that for purposes of reworking, re-drilling or replacing a well pursuant to Rule 10 hereof, the maximum rate of production of each well established hereunder shall be considered the actual production rate even though said well is produced at a lesser rate of production.

RULE 7 - MINIMUM SPACING OF WELLS

(a) Distance Requirements:

(1) No well to be drilled subsequent to the date of enactment of this rule shall be drilled such that said well shall be located nearer than six hundred sixty (660') feet from the nearest property line; provided that the Board, in order to prevent waste or to prevent confiscation of property, may grant exceptions to permit drilling within shorter distances than above described when the Board shall determine that such exceptions are necessary either to prevent waste or the prevent confiscation of property.

(2) In the interest of protecting life and for the purpose of preventing waste and preventing confiscation of property, the Board reserves the right in particular subterranean water zones and/or reservoirs to enter special orders increasing or decreasing distances provided by this rule.

(3) (i) In applying this rule and in applying every special rule with relation to spacing in all of the subterranean water zones and/or reservoirs underlying the confines of this

District, no subdivision of property made subsequent to the adoption of the original spacing rule will be considered in determining whether or not any property is being confiscated within the terms of such spacing rule, and no subdivision of property will be regarded in applying such spacing rule or in determining the matter of confiscation if such subdivision took place subsequent to the promulgation and adoption of the original spacing rule.

(ii) Any subdivision of property creating a tract of such size and shape that it is necessary to obtain an exception to the spacing rule before a well can be drilled thereon is a voluntary subdivision and not entitled to a permit to prevent confiscation of property if it were either, (a) segregated from a larger tract in contemplation of water resource development, or (b) segregated by fee title conveyance from a larger tract after the spacing rule became effective and the voluntary subdivision rule attached.

(iii) The date of attachment of the voluntary subdivision rule is the date of discovery of groundwater production in a certain continuous reservoir regardless of the subsequent lateral extensions of such reservoir, provided that such rule does not attach in the case of a segregation of a small tract by fee title conveyance which is not located in a groundwater production area having a discovery date prior to the date of such segregation.

(iv) The date of attachment of the voluntary subdivision rule for a reservoir under any special circumstances which the Board deems sufficient to provide for an exception, may be established other than above so that innocent parties may have their rights protected.

(b) Well Density. Subject to paragraph (a) (1) et seq. above, no more than a cumulative total of sixteen (16) wells, whether drilled prior to or subsequent to enactment of this rule, shall be permitted per section (hereinafter referred to as "drilled to density"). In the event the applicant owns less than a full section, then the number of wells permitted for said tract shall be proportionately reduced so that the total number of wells permitted shall be established by multiplying sixteen (16) times the quotient of the number of acres owned by the Applicant divided by the number of acres in the section; provided, however, that this density rule shall not apply to acreage drilled to density pursuant to these rules where the cumulative average of water production allowed per acre per minute is less than two (2) gallons per acre per minute. In this event the landowner shall be permitted to drill additional water wells on said lands until the two (2) gallons/acre/minute basis is attained. Said cumulative average gallons per acre per minute basis shall be computed by District personnel according to maximum pumping capability of the water well established at the time the well is drilled.

(C) Change in Use of Well:

(1) Any well existing at the date of enactment of this rule must comply with the provisions of this rule if after the date of enactment of this rule the ultimate use of the water produced from the well is changed in whole or in part such that the water produced from the well annually is increased. Ultimate use of the water shall be defined as either municipal, industrial, or irrigation use.

RULE 8 - EXCEPTION TO SPACING RULE

(a) In order to protect vested property rights, to prevent waste, to prevent confiscation of property, or to protect correlative rights, the Board may grant exception to the above spacing regulations. This rule shall not be construed so as to limit the power of the Board, and the powers stated are cumulative only of all other powers possessed by the Board .

(b) If an exception to such spacing regulations is desired, application therefore shall be submitted by the applicant in writing to the Board at its district office on forms furnished by the District. The application shall be accompanied by a plat or sketch, drawn to scale of one (1) inch equaling two hundred (200) yards. The plat or sketch shall show thereon the property lines in the immediate area and shall show accurately to scale all wells within a quarter mile of the proposed well site. The application shall also contain the names and addresses of all property owners adjoining the tract on which the well is to be located and the ownership of the wells within a quarter mile of the proposed location. Such application and plat shall be certified by some person actually acquainted with the facts who shall state that all the facts therein are true and correct.

(c) Such exception may be granted ten (10) days after written notice has been given to the applicant and all adjoining owners and all well owners within a quarter mile of the proposed location, and after a public hearing at which all interested parties may appear and be heard, and after the Board has decided that an exception should be granted. Provided, however, that if all such owners execute a waiver in writing stating that they do not object to the granting of such exception, the Board may thereupon proceed to decide upon the granting or refusing of such application without notice of hearing except to the applicant. The applicant may also waive notice or hearing or both .

RULE 9 - PLACE OF DRILLING OF WELL

After an application for a well permit has been granted, the well, if drilled, must be drilled within ten yards of the location specified in the permit, and not elsewhere. If the well should be commenced or drilled at a different location, the drilling or operation of such well may be enjoined by the Board pursuant to Chapter 36, Texas Water Code, as amended. The District shall have the right to confirm reported distances and inspect the wells or well locations.

RULE 10 - REWORKING OR REPLACING OF WELL

(a) No person shall rework, re-drill, or re-equip a well in a manner that would increase the maximum rate of production of water from such well beyond any previous actual rate of production of such well as established by Rule 6 above without first having made an application to the Board, and having been granted a permit by the Board to do so. Nor shall any person replace a well without a permit from the Board. A replacement well, in order to be considered as such, must be drilled within one hundred fifty (150) feet of the old well and not elsewhere. It must not be located toward any other well or authorized well site unless the new location complies with the minimum spacing requirements set out in Rule 7; otherwise the replacement well shall be considered to be a new well for which application must be made under Rule 7

above. Provided, however, that the Board may grant an exception without notice or hearing in any instance where the replacement well is placed farther away from any existing wells or authorized well sites.

The location of the old well (the well being replaced) shall be protected in accordance with the spacing rules of the District until the replacement well is drilled and tested. The landowner or his/her agent must within 120 days of the issuance of the permit declare in writing to the District which one of these two wells he desires to produce. If the landowner does not notify the District of his/her choice within this 120 days, then it will be conclusively presumed that the new well is the well he/her desires to retain. Immediately after determining which well will be retained for production, the other well shall be:

- (1) Filled and abandoned; or
- (2) Properly equipped in such a manner that it cannot produce more than 25,000 gallons of water a day; or
- (3) Closed in accordance with Section 756.002, Texas Health and Safety Code. Violation of such Article is made punishable thereby a fine of not less than \$100.00 nor more than \$500.00.

An application to rework, re-equip, re-drill or replace an existing well may be granted by the Board without notice or hearing.

(b) The size or maximum rate of production of a well shall not be hereafter changed to a larger size or capacity so as to substantially increase the rate of production of a well without a permit from the Board. (For example, increasing the size of the well bore from six inches to eight inches.) Such permit may be granted only after written notice to adjacent owners and owners of a well within a quarter of a mile from such well and a public hearing, as provided in Rule 8 (c) above, and after a decision by the Board that such change will not cause unreasonable draw down of the water table or unreasonable interference between wells, waste, or confiscation of property. Provided that if the adjacent owners and owners of a well within a quarter of a mile indicate to the Board in writing that they have no objection to the proposed change, then the Board may proceed to decide such matter. Provided that if the well is a sufficient distance from other wells to comply with spacing regulations for new wells of the desired capacity the Board may proceed to act on such application.

(c) In the event the application meets all spacing requirements and no contest is filed, the Board may grant such application without further action.

RULE 11 - TIME DURING WHICH A PERMIT SHALL REMAIN VALID

Any permit granted hereunder shall be valid if the work permitted shall have been completed within four (4) months from the filing date of the application. It shall thereafter be void. Provided, however, that the Board, for good cause, may extend the life of such permit for an additional four (4) months if an application for such extension shall have been made to the

District during the first four (4) months period. Provided, further, that when it is made known to the Board that a proposed project will take more time to complete, the Board, upon receiving written application may grant such time as is reasonably necessary to complete such project.

RULE 12 - CHANGED CONDITIONS

The decision of the Board on any matter contained herein may be reconsidered by it on its own motion or upon motion showing changed conditions, or upon the discovery of new or different conditions or facts after the hearing or decision on such matter. If the Board should decide to reconsider a matter after having announced a ruling or decision, or after having finally granted or denied an application, it shall give notice to persons who were proper parties to the original action, and such persons shall be entitled to a hearing thereon if they file a request therefor within fifteen days from the date of the mailing of such notice.

RULE 13 - RIGHT TO INSPECT AND TEST WELLS

Any authorized officer, employee, agent, or representative of the District shall have the right at all reasonable times to enter upon lands upon which a well or wells may be located within the boundaries of the District, to inspect such well or wells and to read, or interpret any meter, weir box or other instrument for the purpose of measuring production of water from said well or wells; and any authorized officer, employee, agent, or representative of the District shall have the right at all reasonable times to enter upon any lands upon which a well or wells may be located within the boundaries of the District for the purposes of testing the pump and the power unit of the well or wells and of making any other reasonable and necessary inspections and tests that may be required or necessary for the information or the enforcement of the rules and regulations of the District. The operation of any well may be enjoined by the Board immediately upon the refusal to permit the gathering of information as above provided from such well.

RULE 14 - OPEN WELLS TO BE CAPPED

Every owner or operator of any land within the District upon which is located any open or uncovered well is, and shall be, required to close or cap the same permanently with a covering capable of sustaining weight of not less than four hundred (400) pounds, except when said well is in actual use by the owner or operator thereof; and no such owner or operator shall permit or allow any open or uncovered well to exist in violation of this requirement. Officers, agents and employees of the District are authorized to serve or cause to be served written notice upon any owner or operator of a well in violation of this rule, thereby requesting such owner and/or operator to close or cap such well permanently with a covering in compliance herewith. In the event any owner or operator fails to comply with such request within thirty (30) days after such written notice, any officer, agent, or employee of the District may go upon said land and close or cap said well in a manner complying with this rule and all expenditures thereby incurred shall constitute a lien upon the land where such well is located, provided, however, no such lien shall exceed the sum of Five hundred dollars (\$500.00) for any single closing. Any officer, agent, or employee of the District, is authorized to perfect said lien by the filing of the affidavit authorized by Section 36.118 of the Texas Water Code. All of the powers and authority granted in such section are hereby adopted by the District, and its officers, agents, and employees are hereby

bestowed with all of such powers and authority.

RULE 15 - FINAL ORDERS OF THE BOARD

The orders of the Board in any non-contested application or proceeding shall become the final order of the Board on the day it is entered by the Board. All orders of the Board in contested applications, appeals or other proceedings shall contain a statement that the same was contested. In such event the order will become final after fifteen (15) days from the entry thereof and be binding on the parties thereto unless a motion for rehearing is filed under Rule 18 hereof.

RULE 16 - REHEARING

(a) Any person whose application is denied, whose contest is overruled, or who is not granted the relief desired, may file with the Board a motion for rehearing within fifteen (15) days from the announcement by the Board of its decision or action. The Board shall act thereon within a reasonable time. If such a motion for rehearing is filed and is overruled, the order of the Board shall be final on the date the motion is overruled.

(b) The Board may, in a proper case, find that an emergency exists and that substantial injustice will result from delay. In that event, and upon recitation of such finding, the order of the Board will become final on the date of the announcement of the order by the Board, and no motion for rehearing will be considered thereon.

(c) If an application or a contest is denied by the Board, and if the applicant or contestant shall not have had and shall not have been afforded an opportunity for a hearing before the Board, as elsewhere provided by these rules, the applicant or contestant shall be entitled to a hearing before the Board. A written request to the Board for such a hearing, stating such facts, must be filed with the Board within the above fifteen (15) day period. If such motion is in order and is duly filed, the Board shall give notice to the applicant and all proper and necessary parties of the time and place of such hearing, and shall proceed to conduct such a hearing.

RULE 17 - RULES GOVERNING PROTESTS

(a) NOTICE OF PROTEST: In the event anyone should desire to protest or oppose any pending matter before the Board, a written notice of protest or opposition shall be filed with the Board on or before the date on which such application or matter has been set for hearing. For the convenience of the Board, it is urged that protests be filed at least five days before the hearing date.

(b) PROTEST REQUIREMENTS: Protests shall be submitted in writing with a duplicate copy to the opposite party or parties and shall comply in substance with the following requirements:

(1) Each protest shall show the name and address of the Protestant and show that Protestant has read either the application or a notice relative thereto published by the Board.

(2) There shall be an allegation of injury to Protestant which will result from the

proposed action or matter to be considered by the Board.

(3) If the protest is based upon claim of interference with some present right of Protestant, it shall include a statement of the basis of protestant's claim of right.

(4) Protestant should call attention to any amendment of the application or adjustment which if made, would result in withdrawal of the protest.

(c) **CONTESTED APPLICATIONS OR PROCEEDINGS DEFINED:** An application, appeal, motion or proceedings pending before the Board is considered contested when either Protestants or interveners, or both, files the notice of protest as above set out and appears at the hearing held on the application, motion or proceeding and present testimony or evidence in support of their contentions, or present a question or questions of law with regard to the application, motion or proceedings. Where neither Protestants nor interveners so appear and offer testimony or evidence in support of their contentions, or raise a question of law with reference to any pending application, motion or proceeding, the same shall be considered as non-contested.

(d) In the event of a contested hearing each party shall furnish other parties to the proceeding with a copy of all motions, amendments or briefs filed by the party with the Board.

RULE 18 - GENERAL RULES OF PROCEDURE FOR HEARING

(a) Hearings will be conducted in such manner as the Board deems most suitable to the particular case, and technical rule of legal and court procedure need not be applied. It is the purpose of the Board to obtain all the relevant information and testimony pertaining to the issue before it as conveniently, inexpensively and expeditiously as possible without prejudicing the rights of either applicants or Protestants.

(b) **WHO MAY APPEAR:** Any party at interest in a proceeding may appear either in person or by attorney or both in such proceedings. A party at interest is any person owning a water right within the bounds of the District who is or may be affected by such proceeding. At the discretion of the Board anyone not a party at interest in a proceeding may appear.

(c) **ADMISSIBILITY:** Evidence will be admitted if it is of that quality upon which reasonable persons are accustomed to rely in the conduct of serious affairs. It is intended that needful and proper evidence shall be conveniently, inexpensively and speedily produced while preserving the substantial rights of the parties to the proceeding.

(d) **TESTIMONY SHALL BE PERTINENT:** The testimony shall be confined to the subject matter contained in the application or contest. In the event that any party at a hearing shall pursue a line of testimony or interrogation of a witness that is clearly irrelevant, incompetent or immaterial, the person conducting the hearing may forthwith terminate such line of interrogation.

(e) **A STIPULATION:** Evidence may be stipulated by agreement of all parties at interest.

(f) **LIMITING NUMBER OF WITNESSES:** The right is reserved to the Board in any proceeding to limit the number of witnesses appearing whose testimony may be merely cumulative.

RULE 19 - GENERAL RULES

(a) **COMPUTING TIME:** In computing any period of time prescribed or allowed by these rules, by order of the Board, or by any applicable statute, the day of the act, event or default from which the designated period of time begins to run, is not to be included, but the last day of the period so computed is to be included, unless it be a Sunday or legal holiday, in which event the period runs until the end of the next day which is neither a Sunday nor a legal holiday.

(b) **TIME LIMIT:** Applications, requests, or other papers or documents required or permitted to be filed under these rules or by law must be received for filing at the Board's offices at Garden City, Texas, or, in a proper case, at the office of the proper county committee, within the time limit, if any, for such filing. The date of receipt and not the date of posting is determinative.

(c) **SHOW CAUSE ORDERS AND COMPLAINTS:** The Board, either on its own motion or upon receipt of sufficient written protest or complaint, may at any time, after due notice to all interested parties, cite any person operating within the District to appear before it in a public hearing and require the person to show cause why the person's operating authority or permit should not be suspended, canceled, or otherwise restricted and limited, for failure to comply with the orders or rules of the board or the relevant statutes of the State, or for failure to abide by the terms and provisions of the permit or operating authority itself. The matter of evidence and all other matters of procedure at any such hearing will be conducted in accordance with these rules of procedures and practice.

RULE 20 - WELL VALIDATION

In order to provide for the validation of existing water wells that are subject to the rules and regulations of the Glasscock County Underground Water Conservation District (hereinafter referred to as the District), it shall be the policy of this Board that a certification of validation for a well can be issued only after the location of the well and the wellhead equipment of the well has been determined by field survey by District personnel, and/or designated agents acting for said District. The actual costs of such validation surveys; including salaries, expenses and overhead costs of District personnel; and/or fees and expenses of designated agents, and the appropriate overhead costs of the District; and/or fees and expenses for attorneys, and the appropriate overhead costs of the District; shall be borne by the well owner or the well owner's agent; providing that such costs to the well owner or the well owner's agent shall not exceed \$250.00 per well validated. It is the privilege of this Board to cause to be issued a validation certificate for wells drilled and equipped within the District for which the landowner or his agent has not applied for an Application For Water Well Permit; or for wells not otherwise properly permitted, provided that such wells were not drilled, equipped and operated (pumped) in such a manner as to violate any other rules and regulations of the district; and provided that the costs of such well validation are paid to the District as provided by this resolution. Nothing in this resolution is intended to limit the powers of this Board to any other course of action granted within Texas Law, or within its rules and regulations, or within the prerogative of the Board.

The District's Manager is hereby directed to establish and administer the District's program for

well validation; with appeals to the Manager's well validating decisions being subject to Board review at any of its regularly called meetings, or special called meetings.

RULE 21 - TRANSFER OF GROUNDWATER OUT OF THE DISTRICT

(a) **Purpose.** In recognition of the fact that the transfer of groundwater resources from the District for use outside of the district impacts residents and property owners of the District differently than use within the District, and in order to manage and conserve groundwater resources within the District and provide reasonable protection of the public health and welfare of residents and property owners of the District, a groundwater transfer permit is required to produce groundwater from within the District's boundaries and to transport such groundwater for use outside the District.

(b) **Scope.** A groundwater transfer permit is required for production of any water from a well capable of producing more than 25,000 gallons per day within the District, all or part of which is regularly transported for beneficial use outside the District. A groundwater transfer permit shall be obtained prior to commencing construction of wells or other facilities utilized to transfer groundwater from the District. Water wells to be used for the transportation of water outside of the District shall be subject to spacing and production requirements of the District.

(c) **Exceptions.** A groundwater transfer permit is not required for transfers of groundwater from the District in the following cases:

(1) Transfers of groundwater from the District that were occurring on or before March 2, 1997, to the extent the production or transportation capacity of facilities used to produce or transfer groundwater from the District are not increased over the capacity of such facilities that is existing or permitted by the District on or before March 2, 1997;

(2) Transfers of groundwater from the District which are incidental to beneficial use within the District or which take place only sporadically; or,

(3) Transfers of groundwater from the District of less than 25 acre feet per year.

(d) **Application.** An application for a groundwater transfer permit shall be filed in the District office by the owner of the groundwater rights or owner or operator of the transportation facilities. The following information shall be provided:

- a. The name and mailing address of the applicant and the owner of the land on which the well is or will be located;
- b. If the applicant is other than the owner of the property, documentation establishing the applicable authority to construct and operate a well for the proposed use;
- c. A statement of the nature and purpose of the proposed use and the amount of water to be used for each purpose;
- d. A water conservation plan;

- e. A declaration that the applicant will comply with the District's management plan;
- f. The location of each well and the estimated rate at which water will be withdrawn;
- g. A water well closure plan or a declaration that the applicant will comply with well plugging guidelines and report closure to the Board.
- h. A drought contingency plan;
- i. Data showing the availability of water in the District and in the proposed receiving area during the period for which the water supply is requested;
- j. Alternate sources of supply that might be utilized by the applicant, and the feasibility and practicability of utilizing such supplies;
- k. The amount and purposes of use in the proposed receiving area for which water is needed;
- l. 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;
- m. The indirect costs and economic and social impacts associated with the proposed transfer of water from the District.
- n. Proposed plan of the applicant to mitigate adverse geo-hydrologic, social or economic impacts of the proposed transfer of water from the District;
- o. How the proposed transfer is addressed in the approved regional water plan and certified District management plan;
- p. The names and addresses of the property owners within one-half (1/2) mile of the location of the well(s) from which water to be transported is to be produced, and the location of any wells on those properties.
- q. The time schedule for construction and/or operation of the facility.
- r. Construction and operation plans for the proposed facility, including, but not limited to:
 - i. a technical description of the proposed well(s) and production facility, including depth of the well, the casing diameter, type and setting, the perforated interval, and the size of pump.
 - ii. a technical description of the facilities to be used for transportation of water.
- s. Additional information that may be required by the District.

(e) Application Processing Fee. An application processing fee, sufficient to cover all reasonable and necessary costs to the District of processing the application, will be charged. The application must be accompanied by a filing fee of \$1,000.00. If the filing fee is determined by the General Manager to be insufficient to cover anticipated costs of processing the application, the applicant may be required to post a deposit in an amount determined by the General Manager to be sufficient to cover anticipated processing costs. The General Manager's determination is subject to review by the Board of Directors upon the applicant's request. As costs are incurred by the District in processing the application, those costs may be reimbursed from funds deposited by the applicant. The applicant shall be provided a monthly accounting of billings against the application processing deposit. Any funds remaining on deposit after the conclusion of application processing shall be returned to the applicant. If initially deposited funds are determined by the General Manager to be insufficient to cover costs incurred by the District in processing the application, an additional deposit may be required. If the applicant fails to deposit funds as required by the District, the application may be dismissed.

(f) **Notice.** Within 30 days following a determination by the District that the application is complete, notice of the application shall be mailed by the applicant to all property owners within one-half mile of the property upon which the well(s) is to located and published in a newspaper of general circulation within the District. The District will provide the notice to the applicant for mailing and publication. Notice shall include at least the following information:

- (1) the name and address of the applicant;
- (2) the date the application was filed;
- (3) the time and place of the hearing;
- (4) the location of the proposed well(s) from which water to be transported is to be produced;
- (5) a description of the transportation facility; and,
- (6) a brief summary of the information in the application.

(g) **Hearing.** If requested by the applicant, any affected person opposed to the application having a justifiable interest, or the General Manager, a contested case public hearing shall be conducted in accordance with provisions of the Texas Administrative Procedure Act, Gov't Code § 2000.01, et seq. If not requested by any party, the public hearing on the application may be conducted by the board of directors at a regular or special meeting.

(h) **Permit.**

(1) The permit to transfer groundwater out of the District may be issued as a consolidated permit authorizing drilling, production, and transfer of water from the District. Whether issued as a consolidated permit or separately, the requirements for a permit to transfer groundwater out of the District are cumulative with all other permits or other requirements of the District.

(2) In determining whether to issue a permit to transfer groundwater out of the District, the District's Board of Directors shall consider, in addition to all other factors applicable to issuance of a permit from the District:

- i. the availability of water in the District and in the proposed receiving area during the period for which the water supply is requested;
 - ii. the availability of feasible and practicable alternative supplies to the applicant;
 - iii. the amount and purposes of use for which water is needed in the proposed receiving area;
 - iv. 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;
 - v. the indirect cost and economic and social impacts associated with the proposed transfer of water from the District;
 - vi. the approved regional water plan and certified District management plan;
- and,
- vii. other facts and considerations necessary by the District's Board of Directors for protection of the public health and welfare and conservation and management of natural resources in the District.

(3) If it determines to issue a permit to transfer groundwater out of the District, the District's Board of Directors may limit the permit as warranted by consideration of those factors identified above. In addition to conditions identified by Texas Water Code § 36.1131, the permit to transfer water out of the District shall specify:

- i. The amount of water that may be transferred out of the District;
- ii. The period for which the water may be transferred
- iii. Any monitoring or reporting requirements determined to be appropriate; and,
- iv. Such other terms and provisions with reference to the drilling, equipping, completion, or alterations of wells or pumps that may be necessary to conserve the groundwater, prevent waste, minimize as far as practicable the drawdown of the water table or the reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence.

REPEAL OF PRIOR REGULATIONS

All of the previous rules and regulations of the District have been revised and amended; and except as they are herein republished, they are repealed. Any previous rule or regulation which conflicts with or is contrary to these rules is hereby repealed.

SAVINGS CLAUSE

If any section, sentence, paragraph, clause, or part of these rules and regulations should be held or declared invalid for any reason by a final judgment of the courts of this state or of the United States, such decision or holding shall not affect the validity of the remaining portions of these rules; and the Board does hereby declare that it would have adopted and promulgated such remaining portions of such rules irrespective of the fact that any other sentence, section, paragraph, clause, or part thereof may be declared invalid.

**BY-LAWS AND RULES OF
THE GLASSCOCK COUNTY
UNDERGROUND WATER DISTRICT**

In accordance with the Legislative act, House bill 2381, Article XVI Section 59 and 52 of the Texas Water Code, Vernon's Civil Statutes of Texas, the following on the 8th of March of 1981 were ratified and adopted. These are guides to be used with discretion and were so adopted for the purpose of simplifying procedures and facilitating the administration of the district.

ESTABLISHMENT OF THE DISTRICT

Definitions:

The *Board* shall mean the Board of Directors of the Glasscock County Underground conservation Water District consisting of five (5) duly elected members from the four county precincts and one at large.

The District shall mean the Glasscock County Underground Water Conservation District maintaining its office in Garden City, Texas; where registrations, reports, and other papers are required to be filed with or sent to the District. The area includes the County lines.

Water shall mean groundwater.

Owner shall mean and include any person, that has the right to produce water from the land either by ownership, contract, lease, easement, or any other estate in the land.

Person shall mean any individual, partnership, firm, corporation, limited liability company, or other legal entity.

The word *Waste* as used shall have the same meaning as defined in Section 36.001 (8) of the Texas Water Code.

**REQUIREMENTS FOR THE BOARD
AND PROCEDURES FOR MEETINGS**

Candidates:

An individual is qualified to serve on the board who has filed an application with the secretary of the board. The application must be signed by the applicant and filed 45 days prior to the election. The applicant must be at least 21 years of age; own land in the precinct; and be a resident of the District. All procedures for holding the election shall be in accordance with the Texas Election Code and the act creating the District.

Election:

It shall be held on the 2nd Saturday of August.

Meetings:

The board shall hold monthly meetings on the 3rd Tuesday of the month or may hold other meetings at call of the chairman or at the request of at least two (2) of the directors.

- a quorum is the majority of the directors
- the board may elect its own officers yearly
- meetings will be held in the district's office
- the board will follow the Roberts Rules of Parliamentary Procedures
- the board may also act as a hearing board regarding any disputes concerning the rules and operation of the district.

POWERS AND DUTIES OF THE DISTRICT

The District may exercise the powers, rights, privileges, and functions permitted by Chapters 35 and 36 of the Water Code, as amended, including authority to:

1. make and enforce rules to provide for conserving, preserving, protecting, recharging, and preventing waste of the water from the groundwater reservoirs that may be enforced by injunction, mandatory injunction, or other appropriate remedies in a court of competent jurisdiction;
2. require permits for the drilling, equipping and completion of wells in the groundwater reservoirs and issue permits subject to terms and provisions with reference to the drilling, equipping, and completion of the wells as may be necessary to prevent waste or conserve, preserve and protect groundwater;
3. provide for the spacing of wells producing from the groundwater reservoirs and regulate the production from those wells to minimize as far as practicable the draw down of the water table or the reduction of the artesian pressure, provided, the owner of the land, his heirs, assigns, and lessees are not denied a permit to drill a well on their land and the right to produce groundwater from that well subject to rules adopted under this act;
4. require records to be kept and reports to be made of the drilling, equipping, and completion of wells into any groundwater reservoir and the taking and use of groundwater from those reservoirs and require accurate driller's logs to be kept of those wells and a copy of those logs and of any electric logs that may be made of the wells to be filed with the district;
5. acquire land for the erection of dams and for the purpose of draining lakes, draws and depressions, and construct dams, drain lakes depressions, draws, and creeks and install pumps and other equipment necessary to recharge any groundwater reservoirs;
6. have made by registered professional engineers surveys of the groundwater of any groundwater reservoir and of the facilities for the development, production and use of the groundwater, determine the quantity of the groundwater available for production and use

and the improvements, developments and recharges needed for those groundwater reservoirs;

7. develop comprehensive plans for the most efficient use of the groundwater of any groundwater reservoir and for the control and prevention of waste of that groundwater, with the plans to specify in the amount of detail that may be practicable the acts, procedures, performance, and avoidance that are or may be necessary to effect those plans, including specifications;

8. carry out research projects, develop information, and determine limitations, if any, that should be made on the withdrawal of groundwater from any groundwater reservoir;

9. collect and preserve information regarding the use of the groundwater and the practicability of recharge of any groundwater reservoir;

10. publish plans and information, bring them to the notice and attention of the users of the groundwater within the district, and encourage their adoption and execution; and

11. contract for, sell and distribute water from a water import authority, or other agency.

ADMINISTRATIVE PROCEDURES

Administrator and Employees

The board may employ a manager and set his/her salary. The board may delegate any of its powers and duties (except those of adopting rules, a dissolution resolution, a dissolution order, and those relating to hearings, taxation and bonds.) to the manager who may carry out the powers and duties delegated to he/she by the board. Employment of personnel is subject to the general law on nepotism. The manager with the approval of the board may employ employees of the board and set their salaries, and hire legal counsel for the board.

The manager shall with the approval of the board develop a plan of work for the district, act as official liaison for the board between the public and governmental agencies, and prepare budgets.

The manager's position shall be reviewed yearly at the beginning of the fiscal year.

TAXATION AND BONDS

The tax and bond provisions of Chapter 36 of the Texas Water Code as amended apply to the District.

The board may levy and collect property taxes levied on the property in the district that are necessary to enable the board to perform the powers and functions given it in the Act.

The board may levy annual taxes not to exceed five (.05) cents on the \$100 dollar valuation on all taxable property within the district. The board has adopted the county appraisal as the base for valuations necessary to provide net funds.

ANNEXATION

Additional territory may be added to the district under Chapters 35 and 36 of the Texas Water Code as amended. The directors shall determine to which precinct the annexed land shall be added for purposes of election of directors.

AMENDMENT TO BY-LAWS

These By-Laws may be altered or amended or the same may be repealed by new By-Laws adopted at any regular or special meeting of the Board of Directors of the District, provided that no such action shall be taken at a regular or special meeting unless ten (10) days notice of the proposed alteration, amendment, or repeal and a copy of proposed new By-Laws is submitted to each of the Directors of the District with the notice of such meeting. No such alteration, amendment, or repeal of the By-Laws or the adoption of new By-Laws shall be valid unless the same shall be by the affirmative vote of at least a majority of all of the Directors of the District.

DISSOLUTION OF THE DISTRICT

Chapter 36 of the Water Code, as amended, applies to dissolution of the district.