Meeting of the
Groundwater Management Area 8
June 27, 2018 in Cleburne, TX

Minutes

The Groundwater Management Area 8 (GMA 8) district representatives (referred to herein collectively as "the Committee" for easy reference), which consists of representatives from the Central Texas Groundwater Conservation District, Clearwater Underground Water Conservation District, Middle Trinity Groundwater Conservation District, North Texas Groundwater Conservation District, Northern Trinity Groundwater Conservation District, Post Oak Savannah Groundwater Conservation District, Prairielands Groundwater Conservation District, Red River Groundwater Conservation District, Saratoga Underground Water Conservation District, Southern Trinity Groundwater Conservation District, and Upper Trinity Groundwater Conservation District, held a ***Joint Planning meeting at 10:00 A.M. on Tuesday, June 27, 2018,*** in the Cleburne Conference Center in Cleburne, Texas.

Groundwater Conservation District Representatives Present:

Central Texas GCD: Mitchell Sodek
Clearwater UWCD: Judy Parker
Northern Trinity GCD: Bob Patterson
North Texas GCD: Ronny Young
Post Oak Savannah GCD: Gary Westbrook
Prairielands GCD: Charles Beseda
Red River GCD: David Gattis
Middle Trinity GCD: Joe Cooper
Upper Trinity GCD: Doug Shaw
Saratoga UWCD: Jason Jones
Southern Trinity GCD: Peter Kultgen

Groundwater Conservation District Representatives Absent:

None

1. Invocation

Mike Massey provided the invocation for the meeting.

2. Call meeting to order and establish quorum

Vice Chair Joe Cooper, Middle Trinity GCD, established that a quorum was present and called the GMA 8 meeting to order at 10:10 am.

3. Welcome and introductions.

Vice Chair Joe Cooper welcomed the guests present at the meeting, recognizing Robert Bradley with the Texas Water Development Board, and past Chair, Eddy Daniel.

4. Public Comments.

Vice Chair Joe Cooper asked if any of the attendees had public comments to present to the GMA 8. There were no public comments.

5. Consider and act upon approval of minutes from the January 31, 2017, GMA 8 meeting

The Committee reviewed the minutes of the January 31, 2017 meeting. David Gattis made a motion to approve the minutes of the January 31, 2017 meeting. Charles Beseda seconded the motion. Ronny Young abstained. The motion passed.

6. Consider and act upon election of officers for GMA 8.

David Gattis made the motion to appoint Joe Cooper as Chair. Judy Parker seconded the motion. Judy Parker moved to nominate Gary Westbrook as Vice Chair, and the motion was seconded by David Gattis. Gary Westbrook indicated that his location was not in an area with a lot of impact/input, and encouraged the group to think about this nomination. Judy Parker rescinded the motion of Gary Westbrook as Vice Chair, honored by David Gattis. Judy Parker then moved to nominate Mitchell Sodek as Vice Chair. Charles Beseda seconded the motion. Both motions passed unanimously.

7. Consider and act upon Resolution of Appreciation for Eddy Daniel.

Chair Joe Cooper read the Resolution of Appreciation for Eddy Daniel. Charles Beseda made the motion to approve the Resolution of Appreciation for Eddy Daniel. Ronny Young seconded the motion. The motion passed unanimously.

8. Consider and act upon appointing a representative to Region F Regional Water Planning Group.

Doug Shaw made the motion that Joe Cooper be appointed as representative to Region F Regional Water Planning Group. David Gattis seconded the motion. Judy Parker made the motion that Doug Shaw be appointed as alternate to Region F Regional Water Planning Group. Charles Beseda seconded the motion. Both motions passed unanimously.

9. Consider and act upon appointing a representative to Region G Regional Water Planning Group.

Mitchell Sodek made the motion that Dirk Aaron be appointed as representative to Region G Regional Water Planning Group. Bob Patterson seconded the motion. Judy Parker made the motion that Doug Shaw be appointed as alternate to Region G Regional Water Planning Group. Mitchell Sodek seconded the motion. Both motions passed unanimously.

10. Consider and act upon appointing a representative to Region K Regional Water Planning Group.

Judy Parker made the motion that Mitchell Sodek be appointed as representative to Region K Regional Water Planning Group. Doug Shaw seconded the motion. Mitchell Sodek made the motion that Paul Babb be appointed as alternate to Region K Regional Water Planning Group. Ronny Young seconded the motion. Both motions passed unanimously.

11. Consider and act upon path forward for selecting a consultant for next round of Desired Future Conditions joint planning.

The GMA 8 members discussed how the selection should be made. Charles Beseda made the motion that RFQ be posted on the GMA 8 and TAGD websites. David Gattis seconded the motion. Motion passed unanimously.

A discussion was held as to what requirements should be included in the RFQ. Charles Beseda made the motion to authorize Drew Satterwhite and Joe Cooper to work together to draft the RFQ, send it to GMA 8 members for review and then post it. Doug Shaw seconded the motion. Motion passed unanimously.

12. Consider and act upon status of groundwater conservation district creation within GMA 8, including possible inquiry to Texas Commission on Environmental Quality.

A detailed discussion was held regarding Williamson and northern Travis counties. Joe Cooper and Dirk Aaron will draft a letter concerning Williamson and northern Travis counties asking TWDB to update PRM study area 350, Chapter 35 designation of study area. Charles Beseda made the motion to authorize the letter from GMA 8 to ask TWDB to update existing report. Mitchell Sodek seconded the motion. Motion passed unanimously.

13. Discussion of GMA 8 District Management Plans and Rules.

All eleven District representatives gave reports on their Management Plans and Rules. A summary of each District's discussions were requested and those summaries are attached as appendices to the minutes.

14. Discussion of possible agenda items and dates for next GMA 8 meeting.

The next meeting date will probably be before the end of the year. No specific date was selected at this time.

15. Closing comments.

Brian Sledge emphasized the importance of documenting the Districts' reports of their Management Plans and Rules.

16. Adjourn

Chair Joe Cooper declared the meeting adjourned at 12:20 p.m.

The GMA 8 Committee unanimously approved the minutes on this 30th day of November, 2018.

Velma Starks
Recording Secretary

Joe Cooper
Chairman

Appendices to the Minutes

Central Texas GCD

Central Texas Groundwater Conservation District (CTGCD) last updated its Management Plan on March 17, 2017. There were no major changes to the plan. The revision included the 5 year statutory review and figures were updated from the TWDB and Regional Water Planning Group. CTGCD's rules exempt all wells with a pumping capacity less than 25,000 gallons per day, regardless of use. Permits are issued to wells or well systems that have a pumping capacity greater than 25,000 gpd. Permits can be issued based on historical use or correlative rights of ½ acft per surface acre. The rules also allow for a variance to the correlative right if the board creates a special management zone or is petitioned by a well owner, initiates a hearing, and is provided clear and convincing evidence that no unreasonable impacts will be created on any other landowner. Spacing and tract size limitations are aquifer specific and the District has 6 different aquifers. The enabling legislation of the District has granted it unique power to issue permits for any activity that extracts groundwater or allows more than 25,000 gallons of groundwater a day to escape. With this power the District created a separate permit for quarry consumption. Quarry permits are issued for the consumptive groundwater use from an open quarry pit. The enabling legislation also states that before granting or denying a permit under Section 36.1113, Water Code, the District shall consider if the proposed use of water unreasonably affects surrounding landowners. This is a major consideration of the District rules when considering permits and allows for hydrogeologic studies to be required for larger permitted wells.

Clearwater

Every drop counts!

Clearwater Underground Water Conservation District
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www.cuwcd.org

MEMO

To: GMA8 Membership

From:
Dirk Aaron
General Manager
Clearwater UWCD

Subject: CUWCD Report to GMA8, June 27th
Related to "*Similar and Dissimilar Rules in GMA8*"

Clearwater Underground Water Conservation District (CUWCD) is one of 99 confirmed groundwater conservation districts (GCDs) in Texas governed by a locally-elected board of directors. CUWCD is charged with providing for the conservation, preservation, protection, recharging, and prevention of waste of groundwater. According to Chapter 36, Texas Water Code, CUWCD is one of the state's preferred methods of groundwater management.

CUWCD is a model example of local management of groundwater resources, the most basic principle of groundwater policy in Texas today. CUWCD sets policy based on best available science, because of the vast differences in aquifer conditions, geography, climate, rainfall, population density, and diversity in water use across the state and Bell County. CUWCD is a local water resource management entity that provides a balanced approach to the management of groundwater resources of Bell County.

Bell County is the geographical boundaries of CUWCD's authority and has two major aquifer systems of which each have very complex outcrop and downdip segments. The District maintains an enhanced monitor well network of both public and private well participation. Data base management is enhanced allowing the District to be the primary repository of all groundwater related information. District has an advanced investment in scientific tools and a 3D model to better understand the aquifer conditions thus assisting the District to find balance as we managed to the DFC.

CUWCD has a long-established policy of "*demand-based permitting*" where permits are allocated based on "*reasonable non-speculative demand*". CUWCD takes a *correlative approach* per the Texas Water Code provisions governing permitting and Senate Bill 1 regional and state water planning referenced in Chapters 16 and 36 and TWDB regulations).

CUWCD's method of "*correlative rights" is based upon defined tract size coupled with required spacing based on column pipe size and production goals*. The Dstrict has issued historic use and operating permits based on consideration of the permitting factors set forth in the *Chapter 36 Texas Water Code*, which include consideration of beneficial use coupled with demonstrated need.

CUWCD takes our statutory obligation to assess potential impacts on existing users and groundwater resources and to achieve the Desired Future Conditions very seriously. The DFC is established by the required joint planning of GMA8 thus take all aspects of this obligations into consideration when deliberating on all non-exempt permit applications.

The following describes the basis of the District's management plan, rules, and guiding principles based on the enabling act creating Clearwater Underground Water Conservation District (CUWCD) in Bell County by the 71st Texas Legislature in 1989 and confirmed by the citizens of Bell County in 1999:

1) CUWCD is a *political subdivision* of the State of Texas and underground water conservation district created and operating under and by virtue of Article XVI, Section 59, of the Texas Constitution; Texas Water Code Chapter 36; the District's enabling act, Act of May 27, 1989, 71st Legislature, Regular Session, Chapter 524 (House Bill 3172), as amended by Act of April 25, 2001, 77th Legislature, Regular Session, Chapter 22 (Senate Bill 404), Act of May 7, 2009, 81st Legislature, Regular Session, Chapter 64 (Senate Bill 1755), and Act of May 27, 2015, 84th Legislature, Regular Session, Chapter 1196, Section 2 (Senate Bill 1336)(omnibus districts bill); and the applicable general laws of the State of Texas; and confirmed by voters of Bell County on August 21, 1999.
2) CUWCD has adopted its original *Management Plan* on October 24, 2000 and has revised the plan three times with the most current plan adopted on January 13, 2016 and approved by Texas Water Development Board on February 19, 2016.
3) CUWCD has had *District Rules* in place since February 24, 2004 with the most current rules amended and adopted per Chapter 36 Water Code on April 1, 2016.
4) CUWCD requires that all wells drilled and completed prior to January 1, 2002 be properly registered with the District to be eligible for Exempt and/or Historic & Existing Use Permits.
5) CUWCD *District Rules* allow Exempt Wells for *domestic and livestock use on all tracts of land 10 acres or greater.
6) CUWCD *District Rules* limit all Exempt Wells to no more than 17gpm or 25,000 gallons per day production.
7) CUWCD *District Rules* prevent the drilling of *Exempt Wells* for domestic use on tracts of land platted to less than 10 acres after March 1st, 2004.
8) CUWCD has P*ermitting Procedures* in place for *Non-Exempt Wells* on tracts less than 10 acres and greater than 2 acres under district rules if the purpose of the well meets the definition of beneficial use including domestic use as defined by Chapter 36.
9) CUWCD *District Rules* provide the following the provisions afforded districts when promulgating rules & management strategies defined in TWC Sec. 36.116 (a)(b) on regulation of spacing and production, and historic and existing use permits.
    a. CUWCD does provide for *Permit Renewals*, per TWC Sec. 35.1145 and TWC Sec. 36.1146, which are handled administratively subject to all provisions of the permit being met, such as monthly reporting of production, reporting based on metering, and static water level measurements.
    b. CUWCD does provide a *Robust Permitting Process* for non-exempt wells as defined by TWC Sec. 36.1131, Elements of permit; TWC Sec. 36.1132 based on MAG; and TWC Sec. 36.1134 providing for the rules associated with permit application, public notification to all adjacent landowners and well owners in ¼ mile of the permit hearing.
    c. CUWCD *application for drilling and/or operating permits*, once administratively complete, are typically before the Board within 45 days.

10) CUWCD provides *long-term permitting assurance* (administratively renewed on an annual basis) if the permit holder is in good standing with the District by adhering to all agreed upon permit conditions as outlined in *Chapter 36 Section 36.1145* and *District Rule 6.8 Renewal of All Permits.*

11) CUWCD *District Rules* prevent all drilling of wells on tracts of land platted to less than 2 acres after March 1st, 2004.

12) CUWCD *District Rules* provide exemptions to meet correlative rights for tract size and/or spacing by applicants needing property size indemnification, waivers from property owners or procurement of water rights of adjacent property necessary to meet spacing and tract size requirements.

13) CUWCD *District Rules* require that all wells meet specific tract size requirements in addition to property line setbacks and defined distances from existing wells.

14) CUWCD *District Rules* require that current and future wells meet the 100-ft setback requirement of all on-site septic systems, unless the well is constructed with an approved sanitary seal allowing setback from the on-site septic to be reduce to a minimum 50 feet.

15) CUWCD *District Rules* require that all wells be constructed per TDLR enhanced standards to prevent commingle of injurious water with non-injurious water in the Trinity Aquifer.

16) CUWCD *District Rules* require that all applications for exempt and non-exempt wells be submitted and approved by the staff and/or board prior to construction.

17) CUWCD *District Rules* require that all drillers and pump installers notified the district within 45 days after completion of the well for District Inspection and Water Quality Testing.

18) CUWCD *District Rules* require that all drillers logs be submitted within 60 days of completion of the well.

19) CUWCD *District Rules* require all plugging reports to be submitted within 30 days of completion of the plugging.

20) CUWCD per Chapter 36 and District Rules manages to the ***DFC while considering the ****MAG*. Per District Rule 7.4 Proportional Adjustments (PA) for non-exempt permit holders are defined when needed and deliberated by the Board.

**"Domestic use" means the use of groundwater by an individual or a household to support domestic activity. Such use may include water for drinking, washing, or culinary purposes; for irrigation of lawns, or of a family garden and/or orchard; for watering of domestic animals; and for water recreation including aquatic and wildlife enjoyment. Domestic use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold. Domestic use does not include use by or for a public water system. CUWCD-DistrictRules.pdf*

***DFC's vs MAG's*

i. *A desired future condition (DFC) is a quantifiable condition of an aquifer at a specified future time. It may be based on the aquifer levels, spring flows, or volumes of water in the aquifer. In setting DFCs, GCDs balance groundwater production with conservation and protection of the aquifer and then manage that production on a long-term basis to achieve and maintain the DFC.*
ii. *The Modeled Available Groundwater is calculated by the TWDB and is the amount of water that may be produced on an average annual basis to achieve a DFC. The MAG is one tool used by GCDs to ensure consistency with the DFC, and is used by regional water planning groups.*

**** Fact: Chapter § 36.1132(a) legislature struck the "MAG" reference and replaced it with a "DFC" reference ("A district, to the extent possible, shall issue permits up to the point that the total volume of exempt and permitted groundwater production **will achieve an applicable desired future condition**..."). Previously Chapter 36 stated: "shall issue permits up to the point that the total volume of groundwater permitted **equals the MAG**, if administratively complete permit submitted to the district."*

Agenda # 13

MTGCD MANAGEMENT PLAN

Is available for viewing at MTGCD website.

Originally adopted April 29 2004 and re-adopted 3 times, the last being October 6, 2016 with no significant revisions.

MTGCD RULES

Rules committee

District Rules require registration of all wells and permitting of some wells

Wells exempt from permits are:

(1) incapable of producing more that 17 GPM (approx. 25,000 gal.)

(2) are not located on tracts of less than 10 acres Platted after the adoption of the Rules

Non-exempt wells require an operating permit and are:

(1) capable of producing more than 17 GPM
(2) must meet spacing requirements based on casing size
(3) adhere to a pumping limit of 3 ac/ft/ annum/ each contiguous acre of land owned

Meters are not required

All wells must be for a beneficial purpose and must be registered/permitted prior to drilling

EXPORT FEES

REVIEW WATER RIGHTS (5 yrs)

NTGCD Rules Notes

- The North Texas GCD was created as a result of a PGMA study.
- North Texas GCD is home to 2 of the fastest growing counties in the state/country.
- We are anticipating a population increase of 2.3 million people over this DFC planning horizon.
- Growth is primarily urban which is being supplied water through public water systems.
- A vast majority of the Districts water production comes from public water systems.
- District is currently operating under temporary rules
- We are a fee based District
- Current rules require meters on all wells over 25 gpm that are not Domestic, Livestock or Poultry
- The District is likely going to modify the exemption requirements with the permanent rules package to be identical to Chapter 36 with the exception of the 10-acre requirement.
- Basically, any well over 17.36 gpm will be considered a non-exempt well and be required to have a meter
- Plan to have permanent rules, which mean permitting and spacing, in place before the end of the year.
- Permitting will likely be a historical use based for existing producers and needs based for future users.
- Spacing will likely be based on a formulaic approach that is based on the production capacity of a proposed well.
- The spacing is based on District-wide average aquifer properties and the Board will decide an acceptable percent impact that a future well can have on an existing well. The formulas will be based upon the percent impact decided by the Board.
- The District Board has been discussing rules with Technical and Legal consultants now for over a year and we intend to adopt our permanent rules package prior to the end of the year.

There has been no significant changes to our management plan since the last update.

NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

1100 Circle Drive, Suite 300 Fort Worth, TX 76119
817.249.2062 Voice Fax 817.249.2918

Northern Trinity GCD - Summary of Proposed Changes, Rules and Management

Rules: Board has discussed on three (3) occasions in 2018.

- Wells capable of pumping more than 17.36 gpm are considered non-exempt and are subject to reporting and fees. Domestic and agriculture uses remain exempt. All wells both existing and new must be registered prior to drilling.
- Reporting required and fees paid twice yearly.
- Current District fees are 12.5 cents per 1,000 gallons used.
- Oil and gas usage must be reported but no fees are due.
- District has moved to calendar years and SA.2 reporting and fees due December 31st.
- The 10% discount from pre-payment of fees is no longer allowed beginning January 1, 2019.

Well Spacing:

- Spacing will be variable according to hydrologic studies which will be available on the District website. The studies will assess potential drawdown at any location shown on the NTGCD database.

Well Monitoring:

- District (one county has 25 monitoring wells with 4 more prospects)
- Allows evaluation of condition of aquifer at specific locations – very useful in approval of drilling applications

Groundwater / Surface Water Interaction:

- Tarrant County has six (6) major surface water entities that the District connects with regularly.
- Region C, Trinity River Authority and GMA 8 all cooperate and are important in NTGCD's decisions.

Aquifer Storage and Recovery:

- The District is advancing rapidly with this issue for conservation.
- Rules will reflect the latest science available in cooperation with Tarrant Regional Water District, Trinity River Authority, USGS and others involved in the management of this technique.

Management Strategy:

- The principal goal is for NTGCD to provide protection for existing users and landowner's rights.
- Utilize monitoring well system to constantly evaluate aquifer impacts.
- Work with GMA 8 to develop DFC's as well as TWDB and TCEQ to maintain water levels for the benefit of all users.

Dr. Bob Patterson

Dr. Bob Patterson
General Manager

POST OAK SAVANNAH GCD
SUMMARY OF RULES & MANAGEMENT STRATEGIES

Drilling, Registration & Permitting

- Water wells incapable of producing more than 25,000 GPD (17.36 GPM) for domestic or livestock uses are exempt from permitting and fees, but must obtain registration prior to drilling.
- Frac is non-exempt use and requires permit, but exempt from hearings with proper documentation.
- Drilling permits required for all non-exempt wells.
- Drilling permits are for 1 year with 6 month extension available.
- All pre-existing wells are subject to registration and/or permitting.
- Modified correlative rights system- maximum withdrawal allowed presently is 2 acre feet, per contiguous acre controlled, per year.
- Non-exempt well drilling & operating permits are subject to hearing process & approval by Board.
- Operating Permits describe the amount and rate of withdrawal of water as well as the location and usage.
- Non-exempt wells require notification to all property owners within .5 miles of the well and notification in at least one newspaper in each county.
- Production Permits are issued not to exceed 40 years with a review every 5 years.
- Groundwater Transport Permit required for water transported outside the District. A hearing, notification process, and Board approval is required.
- Transport Permits have thirty year terms if construction of conveyance system initiated within 3 years.
- Agriculture use wells are exempt from notice and hearing requirements and fees.
- Historic use permits (for maximum annual use prior to 2004) good for life of well.

Well spacing requirements

- Wells must be at least 50 ft. from property boundary or another existing well.
- Additional spacing requirements are enforced for new wells completed in the following formations, and may vary based on aquifer characteristics and capabilities as determined by hydrologic studies: Simsboro, Carrizo, Calvert Bluff, Hooper, Sparta, Queen City, and Trinity
- Little River and Brazos River Alluvium wells are exempt from spacing requirements.

District Fees

- Current Production Fee - $.01 per 1000 gallons permitted
- Transport Fee - $.075 per 1000 gallons permitted
- Non-exempt well application- $100.00 plus additional staff time &/or necessary professional services
- Transport application - $100.00 plus any additional staff time &/or necessary professional services
- Exempt well application to drill- $100.00 refundable deposit
- Staff Time - $50.00 per hour
- Copying - $.10 per page, Certified Copies - $1.00 per page
- Returned Check Fee - $25.00

Management Strategy

- Provide protection for existing users and landowners' property rights.
- Divide District into management zones based on aquifer properties and characteristics.
- Maintain protection of water levels in shallow management zones of each aquifer.
- Set predetermined threshold levels of aquifer impact based on existing user's wells.
- Evaluate aquifer impacts through District Monitoring Well Program.
- Take appropriate action, outlined in Section 16 of Rules, to protect and maintain appropriate aquifer water levels to protect both current and future producers.
- Work within GMA process to develop DFCs and management strategies beneficial to all stakeholders.
- Equitable treatment of all property owners at any given time.

PGCD Update on Management Plan Re-Adoption to GMA 8

June 27, 2018

Prairielands has updated and re-adopted its management plan since the last time GMA 8 met to compare management plans. We were requested by the TWDB to re-adopt our management plan in 2016 to help the TWDB staff avoid the log jam of all the updated management plans they were expecting to be submitted in 2017 and 2018 after the conclusion of the second 5-year DFC cycle. So, we agreed to do that to help them out, and re-adopted our management plan on September 19, 2016.

That date was, of course, prior to GMA 8's adoption of the new DFCs in early 2017, which meant that the DFCs had not changed for us at the time of our management plan re-adoption. Consequently, there were very few changes to our re-adopted management plan. With the exception of some updated technical information included from the 2017 State Water Plan and the updated Northern Trinity / Woodbine Groundwater Availability Model and some other minor changes, the 2016 Prairielands Management Plan is essentially a re-adoption of its 2012 plan.

The District will again update and re-adopt its Management Plan before January 31, 2019, at which time you all will receive notice and access to that plan.

Prairielands has continued its efforts to establish and broaden its groundwater monitoring well network, so that we can have good grasp of water levels in the aquifers throughout the District.

We have also been working diligently on development of our permanent rules and permitting system, and have an internal goal of getting those adopted by the end of this year or within the first month or two of 2019.

RRGCD Rules Notes

- The Red River GCD was created as a result of a PGMA study.
- Red River GCD is and urban/rural blend that is beginning to see growth moving north from the DFW metroplex.
- We are anticipating a population increase of 179%, or 310k people, over this DFC planning horizon.
- Growth is anticipated to be supplied water through public water systems.
- A vast majority of the Districts water production comes from public water systems.
- District is currently operating under temporary rules
- We are a fee based District
- Current rules require meters on all wells over 27.7 gpm that are not Domestic, Livestock or Poultry
- The District is likely going to modify the exemption requirements with the permanent rules package to be identical to Chapter 36 with the exception of the 10-acre requirement.
- Basically, any well over 17.36 gpm will be considered a non-exempt well and be required to have a meter
- Plan to have permanent rules, which mean permitting and spacing, in place before the end of the year.
- Permitting will likely be a historical use based for existing producers and needs based for future users.
- Spacing will likely be based on a formulaic approach that is based on the production capacity of a proposed well.
- The spacing is based on District-wide average aquifer properties and the Board will decide an acceptable percent impact that a future well can have on an existing well. The formulas will be based upon the percent impact decided by the Board.
- The District Board has been discussing rules with Technical and Legal consultants now for over a year and we intend to adopt our permanent rules package prior to the end of the year.

There have been no significant changes to our management plan since the last update.

Saratoga UWCD

1. Saratoga created by 71st Legislature in 1989, one of two first UWCD's in GMA-8 to be created along with Clearwater in Bell County, District covers Lampasas County
2. Original creation powers includes the ability to tax and collect fees; however, SUWCD does not currently collect taxes or production fees. We operate off an annual stipend from the County to pay basic expenses. The District relies on a volunteer Board of Directors and County administration staff; we do not have the budget for staff.
3. General geology and well production limitations in Lampasas County does not warrant the need for tax or fee collection. During my time as director (last 5 years) I have not seen any well drilling applications for a non-exempt well that produces greater than 17 gpm or 25,000 gpd.
4. All major municipalities and rural water supply companies in Lampasas County rely on surface water due to the limited availability of groundwater supplies.
5. District maintains its presence and existence due to the potential for future growth in Lampasas County, oil and gas impacts, and rock quarry impacts.

Thanks,

Jason S. Jones, P.E.
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Southern Trinity GCD

Here is a brief summary. Our plan and rules are very standard and came from the basic document from the Water Development Board. We adopted the new DFC into our plan (which allows amendment by updating the DFC and MAG) in mid-2017 by board vote. We have not made any changes to rules since adoption other than dealing with our aquifers separately (Hensel and Hoston) rather than as one for planning and permitting purposes. I believe this also modifies our management plan. We are considering (in the discussion phase) of lowering the minimum acre requirement from the current 10. We have also started looking at the plan and rules as they pertain to the Brazos Alluvium now that we have had geologic studies done and continuing. In addition now have several active monitoring wells to help validate our efforts and will probably add more as allowed to cover the entire county. We are also going to add some additional weather stations with real time capabilities.

The following are some issues we have discovered and a request for information to assist our engineering firm.

1) GAM results for water level elevations in Hesston formation in McLennan County are about 200 feet higher than observed.

2) Areas of measured local drawdown (areas of high groundwater production) do not match areas predicted by GAM.

3) Had previous requested, but not received, details on location, annual production, and well screen depth of approximately 150 water supply wells as used in GAM.

Sincerely,

Peter Kultgen – Board Representative – Southern Trinity GCD

GMA 8 – Management Plan/Rules Summary

June 27, 2018 Meeting

Upper Trinity GCD

Background:

The Upper Trinity Groundwater Conservation District (UTGCD) is responsible for the management of the northern outcrop of the Trinity Aquifer and encompasses an area that is coextensive with the boundaries of Hood, Montague, Parker and Wise counties. Similar to many of the Districts in North Texas, the UTGCD is a "fee-based" that is funded through collection of fees (water use fees paid by non-exempt well owners and application fees) rather than levying a tax.

As shown in Figure A, 90% of registered wells within the UTGCD are exempt (primarily domestic) wells. This is due to the fact that development within the UTGCD is dominated by subdivisions where a private water well at each lot serves as the sole source of water, this is highlighted by Figure B which shows the number of Well Registrations processed by the UTGCD in 2017.

Figure A – Registered Wells by Exemption Status - as of 7/31/2018 (because registration of exempt wells drilled prior to 2009, when UTGCD Rules went into effect, the value shown in the table below likely represents ~25% of actual exempt wells, and ~95%+ of actual non-exempt wells)

	Number of Registered		
County	Exempt	Non-Exempt	
Hood	774	315	
Parker	4,900	352	
Wise	2,740	261	
Montague	1,709	145	
TOTAL	10,123	1,073	11,196

Figure B – Well Registrations Received by the UTGCD in 2017

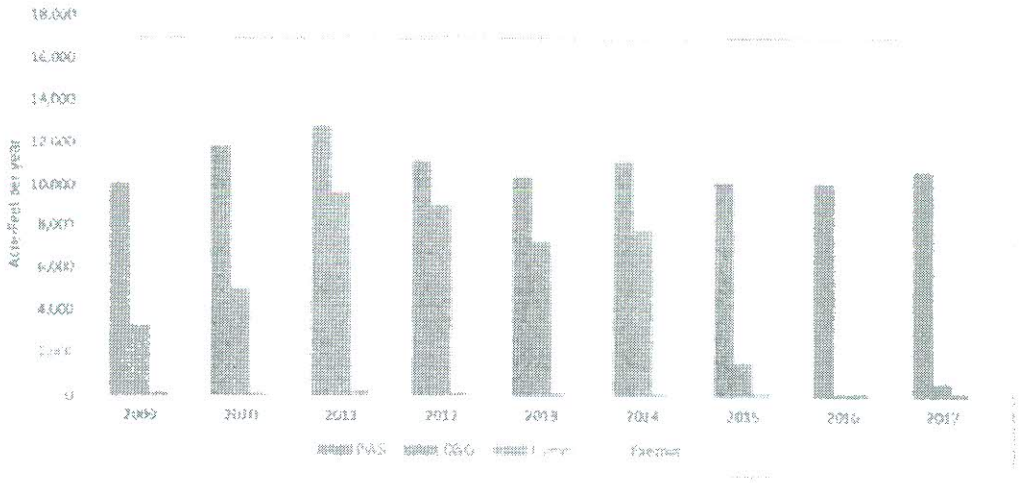
Well Registrations (2017)			
Hood	Parker	Wise	Montague
84	623	374	99

Because of the number of exempt wells in the UTGCD it makes sense that those exempt well also represent the largest user of groundwater (GW) within the UTGCD. Thus, exempt use (primarily domestic use) is the largest GW use within the District followed by public water supply, oil & gas use then commercial use. Figure B shows GW use in the UTGCD.

Exempt use in the Figure C is based on an estimate considering the following information:

- Population of the UTGCD not served by a PWS with consideration to the average gallons of water used per person per day in the area for both known wells and an estimate of unknown wells.
- Reported irrigated acreage (from Farm Service Agency) and an estimate of inches applied per acre – GW use for irrigated agriculture is minimal.
- Estimate of livestock water use based on animal counts (Texas Ag Statistics Service) with consideration to the gallons consumed per day (Texas A&M), the TWDB estimates the amount of livestock water use attributed to surface water and GW.

Figure C – Water Use in the UTGCD (gallons)



Rules – Current:

The UTGCD has been operating under Temporary Rules since January 1, 2009. Under the current Temporary Rules, the UTGCD has focused on collecting data, developing science and participating in joint planning in order to adopt the permanent rules most appropriate to ensure the long term sustainability of groundwater resources within the District. In regards to the management of those groundwater resources, the current rules require that an approved registration must be obtained prior the drilling of any new well. Also, the Temporary Rules focus on offsetting immediate and future impacts of new wells through minimum tract size and spacing requirements; those requirements are shown in Figure C.

Figure C – UTGCD Spacing Requirements (as of the June 27, 2018 GMA 8 Meeting)

Rule 4.3 Well Spacing Requirements

All (1) new wells drilled or completed in any aquifer in the District, and (2) all existing wells that are substantially altered, unless the maximum amount of water the altered existing well can actually produce as equipped is 17.36 gpm or less, shall observe the spacing and tract size requirements in the following table:

Maximum Allowed Well Production	Minimum Tract Size	Spacing from Other Well Sites	Spacing from Property Line
The maximum amount of water the well can actually produce as equipped in gallons per minute (gpm)	The minimum tract size that may be considered an appropriate size for a new well	The minimum distance, in feet, that a new well or proposed well site may be located from an existing registered well or approved well site	The minimum distance, in feet, that a new well or proposed well site may be located from the nearest property line of the tract of land on which it is to be located
17.36 gpm or less	Minimum Tract Size is 2 acres.	150 feet	50 feet
More than 17.36 gpm but less than 40 gpm		1,200 feet	100 feet
More than 40 gpm but less than 80 gpm		1,800 feet	200 feet
80 gpm or larger		2,400 feet	400 feet

Under the current Temporary Rules, the District requires that all owners of all wells determined to be "non-exempt" are required to meter, report annual use and pay the associated water use fee. Under these rules, the UTGCD currently exempts the following wells from these requirements:

- All wells, existing or new, of any size or capacity used solely for domestic use, livestock use, poultry use, or agricultural use;
- An existing well or new well that does not have the capacity, as equipped, to produce more than 25 gallons per minute and is used in whole or in part for commercial, industrial, municipal, manufacturing, or public water supply use, use for oil or gas or other hydrocarbon exploration or production, or any other purpose of use other than solely for domestic, livestock, poultry, or agricultural use, except as provided by Subsection (b) of this rule; or
- Leachate wells and monitoring wells.

There is no permitting system in place under the current Temporary Rules, however one of the primary reasons the UTGCD has been collecting the annual water use by these non-exempt wells is to develop the most appropriate permitting structure possible.

Rules – Proposed:

The UTGCD has spent the better part of the last decade in discussions regarding the development of permanent rules; and been working quite diligently throughout 2018 to complete that task by 2019. The permanent rules will likely maintain/modify the current metering and reporting requirements and the wells subject to those requirements and modify the current minimum tract size and spacing requirements. The primary change in the permanent rules will be the possible development a permitting system. Currently the primary regulatory option the UTGCD has identified for GW allocation that will

work in our area is a hybrid permitting system that protects existing/historic users and allows growth based upon surface acreage over the aquifers.

- Historic Use Permit
  - Applies to wells that are currently approved or in operation
  - Based on maximum historic use for well in a system
- Operating Permit
  - Applies to future wells
  - Based on allocation of GW related to surface acreage owned or controlled

In determining the amount of GW to allocate under a proposed operating permit, the UTGCD is considering the use of a special provision in the water code in which GCDs can give retail public utilities credit for the acreage in their CCN or political subdivision boundaries.

Management Plan:

The following is a summary of goals set forth in the UTGCD's Management Plan:

A) Providing the Most Efficient Use of Groundwater – 31TAC 356.52(a)(1)(A)/TWC §36.1071(a)(1)
   - Report statistics on new well registrations;
   - Report annual production from wells required to meter and report use.

B) Controlling and Preventing Waste of Groundwater – 31TAC 356.52(a)(1)(B)/ TWC §36.1071(a)(2))
   - Evaluate and potentially amend Rules to prevent the waste of GW;
   - Collect and report on water use fees imposed by the UTGCD to encourage the elimination and reduction of GW waste;
   - Provide information to the public, through the UTGCD's website, to aid in the elimination and reduction of GW wast.

C) Addressing Conjunctive Surface Water Management Issues – 31TAC 356.52 (a)(1)(D)/TWC §36.1071(a)(4)
   - Participate in the water planning process through attendance at a Region B, C or G Regional Water Planning Group Meeting to encourage the development of surface water supplies.

D) Addressing Drought Conditions – 31TAC 356.52 (a)(1)(F)/TWC §36.1071(a)(6)
   - Review and report drought conditions within the UTGCD using the Texas Water Development Board's Monthly Drought Conditions Presentation.

E) Addressing Conservation, Recharge Enhancement, Rainwater Harvesting, Precipitation Enhancement, or Brush Control, where Appropriate and Cost Effective – 31TAC 356.52 (a)(1)(G)/TWC §36.1071(a)(7)
   - Submit at least one article, annually, to a newspaper of general circulation within the UTGCD, regarding water conservation;
   - Submit at least one article, annually, to a newspaper of general circulation within the UTGCD, regarding rainwater harvesting;
   - Mail out at least one informative flier, to non-exempt well owners, regarding water conservation.

F) Addressing the Desired Future Conditions of the Groundwater Resources – 31TAC (a)(1)(H)/TWC §36.1071(a)(8)
   - Develop, carry out and report the findings of Groundwater Monitoring Program – currently the District measures water levels in approximately 150 wells on a minimum quarterly basis.