No. 2025-001

RESOLUTION DECLARING TEMPORARY SUSPENSION BY THE SAN PATRICIO COUNTY GROUNDWATER CONSERVATION DISTRICT ON PROCESSING AND PERMITTING NEW NON-EXEMPT DRILLING, OPERATING, AND TRANSPORT PERMIT APPLICATIONS, AND SOME APPLICATIONS TO AMEND NON-EXEMPT OPERATING AND TRANSPORT PERMITS

WHEREAS, the San Patricio County Groundwater Conservation District (the "District") was created pursuant to Section 59, Article 16 of the Texas Constitution and Chapter 36, Texas Water Code;

WHEREAS, the District was created by the Legislature to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater from the aquifers within the boundaries of the District;

WHEREAS, the District was also created to protect property rights, balance the conservation and development of groundwater to meet the needs of this State, and use the best available science in the conservation and development of groundwater through rules developed, adopted, and promulgated by the district;

WHEREAS, pursuant to rulemaking authority granted to the District in Tex. Water Code 36.101 and other legal authority, the District Board of Directors has adopted rules and orders designed to regulate the use of groundwater within the District's boundaries ("Rules"); and

WHEREAS, pursuant to Texas Water Code § 36.1071, the District is mandated to adopt a comprehensive management plan that includes the District's Desired Future Conditions ("DFCs") for the aquifers in the District and the Texas Water Development Board's ("TWDB") modeled available groundwater ("MAG") based on the DFCs;

WHEREAS, pursuant to Texas Water Code § 36.1071(f), the District must adopt rules necessary to implement its Management Plan's mission, goals, objectives, and performance standards;

WHEREAS, the Board seeks a reasonable timeframe to allow the District to (1) evaluate the District Rules and propose amendments to the District's Rules to implement the Management Plan; (2) implement legislative actions in the 88th and 89th Session of the Texas Legislature that impact the District, its rules, or its management plan; and (3) propose and publish amendments to the District Rules;

WHEREAS, until the District's rules are updated, the District Board finds that caution should be exercised with respect to new groundwater wells drilled or groundwater authorized to be produced within the District;

NOW, THEREFORE, BE IT RESOLVED that, effective immediately upon adoption of this resolution until resolution of this matter by the Board, and, to fulfill its obligations to manage groundwater withdrawals in the District, the District Board of Directors hereby:

(1) directs the District, through the general manager, to cease all activities related to accepting applications for any new non-exempt drilling, operating, or transport permits, and any amendments to increase non-exempt operating or transport permits ("Prohibited Applications"); and

(2) directs the District, through the general manager, to continue to accept, review, and process pending administratively complete applications of any type already received by the District and accept, review, and process exempt well registrations, non-exempt operating permit renewals, non-exempt transport permit renewals, amendments to non-exempt permits that do not increase the authorized groundwater production amount, permit ownership transfers, and replacement wells so long as each request does not increase authorized production ("Exceptions");

(3) directs the general manager to update the Board regarding the processing of any Exceptions, as defined herein, and any TWDB and legislative updates regarding the District; and

(4) the District Board of Directors intends that the suspension of processing Prohibited Applications only applies to the applications received on or after the effective date of this resolution and will not affect administratively complete applications currently pending before the District; and

(5) directs the general manager to lift the suspension of processing administratively complete applications as of the date the District Board of Directors finally approves amendments to the District Rules.

PASSED, APPROVED, AND EFFECTIVE on December 12, 2025.

Charles Ring, President

ATTEST:

Clarence C Chapelas

Matt Setliff, Secretary/Treasurer