

SUGGESTED RULE MODIFICATIONS

RULE 1.1. DEFINITION OF TERMS. (Additions)

“Authorized Agent” - a person authorized by the well owner or landowner to serve as their legal representative in matters related to the permitting process, activities and regulations of the District.

“Contiguous”: when used in these rules applies to land and associated groundwater rights as follows:

- a. (i) the land and associated groundwater rights are located within the District; (ii) are owned or controlled by the well owner or operator; (iii) are on one or more tracts that are adjacent each to the other and are located within a continuous common boundary, except as provided in (c) below, with the land on which the well is located; and (iv) are associated with the same aquifer as that for which production is to be permitted for the well; or [Amended February 20, 2014]
- b. A waiver or variance is obtained under Rule 5.3; or
- c. The land and groundwater rights that are owned or controlled by the well owner or operator are separated only by a road, highway, railroad or other right-of-way, or river from the other land and water rights within the District that are owned or controlled by the well owner or operator.

“Defined Service Area” means the retail utility service area defined in any certificate of convenience and necessity issued under Chapter 13, Texas Water Code; or for a municipality or a special or municipal utility district. ~~The term also includes the retail water utility service area authorized under applicable provisions of law.~~

“Historic use” means production and beneficial use of groundwater from an aquifer during the existing and historic use period and is applicable to type of use, location, and volume.

“Local Water Utility” means a non-profit water supply corporation, a general law or home-rule city, a special utility district, a municipal utility district or as defined as a “retail public utility” under Section 13.002, Texas Water Code or 16 Tex. Admin. Code 24.3(31), whose defined service area, or a portion thereof, lies within the boundaries of the District.

Rule 5.1.6 (Moved to definitions)

~~6. As used in this Rule 5.1, land and water rights are "contiguous" when:~~

- a. ~~The land and the water rights: (i) are located within the District; (ii) are owned or controlled by the well owner or operator; (iii) are on one or more tracts that are adjacent each to the other and are located within a continuous common boundary, except as provided in (c) below, with the land on which the well is located; (iv) are associated with the same aquifer as that for which production is to be permitted for the well; and (v) the water quality of the aquifer underlying the well site and that part of~~

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~~the aquifer underlying the contiguous land is substantially the same; or [Amended February 20, 2014]~~

~~b. A waiver or variance is obtained under Rule 5.3; or~~

~~c. The land and water rights that are owned or controlled by the well owner or operator are separated only by a road, highway, railroad or other right-of-way, or river from the other land and water rights within the District that are owned or controlled by the well owner or operator.~~

RULE 4.1. REQUIRED SPACING.

4. (Add title for Table 1)

Table 1: Spacing Requirements for Yegua-Jackson, Trinity, Sparta and Queen City Aquifer

Production Capacity		Minimum Spacing Per GPM of Production Capacity	
More than	Equal to or less than	From any Well	From Property Line
NA	50 gpm	2 feet	1 foot
50 gpm	100 gpm	3 feet	1.5 feet
100 gpm	150 gpm	4 feet	2 feet
150 gpm	200 gpm	5 feet	2.5 feet
200 gpm	NA	7 feet	3 feet

RULE 4.3. MONITORING REQUIREMENTS .

2 (c) (Typo Fix)

A permit applicant may apply for an extension of sixty (60) days or less for having monitoring equipment installed and functioning in one or more wells by written request to the District General Manager providing the rationale justifying an extension. POSGCD will respond to the request within 10 working days after POSGCD has receive the request. [Amended February 15, 2022]

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On or before January 15 annually, Monitoring Plans shall be updated. If no updates have occurred, a signed letter, by the permittee or authorized agent, shall be submitted to the District declaring that no changes had been made.

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4.3.9

Wells producing from the Brazos or Little River Alluviums, or wells used for seasonal irrigation (or less than 180 days per year) are exempt from this rule 4.3. [Amended February 15, 2022].

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RULE 5.1. MAXIMUM ALLOWABLE **PERMITTED** PRODUCTION.

2. Excluding wells operated pursuant to an historic use permit, in no event may: (a) a non-exempt well or well system be operated such that the total annual **permitted** production exceeds 2 acre feet of water per contiguous acre owned or controlled by the landowner, well owner, or well operator, as applicable; (b) acreage that is not contiguous to land for which a production permit is issued; and (c) land that is not contiguous to land for which a permit has been issued shall not be considered in conjunction with the permit. If the production of water for a **management zone** reaches the level at which reductions in the permitted amounts are made under Section 16, the maximum amount of groundwater that is authorized by a permit within that **management zone** shall be reduced by the percentage amount that the permitted production is reduced for that **management zone** under Section 16, unless the Board finds the reduced production will likely be for a limited period. [Amended April 8, 2008] [Amended July 12, 2016]

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RULE 5.3. WAIVER AND VARIANCES.

Non-contiguous land owned or controlled by the applicant shall be deemed to be within a continuous perimeter boundary of the land on which the well is located if the applicant obtains a waiver from the owners of the water rights located between the well site and the noncontiguous land. In such event, if such non-contiguous land otherwise satisfies the **definition of "contiguous", requirements of Rule 5.1.6(a)** it shall be deemed to be contiguous for the purposes of this Section 5. The waiver will be on a form provided by the District.

RULE 5.5. REGULATION OF PRODUCTION FOR LOCAL WATER UTILITIES.

1. Upon application, if not inconsistent with the management plan or the exceptions listed below, a local water utility shall be issued permits as necessary to produce the volume of water required for compliance with state and federal regulations specifying the production capacity required for each retail customer service/connection within the utility's defined service area. The following exceptions, conditions and limitations are applicable to this rule:
 - a. Only customers/connections within that part of a defined service area that is within the District, or within the District and an adjoining county, will be considered;
 - b. A local water utility is not eligible to obtain a permit under this rule based on

Commented [BBW1]: Sections 1 and 2 hereunder were moved to definitions. Remaining paragraphs are simply renumbered.

customers/connections in the defined service area of another retail water utility;

- c. For the part of a defined service area that is in a county adjoining the District, only the defined service area as it existed on the effective date will be included for production limits authorized by this rule. However, a local water utility may request production limits for defined service area that is added after the effective date in a county adjoining the District, and the grant of such request shall be within the discretion of the Board.
 - d. Only retail customers of the applicant local water utility (and where applicable, associated fire flow) will be considered in determining the production requirements; save and except for water included in an historic use permit that was provided to another water utility during the historic period as provided in Rule 5.5(5) below. [Amended June 12, 2012]
2. Following issuance of a permit under Rule 5.4.3 and upon application by the local water utility, a permit shall be amended to authorize any increase in production necessary to maintain or achieve compliance with state and federal regulations specifying the production capacity required for its retail customer connections within the utility's defined service area. Applications for amendment shall otherwise comply with the requirements of Rule 7.8.
 3. In addition to an application under Rule 5.4.3 for the production needed for its defined service area that is within the District, or the District and a county that adjoins the District, a local water utility may use a portion of the water included in an historic use permit obtained under the provisions of Rule 7.14 to meet its obligations under a wholesale water supply contract with another retail public utility; provided that the water included in the historic use permit to be supplied to another retail public utility in any calendar year shall not exceed the highest volume of water metered by the local water utility to such other retail public utility in any calendar year during the historic period.
 4. A permit issued under this Rule 5.5 shall not have a termination date.
 5. The following resolutions previously adopted by the Board are hereby ratified, confirmed and readopted, and incorporated herein by reference as if set forth herein verbatim.
 - e. The resolution adopted on March 11, 2003, that provides definitions, rules and regulations, and gives retail public utilities within the District an opportunity to obtain permits for the production of water based on long-term water use plans approved by the District; and
 - f. The resolution adopted on September 9, 2003, amending the resolution referenced and described in 7(a) above.
 6. Production authorized for a local water utility, excluding production authorized by historic use permit, may be reduced as provided in Section 16.
 7. All new local water utility wells must comply with the spacing requirements. [Amended June 12, 2012]

RULE 7.1. GENERAL PERMIT AND REGISTRATION PROVISIONS.

9. The term of each operating permit issued by the District ~~is~~ set by the Board. The term will generally be for a period not to exceed forty years from the date of issuance. ~~All operating permits shall undergo review every five (5) years beginning January 1, 2025, and continue every five (5) years thereafter, as outlined in Rule 16.5.~~ During any such review, operating permits may be modified to conform with intervening changes in the regulations, management plan or state law or to accommodate aquifer conditions. [Amended May 12, 2020]

RULE 7.4. APPLICATION REQUIREMENTS FOR ALL PERMITS.

Rule 7.4.3 ~~The application for a permit shall be in writing and sworn to.~~ All applications shall be in writing and sworn to by the applicant or applicant's authorized agent. The applicant must provide a signed letter to the District designating the authorized agent who is allowed to act on the applicant's behalf.

Rule 7.4.5.a. Predictions of pumping impacts on water levels over the next 30 years within a radial distance of 5 miles of the newly permitted well ~~and along the entire perimeter of the acreage associated with the permit, and an area extending five (5) miles outside of the perimeter of the acreage associated with the permit.~~

Rule 7.4.9. The general manager shall make the determination of administrative completeness ~~within ninety (90) calendar days after receipt of the application.~~ [Amended September 5, 2017] ~~If determined to be administratively incomplete, the general manager shall notify the applicant of the missing documents or information by certified mail, return receipt requested.~~ A written notice of such determination will also contain a summary of the general manager's recommendation on the application.

Rule 7.4.10 ~~Applications that remain incomplete thirty (30) calendar days after notification by the General Manager pursuant to Rule 7.4.9 will expire.~~

RULE 7.6. CONSIDERATIONS FOR GRANTING PERMITS. ~~(a)~~ In deciding whether or not to issue a well, drilling, transport, permit amendment or operating permit, and in setting the terms of the permit, the Board will consider *Chapter 36, Texas Water Code*, the District Act and rules, the application, and all other relevant factors, including, but not limited to, (1) the management plan; (2) the quality, quantity, and availability of alternative water supplies; (3) the impact on other landowners and well owners from a grant or denial of the permit, or the terms prescribed by the permit including whether the well will interfere with the production of water from exempt, existing or previously permitted wells and surface water resources; (4) whether the permit will result in a beneficial use and not cause or contribute to waste; ~~(5) if the applicant has existing production permits that are underutilized and fails to document a substantial need for additional permits to increase production,~~ and (6) ~~if the simulated drawdowns indicate that the permitted production will~~

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For purposes of this Rule 5.5 and Rule 8.1.2, "defined service area" means the retail utility service area defined in any certificate of convenience and necessity issued under *Chapter 13, Texas Water Code*; or for a municipality or a special or municipal utility district the term also includes the retail water utility service area authorized under applicable provisions of law.

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cause unreasonable impacts as defined by Rule 16.4.6. If no person notifies the general manager of their intent to contest the application, and if the general manager does not contest the application, the application will be presented directly to the Board for a final decision. The Board may grant or deny the application, in whole or in part, table or continue the application to hear additional evidence, or refer the application to the hearings examiner for a complete hearing. Applications will not be considered administratively complete until all applicable fees are paid to the District. [Amended June 12, 2012]

(b) If the District determines that the permitted production is predicted to cause unreasonable impacts as defined by Rule 16.4.6 based on results from aquifer pumping tests and/or groundwater modeling results, the District shall require of the permittee one or both of the following:

- i. installation of at least two wells to monitor water levels in the pumped aquifer at locations jointly determined by the permittee and the District. The wells will be installed and instrumented prior to the start of the permitted production. The monitoring wells will be instrumented with equipment to measure water levels per Rule 4.3.3 and the data will be reported per Rule 4.4.4.
- ii. installation of equipment in the production well(s) to measure water levels per Rule 4.3.3 and the data will be reported per Rule 4.4.4

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RULE 7.7. PERMITS ISSUED BY THE DISTRICT

1. All permits issued by the District shall state the following:
 - (a) the name of the person to whom the permit is issued;
 - (b) the date the permit is issued;
 - (c) the date the permit is to expire;
 - (d) the conditions and restrictions, if any, placed on the location of the well, instantaneous rate, production capacity, and annual amount of withdrawal of groundwater; [Amended July 13, 2021]
 - (e) any other conditions or restrictions the District prescribes;
 - (f) the beneficial use for which the water will be produced, e.g., industrial, municipal, irrigation, etc.; and [Added August 12, 2014]
 - (g) the aquifer or formation to be produced for each well
 - (h) any other information the District determines reasonably useful and beneficial, as defined by Chapter 36, Texas Water Code or any other applicable laws.

RULE 7.10.1.a EXEMPT WELL STATUS

iv. The drilling and production of a rig supply well to supply water solely for a rig or equipment that is actively engaged in drilling a well to produce water, shall meet the following requirements to be exempt from public hearings; (i) meets all applicable spacing requirements as noted in District Rule 4.1; (ii) the rig supply well is located on the property on which the drilling rig is located, or within the contiguous boundaries of the property in which the drilling rig is located; (iii) the rig supply well is used with a rig that is actively engaged in drilling production well ; (iv) the water is produced solely for the purpose of providing water that is

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necessary for the actual drilling of the production well; (v) plugged within 90 days after completion of the well; or (vi) converted into a District monitoring well.

Rule 7.10.6

The District shall require all exempt wells to be registered in accordance with these rules. All exempt wells shall be equipped and maintained so as to conform to the rules requiring installation of casing, pipe, and fittings to prevent the escape of groundwater from one aquifer to another and to prevent the pollution or harmful alteration of the character of the groundwater in any aquifer. A landowner, well owner, or any other person acting on their behalf, of an exempt well shall register the well with the District and comply with all applicable statutes, codes and regulations applicable to the drilling and opening up of the well. Wells exempted or partially exempted by local rule must obtain a certificate to proceed with drilling and be registered with the District.

RULE 7.12. DRILLING PERMITS.

8. The District intends to assign permitted wells to an aquifer and management zone based on the well specification information obtained from the permit application for the well, evaluation of geophysical logs, the TWDB Groundwater Availability Model (GAM), and/or from the State well Report that is submitted to the District or the Texas Department of Licensing and Regulation at the time of the well's completion. [Added June 12, 2012],
9. The District may require non-exempt wells to provide the District with a digital and hardcopy of a geophysical log for the borehole within sixty (60) calendar days after completion of the well. The geophysical log will include measurement of resistivity/induction, spontaneous potential, and natural gamma.
10. The requirements of Rule 7.12(9), above, do not apply to wells screened in the Brazos River Alluvium, or other alluvial formations within the District.

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Rule 7.13.1

No person may drill a new non-exempt well without first obtaining a drilling permit from the District. A new exempt well as described in Rule 7.10(1) must obtain a certificate to proceed with drilling and be registered with the District.

Rule 8.5

1. Pursuant to Rule 8.1(2), groundwater that is produced from an exempt well, as described in Rule 7.10(1)(a), and is to be solely used on property that straddles the District boundary line and that is owned by the owner or operator of the well(s) that produce(s) the water, does not require a transport permit under this Rule.
2. The owner of an exempt well is not excused from the requirements to obtain a transport

permit and paying groundwater transport fees if the groundwater produced from the exempt well is transported outside of the District. [Amended April 8, 2008]

3. Groundwater that is discharged within the District pursuant to a permit issued by the Railroad Commission or the TCEQ is not considered to have been transported from the District unless the discharge is part of an overall water transfer for use outside the District.

RULE 12.2. LOCATION OF WELLS

1. A well must be located a minimum horizontal distance of fifty (50) feet from any watertight sewage facility or liquid-waste collection facility, except in the case of monitoring wells and piezometers, which may be located where necessity dictates. [Amended July 2, 2019]
2. A well drilled within the District must adhere to residential lot sizing rules as established by 30 TAC §285.4 and or any other applicable county or local ordinance.
6. A waiver may be sought concerning location of wells as follows with the following conditions:
 - a) The distances given for separation of wells from potential contamination listed in Rule 12.2.2 and Rule 12.2.4 may be decreased to a minimum of fifty (50) feet; and/or
 - b) Any well granted exemption of spacing from property line, as defined in Rule 4.2(5), may encroach up to 5 feet from adjacent property line
 - c) Conditioned upon:
 - i. that the wells shall have an annular space that is at least three (3) inches larger in diameter than the casing and
 - ii. the annular space shall be filled with positive displacement technique or tremie pressure filled using cement slurry, bentonite grout, and/or bentonite, as follows: [Added June 12, 2012] [Amended July 2, 2019]

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12.4 STANDARDS OF COMPLETION FOR WELLS.

Water well drillers must record all completion methods and information for each well, and file a completed well report (TDLR Form #001WWD) with the Texas Department of Licensing and Regulation. The well report may be filed with TDLR online, and a hard copy of the well report shall be filed with the District. Within sixty (60) days of completion of the well, water well drillers shall complete and submit a Driller's Completion Form as provided by the District. Domestic, industrial, injection, and irrigation wells must be completed in accordance with the following specifications and in compliance, as applicable, with local county and city ordinances, rules, regulations and policies: [Amended June 12, 2012] [Amended July 2, 2019]

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RULE 16.4. ACTIONS BASED ON MONITORING RESULTS Monitoring and threshold levels will be used to initiate appropriate responses designed to help achieve the DFCs and

Protective Drawdown Limits (PDLs), conserve and preserve groundwater availability and protect groundwater users.

1. Threshold Level 1. Threshold Level 1 will be reached, and additional studies will be undertaken to evaluate **one or more of the following: the accuracy of the analysis, possible causes for the threshold exceedance, impacts on the potential use of the aquifer, and the nature and extent of curtailment in groundwater production that may be required to achieve the District's management objectives inclusive of achieving DFCs and PDLs. If the studies indicate that curtailment may be required,** the studies will suggest possible schedules for reducing groundwater production in the affected management zone(s) **or management area(s)**. The Threshold Level 1 actions will be conducted at such time as: [Amended June 12, 2012] [Amended May 3, 2017] [Amended July 2, 2019]

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2. Threshold Level 2. Threshold Level 2 will be reached, and a review of the **management plan, rules and regulations will be initiated, and pending the results of Threshold Level 1 studies, the District will notify well owners, when the Board decides to develop plans for curtailment of groundwater production. The Threshold Level 2 actions will be conducted at such time as:** [Amended June 12, 2012] [Amended May 3, 2017] [Amended July 2, 2019]

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3. Threshold Level 3. Threshold Level 3 will be reached, and the Board will consider and adopt amendments to the **management plan, rules and regulations at such time as the average groundwater drawdown, calculated from monitored water levels, for an aquifer is greater than 75% of an average groundwater drawdown listed in Section 7 of the management plan as a DFC or as a PDL for that aquifer. The District anticipates that one of the adopted amendments will include one or more strategies for the District's curtailment of groundwater production in the affected management zone(s) or management area(s) causing the undesired effect.** [Amended June

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4. The threshold levels will be administered and applied separately to each **management zone or management area.** As part of the evaluations and determinations, the District will consider the pumping- induced impacts to groundwater resources that occur between or among management zones **or management areas.** The evaluation will determine if pumping or production in one management zone is contributing to adverse impacts to groundwater conditions in another management zone **or management area** [Amended June 12, 2012] [Amended May 3, 2017]

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a. If Threshold Level 1 is exceeded, the District will perform studies to provide information on aquifer properties, aquifer recharge, aquifer and surface water interactions, and aquifer pumping. To the extent possible, the studies shall distinguish between the causes and effects of pumping occurring within the District and outside of the District. The results may be used to improve the models, tools, and methodologies used to analyze data and predict future groundwater levels and availability. The District will contract with a professional hydrogeologist to (i) conduct studies and/or (ii) establish the parameters for the studies and review the results of studies. The results of **the studies shall be made**

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available to the public in a reasonable manner ~~during one or more public meetings within ninety (90) calendar days after the completion of the studies.~~
[Amended July 2, 2019] [Amended May 12, 2020]

- b. If Threshold Level 2 is exceeded, the District will re-evaluate the ~~management plan~~ and rules regarding management zones, ~~management areas, pumping rates,~~ recharge estimates, the collection and analysis of monitoring data, and proposed changes to DFCs for consideration in the joint planning process. ~~The findings of the re-evaluation shall be made available to the public in a reasonable manner during one or more public meetings within 90 calendar days after the completion of the analysis.~~ [Amended May 12, 2020]

- c. If Threshold Level 3 is exceeded, the District will conduct a public hearing to discuss the status of the aquifers and develop a Level 3 Response Action Work Plan focused on achieving the District's goals and objectives, including DFCs and PDLs. The work plan will be completed within 6 months after the first public hearing and will be made available to the public through the District's web site. [Amended November 5, 2019]

i. The notice will include the cause for the notice, the fact that an additional review, evaluation and study is being made, and that a reduction of the maximum allowable production per acre and/or the permitted production may be approved following the review and evaluation. [Amended July 12, 2005]

ii. The general manager, in consultation with the district professional hydrogeologist, will review and evaluate the permit applications pending, the permits issued and the records of the District, estimated total production by exempt wells, and increase the frequency or locations of water drawdown monitoring within the ~~management zone or management area~~. If the notice is due to the average drawdown based on monitored water levels an evaluation of the reasons for the drawdown will be included in the review. [Amended July 12, 2005] [Amended June 12, 2012]

6. Unreasonable Impacts: In order to ~~help achieve a~~ balance between production and conservation of groundwater resources, the District will consider the impacts from an aggregate of wells associated with one or more operating permits to be unreasonable if pumping from the aggregated wells, by themselves and without contribution of ~~pumping from wells not a part of the aggregate of permitted wells,~~ cause any of the following:

8. If the District's analysis of the measured water levels in the production wells along with measured water levels in the District's monitoring well network indicates that the impacts from

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production may cause unreasonable impacts as defined by Rule 16.4.6, the District may require one or more of the following:

- a) ~~The permittee shall prepare a hydrogeologic report that uses Best Available Science to determine the water level changes along the boundary of the contiguous property owned or leased by the permittee. The hydrogeologic report will be due within one hundred twenty (120) calendar days after requested in writing by the District.~~
- b) ~~The permittee shall install at least two (2) wells to monitor water levels in the pumped aquifer at locations jointly determined by the permittee and the District. The wells will be installed and instrumented within two hundred seventy (270) calendar days after the permittee and District have agreed to the design and location of the monitoring well(s). The wells will be instrumented with equipment to measure water levels pursuant to Rule 4.3.3 and the data will be reported as set out in Rule 4.3.4.~~
- c) ~~If the permittee fails to comply with this Rule 16.4, the District shall proceed as set forth in Rules 15.3 and/or 15.4.~~

RULE 16.5 FIVE (5) YEAR REVIEWS

~~Pursuant to Rule 7.1.9, all operating permits shall be reviewed beginning January 1, 2025, and every five (5) years thereafter. The purpose of the five (5) year review is to determine whether to adjust permitted production in a management area/zone in order to accomplish management goals of the District. Maximum allowable production of water authorized by a permit may be limited, adjusted and reduced during any such review.~~

1. The following criteria will be considered in evaluating adjustments to permitted production:

- (a) Compliance with District rules, including reporting of monitoring data and water use reports;
- (b) Permitted production is considered in the State Water Plan;
- (c) Permitted production is a part of a conjunctive use project that involves water supplies other than fresh groundwater with a TDS value less than 1,000 mg/L;
- (d) Permittee has received an Aquifer Storage & Recovery permit from TCEQ as a mechanism for reducing pumping impacts to groundwater resources;
- (e) Permittee has received a Managed Aquifer Recharge permit from TCEQ as a mechanism for reducing pumping impacts to groundwater resources;
- (f) A current assessment, using the most recent groundwater pumping scenarios identified by the District, of:
 - a. the production on regional impacts, such as DFCs and PDLs since its start-up date and through the end of its current permit;
 - b. An assessment of the production on local scale impacts including unreasonable impacts as defined by District rules along the perimeter of the property boundary;
 - c. An assessment of the adequacy of the District well monitoring program to accurately determine drawdown associated with production from the well or

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well field for the purpose of evaluating DFCs, PDLs, and unreasonable impacts;

d. A comparison of the MAG, current production, project production, and permitted production for the management areas/zone(s) impacted by the permitted production;

(g) Permittee has a water conservation plan filed with the District that includes:

a. An assessment of permittee's project(s) Best Management Practices with identification of thresholds of beneficial use to be achieved and safeguards to minimize water losses;

b. Actions to minimize unreasonable impacts to existing wells, and identifies actions to implement the curtailment of groundwater production if District threshold levels 2 or 3 are reached;

(h) Permittee has a voluntary mitigation program, approved by the District, to address unreasonable impacts identified by assessments in item (g) of this Rule 16.5.1.

(i) Permittee has and is producing under a historic use permit pursuant to District Rule 7.14.

(j) Permittee is a local water utility as defined in these Rules and is permitted thereunder to provide water in a defined service area.

(k) Permittee, as a local water utility and pursuant to a requested conservation plan filed with the District, is or is willing to obtain water through local sources which shall reduce the burden placed on permittee's localized pumping.

2. The maximum allowable production of water authorized by a permit may be limited, adjusted and reduced is addressed by 16.6 and 16.7. The terms, provisions and the actions provided for in this Rule 16.5 are in addition to and not in lieu of the terms, conditions and provisions of any other rule or provision of this Section 16. This rule does not limit the authority of the Board to act pursuant to any other rule. The Board shall have the discretion to take any action authorized by this Section 16.

RULE 16.6. ADJUSTING MAXIMUM PRODUCTION PERMITTED. The District shall adjust the maximum groundwater production permitted per acre and/or the permitted production under any permit issued by the District as follows: [Amended July 12, 2005] [Amended May 3, 2017]

3. The maximum allowable **permitted** production of 2 acre feet of groundwater per acre of land, provided in Rule 5.1.2, may be reduced, and the maximum allowable production may be established or reduced for any one, or more than one, **management zone**. [Amended July 12, 2005] [Renumbered July 2, 2019]

RULE 16.7. PERMIT LIMITATIONS AND REDUCTIONS. The maximum allowable production of water authorized by a permit may be limited, adjusted and reduced as follows:

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1. If the maximum allowable **permitted** production of 2 acre feet of groundwater per acre of contiguous land is reduced for one or more management zones or management areas, or if any such reduced maximum of allowable production is thereafter reduced again, a new permit may not be issued for the production of more water than is established under this Section 16 as the maximum allowable production of water per acre of land for the management zone(s); [Amended June 12, 2012] [Amended May 12, 2020]

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