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Monday, October 21, 2024

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POSGCD ADOPTS NEW RULES FOR WELLS AND SUBDIVISION WATER AVAILABILITY STUDIES

The Post Oak Savannah Groundwater Conservation District (POSGCD) has adopted significant rule changes that will impact new exempt wells and subdivision developments within the District. These changes aim to protect groundwater resources and provide clearer guidelines for property owners, developers, and buyers.

Changes to Requirements for Drilling New Wells

The POSGCD Board recently passed an amendment to Section 7.10 of the District's Rules, requiring all new exempt wells, typically drilled for household or livestock use, to have at least 2 acres of water rights before applying to drill. Currently, 2 acres of water rights equate to 4 acre-feet of water. This requirement applies regardless of what the existing lease or sale agreements specifies are allowed for drilling.

It is important for buyers and sellers to be aware of water rights. They should be disclosed in deed exceptions, and if water rights have been previously leased or sold, future buyers will be required to reacquire those rights to drill new wells.

New Requirements for Subdivision Water Availability Studies

The Board also adopted Section 18, which sets forth new guidelines for verifying groundwater availability in subdivision developments. Developing these rules were a requirement of state law that went into effect January 1, 2024. Under this new rule, developers must submit a Groundwater Water Availability Study to verify water supply for proposed subdivisions during the platting process. The study must address both short- and long-term groundwater availability over periods of 10 and 30 years, considering the full build-out of the subdivision. Additionally, studies must include aquifer pump tests and assessments of potential cumulative impacts on local water resources.

Impact on Buyers, Sellers, and Developers

For buyers and sellers, these changes mean that water rights must be addressed as an important part of property transactions. Buyers should verify that properties have the required 2 acres of water rights before applying to drill a new well. Sellers need to include water rights information in their deeds to maintain transparency and avoid potential conflicts during sales.

Developers and subdivision planners must adhere to stricter requirements for demonstrating the adequacy of water supply before approval of new subdivisions in accordance to new State law that went into effect

At Post Oak Savannah Groundwater Conservation District we aim to secure water for future generations through data collection, mentoring, regulation, and public education, in alignment with the Texas Water Code's preference for groundwater conservation districts. Learn more at: www.posgcd.org.

January 2024. Failure to meet these requirements could result in delays in the subdivision approval process or potential restrictions on water use.

Why These Changes Matter

With Texas' growing population and increasing demands on water resources, it is important to the District to ensure that both current and future developments have sustainable water supplies as the law requires while also protecting the long-term health of the aquifers.



The District Rules and other governing documents are available on the website:

<https://posgcd.org/governing-documents/>.

Please direct any questions regarding these news rules to the District's Regulatory Compliance Specialist, Michael Redman, by phone (512) 455-9900 or emailing

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