

**COKE COUNTY
UNDERGROUND WATER
CONSERVATION DISTRICT**

**MANAGEMENT PLAN
1998-2008**

COKE COUNTY UNDERGROUND

WATER CONSERVATION DISTRICT

P.O. Box 1110

Robert Lee, TX 76945-1110

Phone (915)453-2232

Management Plan 1998 - 2008

WHEREAS, the Coke County Underground Water Conservation District was created by Acts of the 69th Legislature (1985), p. 6960, Ch. 950 H.B. 2418 under authority of Articles XVI, Section 59 of the Constitution of Texas and Chapters 51 and 52 of the Texas Water Code, as amended, and

WHEREAS, the District is required by SB1 through Chapter 36.1071 of the Texas Water Code to develop and adopt a new Management Plan, and

WHEREAS, the District is required by SB1 to submit the adopted Management Plan to the Executive Administrator of the Texas Water Development Board for review and certification by September 1, 1998; and

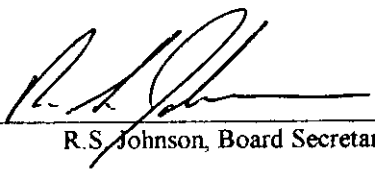
WHEREAS, the District Board of Directors, after reviewing the existing 10 year Management Plan that expires on January 2, 1999, has determined that this plan should be replaced with a new 10 year Management Plan; and

WHEREAS, the District Board of Directors has determined that the new 10 year Management Plan addresses the requirements of Chapter 36.1071.

NOW, THEREFORE, be it resolved, that the Board of Directors of the Coke County Water Conservation District, following notice and hearing, hereby adopts this new 10 year Management Plan to replace the existing Management Plan; and

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

Adopted this 10 day of August 1998, by the Board of Directors of the Coke County Water Conservation District.



R.S. Johnson, Board Secretary



Wayne McCabe, Board President

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

P. O. Box 1110 Robert Lee, TX 76945-1110 Phone(915)453-2232

Mr. Craig Pedersen
Executive Administrator
Texas Water Development Board
1700 North Congress
Austin, Texas 78711-3231

Dear Mr. Pederson,

Attached is a copy of the adopted Management Plan of the Coke County Underground Water Conservation District (CCUWCD) as required by §36.1072(a) of the Texas Water Code. The CCUWCD Management Plan was adopted by the Board of Directors at their monthly meeting on August 10, 1998. In addition, a copy of the CCUWCD Board of Directors resolution adopting the plan is also attached.

This Management Plan replaces the existing 10 year Management Plan that was adopted by the Board of Directors in 1989.

§36.1071(a) This CCUWCD Management Plan was developed during an open meeting of the Board as required by the Open Meeting Act. Documentation, the notice and hearing requirements were followed and are represented as a separate attachment. There are three (3) surface water management entities located within the District. They are Mountain Creek Lake, Upper Colorado River Authority, Spence Lake (CRMWD) and Oak Creek Lake (City of Sweetwater) and Coke County Kickapoo Water Control And Improvement District No.1. These entities were notified and notices of hearing were posted within the District.

The following cross-references are provided as a means of documenting the completeness of the Management Plan as applicable to the statutory requirements of Chapter 36 of the Texas Water Code.

§36.1071(a)(1) is addressed in Section titled Location and Extent, Section titled Potential Demand and Supply Issues and Solutions, Section titled Management of Groundwater Supplies and Section titled Goals, Management Objectives and Performance Standards, Goal 2.0 - 2.2a.

§36.1071(a)(2) is addressed in Section titled Goals, Management Objectives and Performance Standards, Goal 1.0 - 1.1a.

§36.1071(a)(3) is addressed in Section titled SB-1 Management Goals Determined Not Applicable, Goal 3.0.

§36.1071(a)(4) is addressed in Section titled Surface Water Resources of Coke County U.W.C.D. and in Section titled SB-1 Management Goals Determined Not Applicable, Goal 4.0.

§36.1071(a)(5) is addressed in Section titled SB-1 Management Goals Determined Not Applicable, Goal 5.0.

§36.1071(e)(1) is addressed by submission of this Management plan to the TWDB.

§36.1071(e)(2) is addressed in Section titled Actions, Procedures, Performance and Avoidance for Plan Implementation, Section titled Goals, Management Objectives, and Performance Standards, and in the attached copy of the existing Rules and By-Laws of the Coke county Underground Water Conservation District.

§36.1071(e)(3)(A) is addressed in Section titled Groundwater Resources of the Coke County U.W.C.D..

§36.1071(e)(3)(B) is addressed in Section titled Groundwater Use in Coke County U.W.C.D..

§36.1071(e)(3)(C) is addressed in Section titled Groundwater Resources of the Coke County U.W.C.D..

§36.1071(e)(3)(D) is addressed in Section titled Projected Water Supplies of Coke County U.W.C.D. and Section titled Projected Demands for Water in Coke County U.W.C.D., and Section titled Potential Demand and Supply issues and Solutions.


§36.1071(e)(4) is determined Not Applicable since the regions are not yet approved and in place.

§36.1071(f) the current District Rules and By-Laws were adopted in 1986 and will be used during the initial implementation of the new Management Plan. A copy of the District Rules and By-Laws is attached for your reference. The Rules and By-Laws of the District may be redrafted as needed to comply with changes to the law and the newly adopted Management Plan.

§36.1071(g) is determined, as Not Applicable at this time, but will be addressed in five years in 2002 when the Management Plan must be re-certified.

This new Coke County U.W.C.D. Management Plan will be in force for 10 years from the date of certification. If the TWDB has any questions or requires additional information, please contact us.

Sincerely,



Winton Milliff

**COKE COUNTY
UNDERGROUND WATER
CONSERVATION DISTRICT**

**MANAGEMENT PLAN
1998-2008**

COKE COUNTY U.W.C.D. MANAGEMENT PLAN

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COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

DISTRICT MISSION

The overall objective of the Coke County Underground Water Conservation District is to preserve the integrity of the groundwater in the aquifer over which the land in the district is located. This objective may be accomplished as the district provides for the conservation, preservation, protection recharge, and prevention of waste of the groundwater reservoirs. This Management Plan will help provide guidance to accomplish the overall objective of the district. The plan is an open-ended document and can be revised or updated as needed to help meet the district goals and objectives.

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 County UWCD, 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 County UWCD
Hickory UWCD #1	Irion County WCD	Lipan-Kickapoo WCD
Plateau UWC & SD	Santa Rita UWCD	Sterling County UWCD
Sutton County UWCD		

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 Board of Directors and certification by TWDB replaces the existing management plan adopted by the Board of Directors on April 15, 1986. This new plan remains in effect for 10 years or until a revised plan is certified or September 1, 2008, whichever is earlier.

STATEMENT OF GUIDING PRINCIPLES

The District recognizes that the groundwater resources of the region are of vital importance. The preservation of this most valuable resource can be managed in a prudent and cost effective manner through regulation and permitting. The greatest threat to prevent the District from achieving the stated mission is inappropriate management, based in part on a lack of understanding of local conditions. A basic understanding of the aquifers and their hydrogeologic properties, as well as a quantification of resources is the foundation from which to build prudent planning measures. This management document 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 Coke County Underground Water District was created by Acts of 69th Legislature (1985), p. 6960, Ch. 050, H.B. 2418 under authority of Articles XVI, Section 59 of the Constitution of Texas.

The residents confirmed the District and also voted to fund the District operations through local property taxes. It became an active district on April 5, 1986. On April 5, 1986, the District adopted rules and by-laws which became effective immediately and on this date the District adopted a management plan. With the adoption of these rules, the District implemented a well-permitting and registration program. The current members of the Board of Directors are: Wayne McCabe, President; Joe R. Ash, Vice-President; R.S. Johnson, Secretary; Wilbern Millican and Wayne King, members. The District General Manager is Winton Milliff. The Coke UWCD covers all of Coke County. Recreational areas include golf, hunting and fishing.

Location and Extent

The District has an areal extent of 911 square miles located approximately 30 miles north of San Angelo and 60 miles southwest of Abilene. The population of the District was about 3423 in 1997. Three incorporated cities lie within the boundaries of the District: Robert Lee, population 1250, the county seat; Bronte, population 962; and Blackwell, population 339.

The economy of Coke County is based on ranching, farming, and oil & gas production. The annual income from agriculture is approximately \$17 million. Sheep and cattle sales represent more than 90 percent of the farm and ranch income. In 1997, the county produced 1,222,713 barrels of oil and 3,722,554 MCF gas. The highly volatile price of petroleum products makes it very hard to estimate.

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

The water used in Coke County comes from both ground and surface-water sources. Three major reservoirs in the county impound surface runoff. The largest is E. V. Spence Reservoir, which is formed on the Colorado River by Robert Lee Dam. The town of Robert Lee receives its water supply from nearby Mountain Creek and Spence Reservoirs. Oak Creek Reservoir, in the northeast corner of the county, furnishes water to the towns of Sweetwater, Bronte and Blackwell. Water for most of the rural-domestic and livestock needs is furnished by either small surface-water catchment tanks or by wells. Ground water of varying quality is used in the water flood or secondary recovery operations in many oilfields.

Topography and Drainage

The southwestern part of Coke County is in the Edwards Plateau section of the Great Plains physiographic province; the northwestern part of the county is in the Central Texas section, which includes the Callahan Divide. The county is bisected diagonally by the southeastward flowing Colorado River. Altitudes range from about 1,700 feet above mean sea level in the river valley to more than 2,600 feet on the Edwards Plateau.

Except for the rugged and dissected escarpment, the Edwards Plateau is relatively flat. The soils are mostly thin, dark-colored, calcareous loams. The Central Texas section is characterized by a rolling topography and deep, red-brown loam soils. Much of the area, however, is capped with caliche.

Surface drainage on the plateau is mostly internal, but during periods of heavy rainfall, some intermittent low-gradient streams flow southward to the North Concho River. Intermittent streams in canyons along the escarpment flow to the Colorado River. The Central Texas section is drained by the Colorado River and its intermittent tributaries, many of which enter Robert Lee Reservoir.

Groundwater Resources of the Coke County U.W.C.D.

The oldest geologic units cropping out in the county are the westward-dipping Permian "red beds". These rocks are composed mainly of shale and fine-grained sandstone, and scattered beds, lenses, and stringers of gypsum, anhydrite, and dolomite. In the western and southern plateau areas, the Permian rocks are overlain by eastward-dipping sand, clay, and limestone of Cretaceous age. Alluvial deposits of Quaternary age occur in the valleys of the Colorado River and its tributaries.

Water in the alluvium and in the Cretaceous rocks (Fredericksburg and Trinity Groups) occurs under water-table conditions. Water in the Permian rocks (Clear Fork, Pease River and Artesia Groups, and Ochoa Series) occurs under both water-table and artesian conditions. The water-producing zones in the geological units are (1) sand and gravel in the alluvium; (2) fine sands or fractures and solution openings in limestone beds of the Fredericksburg and Trinity Groups; and (3) sand, gypsum and dolomite stringers or lenses in the Permian rocks.

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

The Edwards-Trinity (Plateau) aquifer enters Coke County on the West and progresses to the southeast. Wells in the southeast corner of the county produce large volumes of water. The northeast part of the county lays over the Trinity aquifer.

Chemical quality of the 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 principal sources of recharge to the aquifers of Coke County are (1) direct precipitation on the outcrops; (2) infiltration of water from surface reservoirs, rivers, and numerous intermittent streams; and (3) subsurface inflow from adjoining counties.

On the basis of the volume of material with useable water and a specific yield of 15 percent for the alluvial deposits and 10 percent for the Trinity Group, it is estimated that 850,000 acre-feet of water is available to wells in Coke County. Of this amount 700,000 acre-feet is estimated to be in the Trinity Group. This data was obtained from the availability section of the Texas Water Development Board's Report #166.

Surface Water Resources of Coke County

There are 3 surface water lakes in Coke County U.W.C.D., Lake Spence, Mountain Creek Lake located at Robert Lee and Oak Creek Lake located at Blackwell. The water supply from Lake Spence will be 96,500 acre-feet in year 2000 and in year 2050 the supply will be 82,395 acre-feet. Mountain Creek water supply is governed by the amount of rainfall and this limited supply of water is exhausted each year. Oak Creek water supply will be 4800 acre-feet in year 2000 and 4300 acre-feet in year 2050. This data was obtained from the availability section of the Texas Water Development Board's annual survey and will be used until alternatives are generated.

Projected Water Supplies of Coke County U.W.C.D.

Projected water supply amounts for the District are 105,030 acre-feet in year 2000 and 102,430 acre-feet in 2010. Figures provided by availability section of the Texas Water Development Board.

Ground Water Use in Coke County U.W.C.D.

Based on availability section of the Texas Water Development Board data, during the last five years ending in 1995, annual groundwater usage in the Coke County U.W.C.D. has varied from a high of 2799 acre-feet to a low of 2216 acre-feet. The annual estimated usage within the District from 1991 to 1995 is 2479 acre-feet per year.

Projected Demands for Water in Coke County U.W.C.D.

The availability section of the TWDB publication, *1996 Consensus Texas Waterplan Population and Consumptive Water Demand*, will be used until alternatives are generated. The TWDB availability section has projected that the total water demands for Coke County U.W.C.D. will be 2926 acre-feet per year in 2000 and 2844 acre-feet per year by 2010.

Potential Demand and Supply Issues and Solutions

Based on supply and demand calculations and projections, Coke County U.W.C.D. will have an excess of water due to a decrease in population by year 2050. Year 2000 demands 2926 acre-feet per year; while the year 2050 demands are projected at 2469 acre-feet per year. These figures will be used until alternative or updated information is obtained. These provided by the availability section of the TWDB.

Surface water supply for Coke County U.W.C.D. is projected to be 101,300 acre-feet per year in 2000. Aquifer supply is projected to be 3730 acre-feet in year 2000. Projection for year 2050 surface water is 86,695 acre-feet per year. The aquifer supply is projected at 3663 acre-feet. Based on these calculations, it is projected that the Coke County U.W.C.D. supply will exceed its demands in the year 2050. These figures provided by the availability section of the TWDB.

Management of Groundwater Supplies

The District will manage the supply of groundwater within the District in order to preserve and protect the resource, while seeking to maintain the economic viability of all of the groundwater user groups. In consideration of the economic and cultural activities occurring within the District, the District will identify and engage in such activities and practices, that, if implemented, would result in preservation and protection of the groundwater.

Actions, Procedures, Performance and Avoidance for Plan Implementation

The District will implement provisions of this plan and will utilize the provisions of this plan as guideposts for determining the direction or priority for District. Rules adopted by the District shall be pursuant to TWC Chapter 36 and the provisions of this plan. All rules will be enforced and will be based on the best technical evidence available.

Amount of Annual Recharge in the District

The amount of recharge to the District is 48,390 acre-feet. This estimate was provided by the availability section of the Texas Water Development Board's Report #166. Amount of additional recharge that could be realized through application of feasible methods is 11,130 acre-feet. This estimate is derived from data collected by CRMWD.

GOALS, MANAGEMENT OBJECTIVES and PERFORMANCE STANDARDS

The methodology the District will use to trace its progress on an annual basis in achieving all of its management goals are 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. 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.

Goal

1.0 Provide for the efficient use and control of groundwater within the District.

Management Objective

1.1 Each year the District will provide a field and in-house lab service on water analysis for well owners.

Performance Standards

1.1a Each year the number of water analysis will be logged.

Management Objective

1.2 Each year the District will locate wells for statistics and registration.

Performance Standards

1.2a Each year the district will locate at least 2 wells for map location, water levels and chemical analysis.

Goal

2.0 Control and prevent waste of groundwater.

Management Objective

2.1 Each month all reported wasteful practices within the District will be investigated.

Performance Standards

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

- 2.1a Annually a report to the Board of Directors listing all of the wasteful practices identified.

SB-1 MANAGEMENT GOALS DETERMINED NOT-APPLICABLE

Goal

3.0 Conjunctive surface management issues.

The District has no jurisdiction over surface water.

The goal is not applicable to the District.

Goal

4.0 Control and prevention of subsidences.

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

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

Goal

5.0 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.

*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 Coke County Underground Water Conservation District

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

“District” - the Coke County Underground Water Conservation District

“TNRCC” - Texas Natural Resource Conservation Commission

“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 ground water from a ground water reservoir at a rate and in an amount that caused 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 to any other reservoir or geologic strata that does not contain groundwater;
- (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 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.

Documentation Contents

New Paper Notice Public Hearing.

County Clark Posted Notice of Public Hearing.

Minutes of Public Hearing.

Notice of Board of Directors Meeting.

Minutes of the Board of Directors Meeting on the adoption of the Coke County Underground Water Conservation Plan.

Letters to the Surface Water and other entities in the District.

UWCD Management Plan Checklist- Administrative Completeness Checklist.

Rules of the Coke County Underground Water Conservation District.

NOTICES

PUBLIC NOTICE

Coke County UWCD will hold a public hearing on the adoption of the District's Underground Water Conservation Plan on Monday, August 10th, 1998, at 6:30 pm in the District's office located in the Coke County Courthouse at 13 East 7th Street in Robert Lee.

02a-11c

THE STATE OF TEXAS

COUNTY OF COKE

I, ETTIE HUBBARD, County Clerk of Coke County, Texas, do hereby certify that at the time and date stamped hereon, the "Notice of a meeting", a copy of which is attached hereto, has been filed in my office under File No. 3506, and posted on my official bulletin board in the court house in Robert Lee, as is required by Article 6252-17, v.t.c.s..

Executed on August 4, 19 98.

Ettie Hubbard

ETTIE HUBBARD, COUNTY CLERK
COKE COUNTY, TEXAS

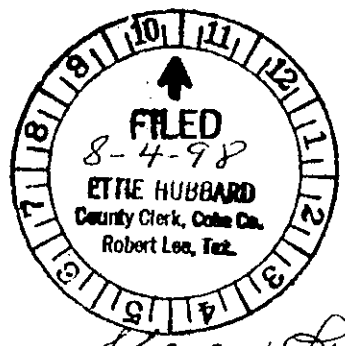
By Sharon Lee
Deputy

No. 3506



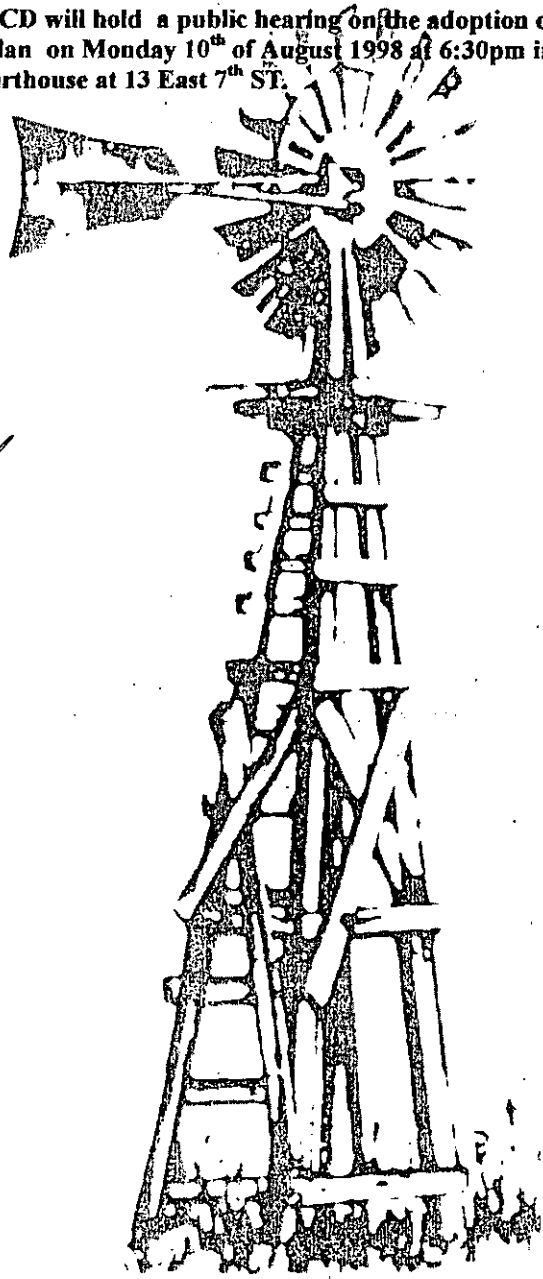
COKE COUNTY UNDERGROUND WATER CONSERVATION DIST.
P. O. BOX 1110
ROBERT LEE, TEXAS 76945

August 4, 1998



PUBLIC NOTICE

Coke County UWCD will hold a public hearing on the adoption of the Districts Underground Water Conservation Plan on Monday 10th of August 1998 at 6:30pm in the District's office located in the Coke County Courthouse at 13 East 7th ST.



Wayne McCabe
President of Board
for *Clinton Griffiff*

BOARD OF DIRECTORS

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

ROBERT LEE, TEXAS

PUBLIC HEARING


OFFICIAL MINUTES OF THE ~~MEETING~~ HELD ON Monday, August 10, 1998 @6:30P.M.

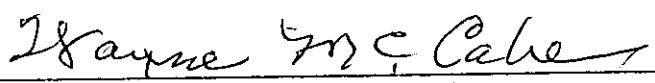
at Robert Lee, Texas . The Adoption Hearing ~~meeting~~ of the District Directors of the Coke County Underground Water Conservation District was called to order by Wayne McCabe, President, with Joe Ash, Wilbern Millican, Bud Johnson and Wayne King present. Others present were: Winton Milliff

The Coke County UWCD held a Public Hearing on the adoption of the District's Underground Water Conservation Management Plan on Monday August 10th, 1998 at 6:30 P.M. in the District Office located in the Coke County Courthouse at 13 East 17th Street in Robert Lee, Texas.

President, Wayne McCabe opened the hearing. After a lengthy discussion on the plan, two corrections were made by the Board and the plan was approved.

A motion was made by Wilbern Millican and 2nd by Wayne King to adjourn. Motion carried 100%.


Secretary


President

THE STATE OF TEXAS

COUNTY OF COKE

I, ETTIE HUBBARD, County Clerk of Coke County, Texas, do hereby certify that at the time and date stamped hereon, the "Notice of a meeting", a copy of which is attached hereto, has been filed in my office under File No. 3505, and posted on my official bulletin board in the court house in Robert Lee, as is required by Article 6252-17, v.t.c.s..

Executed on August 4, 19 98.

Ettie Hubbard

ETTIE HUBBARD, COUNTY CLERK
COKE COUNTY, TEXAS

By

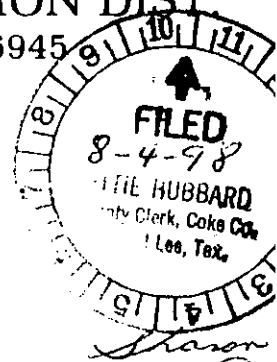
Sharon Lee

Deputy

No. 3505

COKE COUNTY UNDERGROUND WATER CONSERVATION DIST

P. O. BOX 1110 ROBERT LEE, TEXAS 76945



August 3, 1998

NOTICE OF MEETING

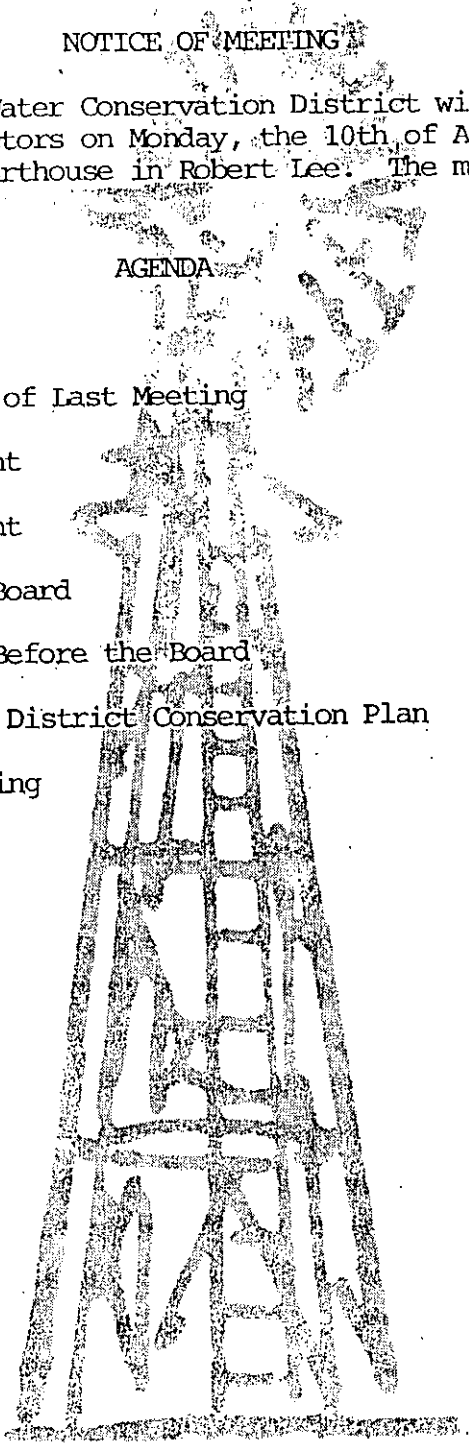
The Coke County Underground Water Conservation District will hold a regular stated meeting of the Board of Directors on Monday, the 10th of August 1998 in the district office in the Coke County Courthouse in Robert Lee. The meeting will begin at 7:30 P.M.

AGENDA

1. Call Meeting to Order
2. Read and Approve Minutes of Last Meeting
3. Consider Bills for Payment
4. Review Financial Statement
5. Manager's Report to the Board
6. Any other Items to Come Before the Board
7. Discussion and action on District Conservation Plan
8. Make Plans for Next Meeting
9. Adjourn

Wayne McCabe
President of Board

Shirley C. Melliff



BOARD OF DIRECTORS

COKE COUNTY UNDERGROUND WATER CONSERVATION DISTRICT

ROBERT LEE, TEXAS

OFFICIAL MINUTES OF THE MEETING HELD ON Monday August 10, 1998
at Robert Lee. The Regular meeting of the
District Directors of the Coke County Underground Water Conservation
District was called to order by Wayne McCabe, President, with
Joe Ash, Wilbern Millican, Bud Johnson and Wayne King
present. Others present were: Kristeen Roe and Winton Milliff

The Minutes of the previous meeting were read by Winton Milliff and approved as read.
Motion by Bud Johnson and 2nd by Joe Ash. Motion Carried-100%

The Bills were received. Motion made by Bud Johnson and 2nd by Joe Ash to approve
payment of the bills. Motion Carried-100%

Financial Statement was presented to the Board and accepted.

Manager's Report was presented to the Board and accepted.

Kristeen Roe gave the Board a brief up date on the changes in the tax code that will
affect the District.

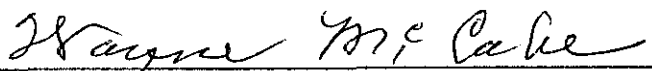
A lengthy discussion was held on the Coke Co U.W.C.D. management plan. With two
corrections the Board adopted the amended plan. This motion was made by Wayne
King and 2nd by Wilbern Millican. Motion Carried-100%

All funds of the Coke County U.W.C.D. are allocated for operation of the District
and implementation of the State mandated management plan. Motion by Bud Johnson
and 2nd by Joe Ash. Motion Carried-100%

The Next Board meeting is planned for September 8, 1998. @ 7:30 P.M.

The meeting was adjourned at 9:15 p.m. Motion made by Bud Johnson and 2nd by
Joe Ash. Motion Carried-100%


Secretary


President

C OKE
COUNTY UNDERGROUND WATER
CONSERVATION DIST.
P. O. BOX 1110
ROBERT LEE, TEXAS 76945

August 4, 1998

City Manager, David Maddox
P.O. Box 450
Sweetwater, Texas 79556-0450

Dear Mr. Maddox;

The Coke County UWCD will hold a public hearing on the adoption of the District's Underground Water Conservation Management Plan on Monday 10th of August at 6:30 P.M. in the District's Office located in the Coke County Courthouse at 13-East 7th St., Robert Lee, Texas.

Enclosed is a copy of Coke County Underground Water Conservation District Management Plan. Please consider this plan for coordination with the City of Sweetwater, as required by §36.1071(a) and TAC 356.6(a)(4). We would be pleased to have your input concerning our management plan.

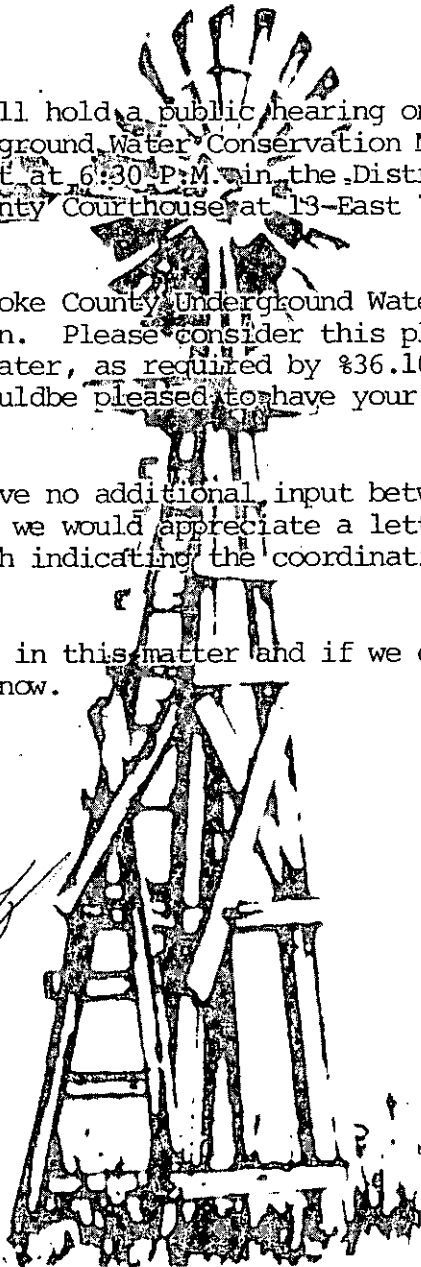
Providing you should have no additional input between now and the scheduled hearing date, we would appreciate a letter postdated after the hearing of Aug. 10th indicating the coordination with your water district.

Thank you for your help in this matter and if we can be of service to you, please let us know.

Sincerely,

Winton Milliff

Winton Milliff
Manager



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CITY MANAGER
PO BOX 450
SWEETWATER TX 79556

4a. Article Number
Z 382 875 039

4b. Service Type

<input type="checkbox"/> Registered	<input checked="" type="checkbox"/> Certified
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured
<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> COD

7. Date of Delivery
8-6-98

5. Received By: (Print Name)
M. Belyeu

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
X M. Belyeu

102595-98-B-0229 Domestic Return Receipt

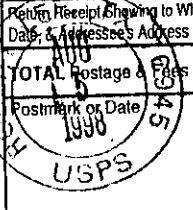
PS Form 3811, December 1994

Z 382 875 039

US Postal Service
Receipt for Certified Mail
No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to CITY MANAGER	
Street & Number PO BOX 450	
Post Office, State, & ZIP Code SWEETWATER TX 79556	
Postage	\$ 101
Certified Fee	135
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	110
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 346
Postmark or Date	SEP 15 1998

PS Form 3806 April 1995



C OKE
COUNTY UNDERGROUND WATER
CONSERVATION DIST.
P. O. BOX 1110
ROBERT LEE, TEXAS 76945

August 4, 1998

Colorado River Municipal District
P.O. Box 869
Big Spring, Texas 79721-0869

To: John Grant
General Manager

Dear Mr. Grant;


The Coke County UWC will hold a public hearing on the adoption of the District's Underground Water Conservation Management Plan on Monday 10th of August at 6:30 P.M. in the District's Office located in the Coke County Courthouse at 13 East 7th St., Robert Lee, Texas.

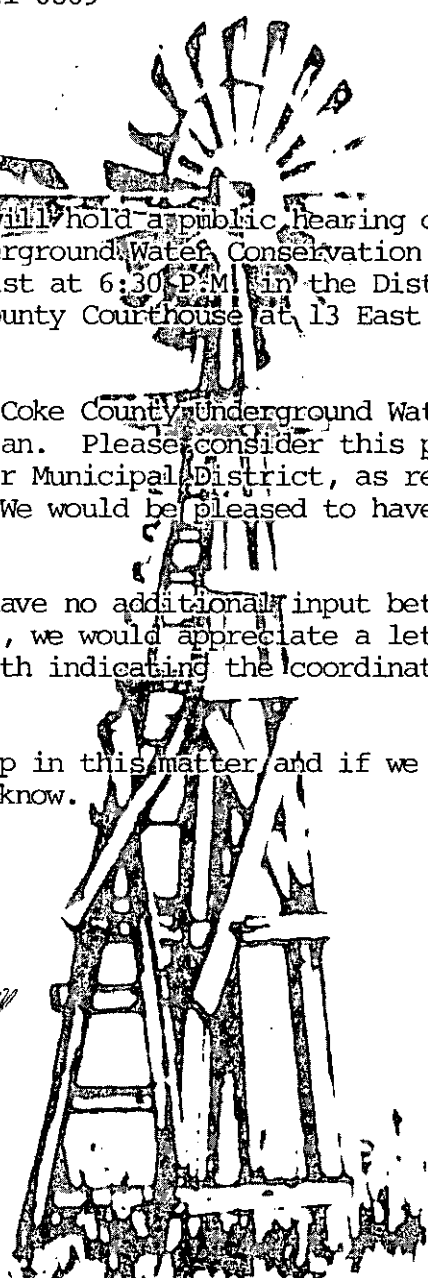
Enclosed is a copy of Coke County Underground Water Conservation District Management Plan. Please consider this plan for coordination with the Colorado River Municipal District, as required by §36.1071(a) and TAC 356.6(a)(4). We would be pleased to have your input concerning our management plan.

Providing you should have no additional input between now and the scheduled hearing date, we would appreciate a letter postdated after the hearing of Aug. 10th indicating the coordination with your water district.

Thank you for your help in this matter and if we can be of service to you, please let us know.

Sincerely,


Winton Milliff
Manager



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CRMD
 PO Box 869
 Big Spring TX 79721

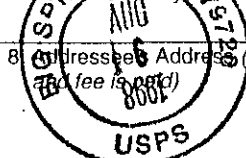
4a. Article Number

2 382 87504

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery



5. Received By: (Print Name)

8. Addressee's Address (Only if requested)

6. Signature: (Addressee or Agent)

X *Ray Jones*

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Z 382 875 040

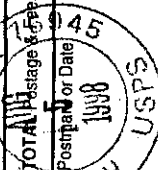
US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	CRMD
Street & Number	PO Box 869
Post Office, State, & ZIP Code	Big Spring TX 79721
Postage	\$ 1.01
Certified Fee	1.35
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	110
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$ 3.46
Postpaid or Date	AUG 15 1998



PS Form 3808, April 1995

C OKE
COUNTY UNDERGROUND WATER
CONSERVATION DIST.
P. O. BOX 1110
ROBERT LEE, TEXAS 76945

August 4, 1998

Upper Colorado River Authority
P.O. Box 1482
San Angelo, Texas 76902

To: Skeete Foster
President

Dear Mr. Foster;

The Coke County UWCD will hold a public hearing on the adoption of the District's Underground Water Conservation Management Plan on Monday 10th of August at 6:30 P.M. in the District's Office located in the Coke County Courthouse at 13 East 7th St., Robert Lee, Texas.

Enclosed is a copy of Coke County Underground Water Conservation District Management Plan. Please consider this plan for coordination with the Upper Colorado River Authority, as required by §36.1071(a) and TAC 356.6(a)(4). We would be pleased to have your input concerning our management plan.

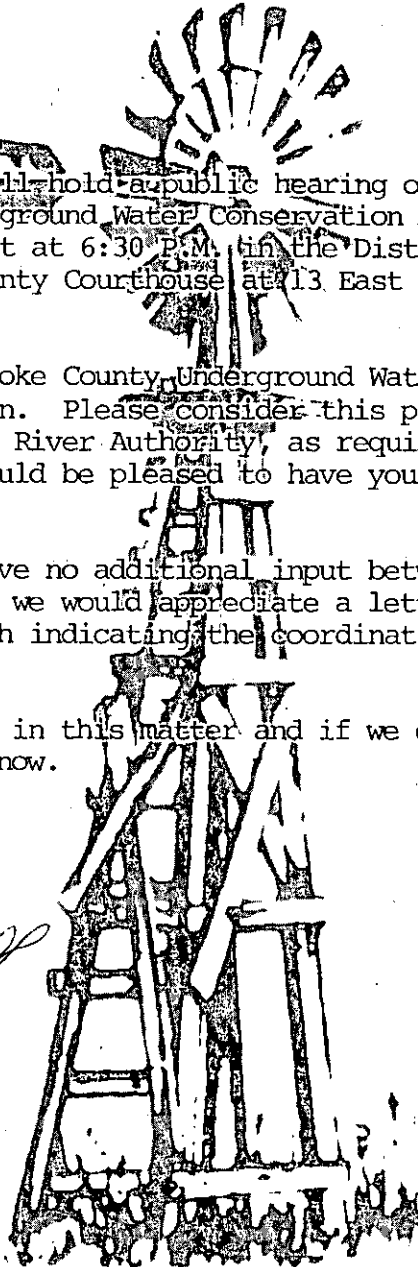
Providing you should have no additional input between now and the scheduled hearing date, we would appreciate a letter postdated after the hearing of Aug. 10th indicating the coordination with your water district.

Thank you for your help in this matter and if we can be of service to you, please let us know.

Sincerely,



Winton Milliff
Manager



Upper Colorado River Authority
 P.O. Box 1482
 San Angelo, Texas 76902
 915-655-0565 (fax)915-655-1371

UCRA

August 12, 1998

CHAIRPERSON
C. SKEETE FOSTER
 815 N. 6th
 Box 668
 Sterling City, Tx 76961
 800-850-8848

VICE CHAIRPERSON
RUBY GUTIERREZ
 126 Losh Lomond
 San Angelo, Tx 76901
 915-223-1441

SECRETARY
DORRIS SONNENBERG
 P.O. Box 328
 Bronte, Tx 76933
 915-473-2911

TREASURER
JEFFIE ROBERTS
 HC 34, Box 117
 Robert Lee, Tx 76945
 915-453-2957

DIRECTORS

RAY ALDERMAN
 503 S. Main
 Winters, Tx 79567
 915-754-4588

RALPH HOELSCHER
 14446 E. Amington Road
 Miles, Tx 76861
 915-468-2592

FRED R. CAMPBELL
 P.O. Box 186
 Paint Rock, Tx 76866
 915-732-4376

JACK BREWER
 1110 12th St.
 P.O. Box 1020
 Robert Lee, Tx 76945
 915-453-4721

HOPE HUFFMAN
 1419 Paseo de Vera
 San Angelo, Tx 76901
 915-658-8328

Winton Milliff
 Manager, Coke County
 Underground Water District
 Box 1110
 Robert Lee, Texas 76945

Dear Mr. Milliff,

Thank you for providing UCRA a copy of the district's underground water management plan. UCRA applauds your efforts and concurs with the findings, objectives and mission.

Should you need assistance in the future from UCRA, please contact me.

Kind regards,

C. Skeete Foster
 Skeete Foster
 Chairman UCRA

C OKE
COUNTY UNDERGROUND WATER
CONSERVATION DIST.
P. O. BOX 1110
ROBERT LEE, TEXAS 76945

August 4, 1998

Kickapoo Water District
P.O. Box 29
Bronte, Texas 76933

Dear Sirs:

The Coke County UWCD will hold a public hearing on the adoption of the District's Underground Water Conservation Management Plan on Monday 10th of August at 6:30 P.M. in the District's Office located in the Coke County Courthouse at 13 East 7th St., Robert Lee, Texas.

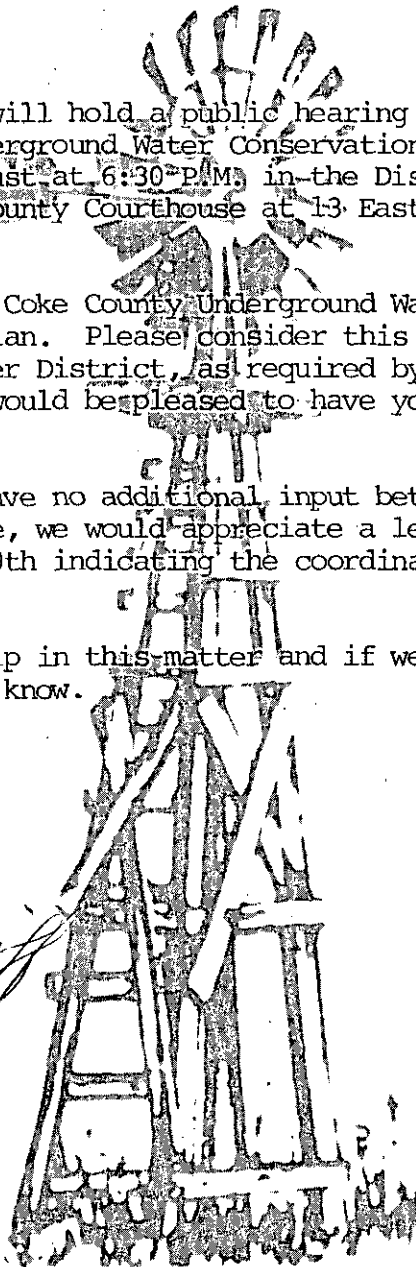
Enclosed is a copy of Coke County Underground Water Conservation District Management Plan. Please consider this plan for coordination with the Kickapoo Water District, as required by §36.1071(a) and TAC 356.6(a)(4). We would be pleased to have your input concerning our management plan.

Provided you should have no additional input between now and the scheduled hearing date, we would appreciate a letter postdated after the hearing of Aug. 10th indicating the coordination with your water district.

Thank you for your help in this matter and if we can be of service to you, please let us know.

Sincerely,

Winton Milliff
Winton Milliff
Manager



Coke County Kickapoo Water Control
And Improvement District No. 1
BRONTE, TEXAS 76933

August 11, 1998

Winton Miliff
Manager, Coke County
Underground Water District
Box 1110
Robert Lee, Texas 76945

Dear Mr. Miliff,

Thank you for providing Coke County KWCID a copy of the district's underground water management plan. The board applauds your efforts and concurs with the findings, objectives and mission.

Should you need assistance in the future from our board, please feel free to contact me.

Sincerely yours,



Royce Fancher
President

I, R. S. Johnson, Board Secretary of the Coke County Underground Water Conservation District, do hereby certify the foregoing to be a true and correct copy of the District's Resolution on the Management Plan 1998 - 2008, which was adopted on August 10, 1998 by the Board of Directors of the Coke County Water Conservation District, and filed in the District office in the Coke County Courthouse.

A handwritten signature in black ink, appearing to read 'R. S. Johnson', written over a horizontal line.

R. S. Johnson, Board Secretary

Does the District consider that, the Management Goal for controlling and preventing subsidence, as specified in 31TAC §356.5 (a)(1), was not specifically applicable to the operations of the District?

Yes If 'YES', then disregard items 22-25; If 'NO', then please confirm the inclusion of items 22-25.

22. Are management goal(s), as applicable, for controlling and preventing subsidence within the District, included?

31TAC §356.5 (a)(1)(C)

present absent

23. Does the plan include, a methodology by which the District will track its progress on an annual basis, in achieving its management goal(s) for controlling and preventing subsidence?

31TAC §356.5 (a)(5)

present absent

24. Are management objectives that the District will use to achieve the goal(s) for controlling and preventing subsidence, included?

31TAC §356.5 (a)(2)

Management Objectives - *Specific, quantifiable and time-based statements of desired future accomplishments or outcomes, each linked to a management goal, which set the individual priority for District strategies*

present absent

25. Are performance standards that the District will use to measure progress in achieving the goal(s) for controlling and preventing subsidence, included?

31TAC §356.5 (a)(2)

Performance Standards - *Indicators or measures, each of which is linked to a management objective, used to evaluate effectiveness and efficiency of District activities by quantifying the results of actions and the impacts of the results of activities. Evaluation of the effectiveness of district activities measures the accomplishments of the District. Evaluation of the efficiency of District activities measures how well resources are used to produce an output, such as the amount of resources devoted per unit accomplishment.*

present absent

I do hereby affirm and attest, that the Management Goal of controlling and preventing subsidence, as specified in 31TAC §356.5 (a)(1), is not specifically applicable to the operations of the groundwater management entity that I represent.

Attest

Date 7-2-98

Representing Coke County UWC

As GENERAL MANAGER

Does the District consider that, the Management Goal for addressing conjunctive surface water management issues, as specified in 31TAC §356.5 (a)(1), was not specifically applicable to the operations of the District?

Yes If 'YES', then disregard items 26-29; If 'NO', then please confirm the inclusion of items 26-29.

26. Are management goal(s), as applicable, for addressing conjunctive surface water management issues within the District, included?
31TAC §356.5 (a)(1)(D)

present absent

27. Does the plan include, a methodology by which the District will track its progress on an annual basis, in achieving its management goal(s) for addressing conjunctive surface water management issues?
31TAC §356.5 (a)(5)

present absent

28. Are management objectives that the District will use to achieve the goal(s) for addressing conjunctive surface water management issues, included?
31TAC §356.5 (a)(2)

present absent

Management Objectives - *Specific, quantifiable and time-based statements of desired future accomplishments or outcomes, each linked to a management goal, which set the individual priority for District strategies*

29. Are performance standards that the District will use to measure progress in achieving the goal(s) for addressing conjunctive surface water management issues, included?
31TAC §356.5 (a)(2)

present absent

Performance Standards - *Indicators or measures, each of which is linked to a management objective, used to evaluate effectiveness and efficiency of District activities by quantifying the results of actions and the impacts of the results of activities. Evaluation of the effectiveness of district activities measures the accomplishments of the District. Evaluation of the efficiency of District activities measures how well resources are used to produce an output, such as the amount of resources devoted per unit accomplishment.*

I do hereby affirm and attest, that the Management Goal of controlling and preventing subsidence, as specified in 31TAC §356.5 (a)(1), is not specifically applicable to the operations of the groundwater management entity that I represent.

Attest *Kenton W. Yelliff*

Date 7-2-98

Representing Coke County UWD

As General Manager

Does the District consider that, the Management Goal for addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater, as specified in 31TAC §356.5 (a)(1), was not specifically applicable to the operations of the District?

Yes If 'YES', then disregard items 30-33; If 'NO', then please confirm the inclusion of items 30-33.

30. Are management goal(s), as applicable, for addressing natural resource issues which impact the use and availability of groundwater and which are impacted by the use of groundwater in the District, included?
31TAC §356.5 (a)(1)(E)

present absent

31. Does the plan include, a methodology by which the District will track its progress on an annual basis, in achieving its management goal(s) for addressing natural resource issues which impact the use and availability of groundwater and which are impacted by the use of groundwater?
31TAC §356.5 (a)(5)

present absent

32. Are management objectives that the District will use to achieve the goal(s) for addressing natural resource issues which impact the use and availability of groundwater and which are impacted by the use of groundwater, included?
31TAC §356.5 (a)(2)

present absent

Management Objectives - *Specific, quantifiable and time-based statements of desired future accomplishments or outcomes, each linked to a management goal, which set the individual priority for District strategies*

33. Are performance standards that the District will use to measure progress in achieving the goal(s) for addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater, included?
31TAC §356.5(a)(2)

present absent

Performance Standards - *Indicators or measures, each of which is linked to a management objective, used to evaluate effectiveness and efficiency of District activities by quantifying the results of actions and the impacts of the results of activities. Evaluation of the effectiveness of district activities measures the accomplishments of the District. Evaluation of the efficiency of District activities measures how well resources are used to produce an output, such as the amount of resources devoted per unit accomplishment.*

I do hereby affirm and attest, that the Management Goal of addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater, as specified in 31TAC §356.5 (a)(1), is not specifically applicable to the operations of the groundwater management entity that I represent.

Attest Kimberly [Signature]

Date 7-2-98

Representing Coke County UWC.B

As General Manager

RULES OF THE COKE COUNTY
UNDERGROUND WATER CONSERVATION DISTRICT

The Rules of Coke County Underground Water Conservation District and as amended are hereby published as of the 27 day March, 1996.

In accordance with Section 59 of Article 16 of the Texas Constitution and with Acts of the 69th Legislature (1985), p. 3210, Ch. 950, H. B. 2418 and Chapters 51 and 52 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 ground water 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 exists; 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.

RULE I--DEFINITIONS

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

- A. "Abandonment" shall mean the intentional discontinuation of use.
- B. The "Board" shall mean the Board of Directors of the Coke County Underground Water Conservation District, consisting of five (5) duly elected members.
- C. "Capping" shall mean equipping a well with a suitable device that will prevent the entrance of surface pollutants into the well.
- D. "Casing" shall mean a tubular watertight structure installed in the excavated or drilled hole to maintain the well opening and, along with cementing, to confine ground waters to their zones of origin and prevent the entrance of surface pollutants.

- E. "Cement" shall mean a neat Portland or construction cement mixture of not more than seven gallons of water per 94-pound sack of dry cement, or a cement slurry which contains cement along with bentonite, gypsum, or other additives; the well driller will adhere to the manufacturer's recommended water content for the mix.
- F. "Completion" shall mean the sealing off access of undesirable water to the well bore by proper casing and/or cementing procedures.
- G. "District" shall mean the Coke County Underground Water Conservation District, maintaining its principal office in Robert Lee, Texas. Where applications, reports and other papers are required to be filed with or sent to "the District", this means the District's headquarters in Robert Lee, Texas.
- H. The term "Well" or "Water Well" shall mean and include any artificial excavation constructed to produce or which produces more than 25,000 gallons of water per day or 17.36 gallons per minute.
- I. "Water" shall mean underground water.
- J. "Owner" shall mean and include any person, firm, partnership or corporation that has the right to produce water from the land either by ownership, contract, lease, easement, or any other estate in the land.
- K. "Person" shall mean any individual, partnership, firm, or corporation.
- L. The word "Waste" as used herein shall have the same meaning as defined by the Legislature, as follows:
1. The withdrawal or underground water from an underground water reservoir at such rate and in such amount so as to cause the intrusion therein of water not suitable for agricultural, gardening, domestic, or stock raising purposes.
 2. The flowing or producing of wells from an underground water reservoir when the water produced therefrom is not used for a beneficial purpose.
 3. The escape of underground water from one underground water reservoir to any other reservoir not containing underground water.

4. The pollution or harmful alteration of the character of the underground water within the underground water reservoir of the District by means of salt water or other deleterious matter admitted from some other stratum or from the surface of the ground; and
 5. Willfully or negligently causing, suffering, or permitting underground water to escape into any river, creek, watercourse, depression, or lake, reservoir, drain, sewer, street, highway, road, or road ditch, or onto any land of any other person than the owner of such well.
- M. 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.)
- N. "Open or Uncovered Well" shall mean any artificial excavation drilled or dug for the purpose of producing water from the underground reservoir, not capped or covered as required by these rules, which is as much as the (10) feet deep, nor more than six (6) feet in diameter.
- O. "Exempt Well" shall mean and include any artificial exvavation constructed to produce or which produces less than 25,000 gallons per day or 17.36 gallons per minute. For all purposes herein, an "exempt well" as defined herein shall be exempt from any and all rules and regulations created hereunder.
- P. "Mud" shall mean a relatively homogenous, relatively viscuous fluid produced by the suspension of clay-size particles in water.
- Q. "Plugging" shall mean an absolute sealing of the well bore.
- R. "Pollution" shall mean the alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the District that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or the public enjoyment of the water for any lawful or reasonable purpose.
- S. "Undesirable Water" shall mean water that is injurious to vegetation, to land or to fresh water, or water that can cause pollution.

- T. "Well Log" shall mean a log accurately kept, on forms prescribed by the Water Well Drillers Board of Texas, or any successor regulatory agency with jurisdiction therefor, at the time of drilling showing the depth, thickness, character of the different strata penetrated, location of water-bearing strata, depth, size and character of casing installed, together with any other data or information required by the Water Well Drillers Board of Texas or of this Board. Each copy of a well log shall include the name, mailing address, and telephone number of the District as well as the Water Well Drillers Board of Texas and the Texas Water Commission.

RULE II --WASTE

- A. Underground water 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 I hereof.
- B. Any person producing or using underground water 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 the underground water reservoir of the District by means of salt water or other deleterious matter admitted from some other stratum or strata or from the surface of the ground.
- D. No person shall commit waste as that term is defined by Section (L), Rule 1 of the Rules of the Coke County Underground Water Conservation District.

RULE III --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 temporary wells exempt by Section 52.170 (e) of Chapter 52, Texas Water Code (being generally wells used for the production of oil, gas, or other minerals and water wells in conjunction therewith.)

RULE IV --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 (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 months from the approval date of the permit.

RULE V --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 the 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, 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 a 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 VI --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 30 days after completion of the well.
- B. 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, redrilling or replacing a well pursuant to Rule X 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 VII --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 the distances shown below from the nearest property line.

<u>WELLS PRODUCING</u>	<u>MINIMUM DISTANCE FROM PROPERTY LINE</u>
Up to 50gpm	exempt
50gpm to 100gpm	50 feet
over 100gmp	100 feet

The Board, in order to prevent waste or to prevent confiscation of property, may grant exceptions to permit drilling within shorter distances than described above when the Board shall determine that such exceptions are necessary either to prevent waste or to 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. a. 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 the 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.
 - b. 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, (1) segregated from a larger tract in contemplation of water resource development, or (2) segregated by fee title conveyance from a larger tract after the spacing rule became effective and the voluntary subdivision rule attached.
 - c. The date of attachment of the voluntary subdivision rule is the date of discovery of underground water 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 an underground water production area having a discovery date prior to the date of such segregation.
 - d. The date of attachment of the voluntary subdivision rule for a reservoir under any special circumstance 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 16 wells, whether drilled prior to or subsequent to enactment of this rule, shall be permitted per section (hereafter 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 2 gallons per acre per minute. In this event the landowner shall be permitted to drill additional water wells on said lands until the 2 gallons/acre/minute basis is attained. Said cumulative average gallonage 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.

RULE VIII --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 therefor 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 equalling 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 a after 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 IX --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 52, Texas Water Code.

RULE X --REWORKING OR REPLACING OF WELL

- A. No person shall rework, redrill, 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 VI 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 VII; otherwise the replacement well shall be considered to be a new well for which application must be made under Rule VII 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 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 choice within this 120 days, then it will be conclusively presumed that the new well is the well he desires to retain. Immediately after determining which well will be retained for production, the other well shall be:

1. Plugged 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 Article 9202, Vernon's Annotated Civil Statutes, as amended. 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, redrill 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 VIII C. above, and after a decision by the Board that such change will not cause unreasonable drawdown 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 XI --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 XII --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 XIII --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 or for determining the pumping capacity of 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 XIV --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 ten (10) 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 One Hundred Dollars (\$100.00) 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 52.171 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 XV --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 XVI hereof.

RULE XVI --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 a 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 XVII --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 intervenors, 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 intervenors 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. Contesting Hearings: 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 him with the Board.

RULE XVIII --GENERAL RULES OF PROCEDURE FOR HEARING

- A. Hearings: Hearings will be conducted in such manner as the Board deems most suitable to the particular case, and technical rules 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 XIX --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 Robert Lee, 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 him to show cause why his operating authority or permit should not be suspended, cancelled, 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 and practice.

RULE XX --WELL VALIDATION

In order to provide for the validation of existing water wells that are subject to the rules and regulations of the Coke 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.

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 at special called meetings.

RULE XXI --WELL DRILLING, COMPLETION, CAPPING, AND PLUGGING

A. Responsibility

1. All well drillers and persons having a well drilled, deepened, or otherwise altered shall adhere to the provisions of this Rule prescribing the location of wells and proper drilling, completion, capping, and plugging.

B. Location of Domestic, Industrial, Injection and Irrigation Wells

1. Except as noted in paragraph C. 1. of this Rule (relating to Standards of Completion for Domestic, Industrial, Injection and Irrigation Wells), a well shall be located a minimum horizontal distance of 50 feet from any watertight sewage and liquid-waste collection facility.
2. Except as noted in paragraph C. 1. of this Rule (relating to Standards of Completion for Domestic, Industrial, Injection and Irrigation Wells), a well shall be located a minimum horizontal distance of 150 feet from any concentrated sources of contamination, such as existing or proposed livestock or poultry yards, privies, and septic system absorption fields.
3. A well shall be located at a site not generally subject to flooding; provided, however, that if a well must be placed in a flood prone area, it shall be completed with a watertight sanitary well seal and steel casing extending a minimum of 24 inches above known flood level.

C. Standards of Completion For Domestic, Industrial, Injection and Irrigation Wells. Domestic, Industrial, Injection, Irrigation Wells shall be completed in accordance with the following specifications and in compliance with local county and/or incorporated city ordinances:

1. The annular space between the borehole and the casing shall be filled from ground level to a depth of not less than 10 feet below the land surface or well head with cement slurry. The distances given in Paragraph B. 1. and B. 2. of this Paragraph (relating to Location of Domestic, Industrial, Injection, and Irrigation Wells) may be decreased provided the total depth of cement slurry is increased by twice the horizontal reduction. In areas of shallow, unconfined groundwater aquifers, the cement need not be placed below the static water level. In areas of shallow, confined groundwater aquifers having artesian head, the cement need not be placed below the top of the water-bearing strata.

2. In all wells where plastic casing is used, a concrete slab or sealing block shall be placed above the cement slurry around the well at the ground surface.
 - a. The slab or block shall extend at least two feet from the well in all directions and have a minimum thickness of four inches and shall be separated from the well casing by a plastic or mastic coating or sleeve to prevent bonding of the slab to the casing.
 - b. The surface of the slab shall be sloped to drain away from the well.
 - c. The top of the casing shall extend a minimum of one foot above the top of the slab.
3. In all wells where steel casing is used:
 - a. The casing shall extend a minimum of one foot above the original ground surface; and
 - b. A slab or block as described in Paragraph 2. a. is required above the cement slurry except when a pitless adapter is used.
4. Pitless adapters may be used in such wells provided that:
 - a. The adapter is welded to the casing or fitted with another suitably effective seal; and
 - b. The annular space between the borehole and the casing is filled with cement to a depth not less than 15 feet below the adapter connection.
5. All wells, especially those that are gravel packed, shall be completed so that aquifers or zones containing waters that are known to differ significantly in chemical quality are not allowed to commingle through the borehole-casing annulus or the gravel pack and cause quality degradation of any aquifer or zone.
6. The well casing shall be capped or completed in a manner that will prevent pollutants from entering the well.

D. Standards for Completion for Wells Encountering Undesirable Water

1. If a well encounters undesirable water and the well is not plugged, the licensed driller or owner shall see that the well drilled, deepened or otherwise altered is forthwith completed in accordance with the following:

- a. When undesirable water is encountered in a well, the undesirable water shall be sealed off and confined to the zone(s) of origin.
 - b. When undesirable water is encountered in a zone overlying fresh water, the well shall be cased from the top of the fresh water zone to the land surface.
 - c. The annular space between the casing and the wall of the borehole shall be cemented to the land surface.
 - d. When undesirable water is encountered in a zone underlying a fresh water zone, the part of the wellbore opposite the undesirable water zone shall be filled with cement to a height that will prevent the entrance of the undesirable water into the pumping well.
2. The person who performs the well completion on a well shall, within 30 days after completing the well, submit a well completion report to the District Manager, on forms supplied by the District Manager.

E. Standards for Wells Producing Undesirable Water

1. Wells completed to produce undesirable water shall be cased from the top of the undesirable water zone or 50 feet below the lowermost fresh water zone to the land surface.
2. The annular space between the casing and the wall of the borehole shall be cemented to the land surface, or as a minimum, to a height greater than the hydrostatic head of the undesirable water aquifer plus the uppermost 10 feet of casing.
3. If the undesirable water does not enter the cased part of the well, the lowermost and uppermost 10 feet (minimum) of the casing shall be cemented in order to seal off all other water-bearing or other permeable sections from the well.

F. Recompletions

1. The landowner shall have the continuing responsibility of insuring that a well does not allow the commingling of undesirable water and fresh water or the unwanted loss of water through the wellbore to other porous strata.

2. If a well is allowing the commingling of undesirable water and fresh water or the unwanted loss of water, and the casing in the well cannot be removed and the well recompleted with the applicable rules, the casing in the well shall be perforated and squeeze cemented in a manner that will prevent the commingling or loss of water. If such a well has no casing then the well shall be cased and cemented, or plugged in a manner that will prevent such commingling or loss of water.
3. The District Manager may direct the landowner to take proper steps to prevent the commingling of undesirable water and fresh water, or the unwanted loss of water.

G. Well Plugging and Capping

1. It is the responsibility of the landowner or person having the well drilled, deepened, or otherwise altered, to cap or have capped, under standards set forth in this Rule (relating to Well Drilling, Completion, Capping, and Plugging), any well which is open at the surface.
2. It is the responsibility of the landowner or person having the well drilled, deepened or otherwise altered to plug or have plugged a well which is abandoned.
3. It shall be the responsibility of the landowner or person having the well drilled, deepened, or otherwise altered to see that any well which encounters undesirable water is plugged under the standards set forth in this Rule (relating to Well Drilling, Completion, Capping, and Plugging).
4. The person that plugs such a well shall, within 30 days after completion or plugging is complete, submit a well completion and plugging report to the District Manager, on forms supplied by the District Manager.

H. Standards for Plugging Wells

1. If the use of a well that does not contain any undesirable water zones is permanently discontinued, all removable casing shall be removed from the well and the entire well filled with cement to the land surface.
2. In lieu of the procedure in subsection 1. of this paragraph, the well may be filled with heavy mud followed by a cement plug extending from land surface to a depth of not less than 10 feet.

I. Standards for Plugging Wells That Penetrate Undesirable Water Zones

1. If the use of well that penetrates undesirable water is to be permanently discontinued, all removable casing shall be removed from the well and the entire well filled with cement to the land surface.
2. In lieu of the procedure in subsection 1. of this paragraph either the zone(s) contributing undesirable water, or the fresh water zone(s), shall be isolated with cement plugs and the remainder of the wellbore filled with heavy mud to form a base for a cement plug extending from land surface to a depth of not less than 10 feet.

RULE XXII --REPORTING UNDESIRABLE WATER

- A. Each licensed well driller shall immediately inform the landowner or person having a well drilled, deepened, or otherwise altered when undesirable water has been encountered.
- B. The well driller shall submit to the District Manager and the landowner or person having drilled, deepened, or otherwise altered; on forms supplied by the District Manager, a statement signed by the well driller indicating that the landowner or person having the well drilled, deepened, or otherwise altered, has been informed that undesirable water has been encountered and shall note on all logs filed the depth such undesirable water was found.
- C. The statement indicated in subsection B. of this Rule must be submitted within 30 days after encountering undesirable water

Repeal of Prior

All of the previous rules and regulations of the District have been revised and amended; and excepted 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 judgement 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.