

**LIPAN-KICKAPOO
WATER CONSERVATION DISTRICT**

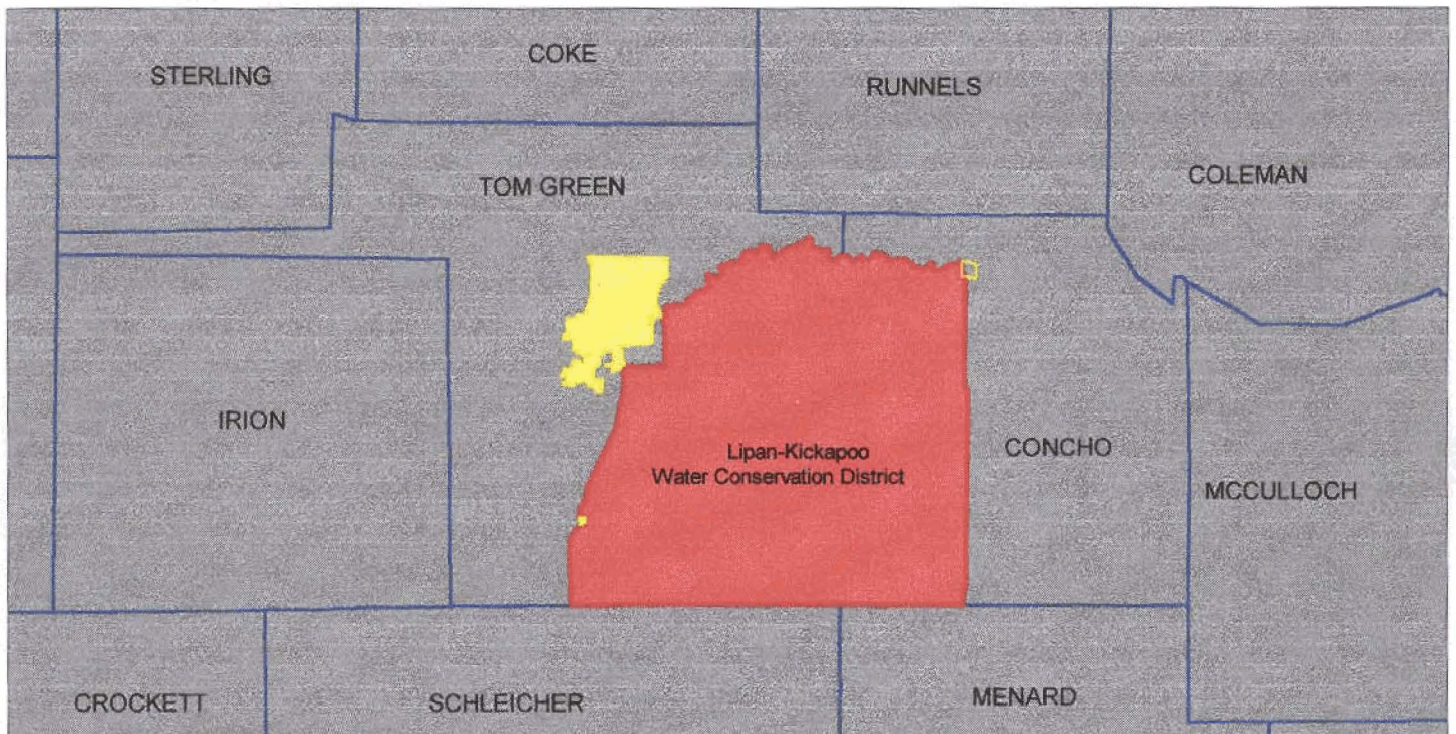
MANAGEMENT PLAN

1998-2008

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Adopted: April 1, 1998

LIPAN-KICKAPOO WATER CONSERVATION DISTRICT



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DISTRICT MISSION

The Lipan-Kickapoo Water Conservation District strives to bring about conservation, preservation, and the efficient, beneficial and wise use of water for the benefit of the citizens and economy of the District through monitoring and protecting the quality of the groundwater.

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

Hickory UWCD # 1

Plateau UWC & SD

Sutton County UWCD

Emerald UWCD

Irion County WCD

Santa Rita UWCD

Glasscock County UWCD

Lipan-Kickapoo WCD

Sterling 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 replaces the existing 10-year management plan adopted by the Board of Directors on January 2, 1989. This new plan remains in effect until a revised plan is certified or September 1, 2008, which ever is earlier.

STATEMENT OF GUIDING PRINCIPLES

The primary concern of the residents of this area of the State regarding groundwater is the potential contamination of the groundwater from leaking oil and gas wells. For this reason, the residents petitioned former Senator Bill Sims to introduce legislation to create this groundwater conservation district. The district recognizes that the groundwater resources of this region are of vital importance to the residents and that this resource must be managed and protected from contamination. The

greatest threat to prevent the district from achieving the stated mission is from State mandates and agency bureaucrats who have no 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 plan 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 Lipan-Kickapoo Water Conservation District was created by Acts of the 70th Legislature (1987). In November 1987, the residents confirmed the district and also voted to fund the district operations through local property taxes. It became an active district on November 1, 1988. On January 2, 1989, the district adopted a 10-year Management Plan and in February 1989 adopted Rules and By-Laws which became effective March 6, 1989. With the adoption of these rules, the district implemented a well permitting and registration program. Since the implementation of these programs, the District has issued over 850 drilling permits and registered over 2,850 wells. The current members of the Board of Directors were the original temporary Board members. They are: A.H.(Chico) Denis, III-President, F.G. Brown-Vice President, Michael Hoelscher-Secretary, Joe C. Brosig, II-member, Greg Phinney-Member, James Ripple-Member, and Harvey Williams-member. The District General Manager is Allan J. Lange. The Lipan-Kickapoo WCD covers an area of southeast Tom Green County and southwest Concho County. The District's economy is based primarily on agriculture with some oil and gas production. The agricultural income is derived primarily from cotton, grain sorghum, wheat, corn, alfalfa as well as sheep, goats, and beef cattle production. Income is also obtained from cattle and sheep feedlots and dairies. Recreational hunting leases also contribute to the income of the area.

Location and Extent

The Lipan-Kickapoo WCD has an areal extent of approximately 905 square miles or approximately 579,200 acres of land and is located in the heart of the State of Texas. The USGS geographic heart of Texas monument is located within the District and is approximately 13 miles southeast of Vancourt, Texas. Generally, the boundaries of the water district are: North Boundary - the Concho River from Loop 306 at San Angelo in Tom Green County to Paint Rock in Concho County; East Boundary - imaginary line south from the Concho River on west side of Paint Rock to FM Highway 176 (5 miles west of Eden) to the Menard County line; South Boundary - West along the Menard - Schleicher County lines to Highway 277 north; West Boundary - north along Highway 277 to Loop 306 south of San Angelo, east on South Loop 306 and then north on Loop 306 to the Concho River (Fig.1). There are no major municipalities within the District Boundaries. The largest city in Tom Green County is San Angelo with a population of approximately 90,000 people. It is located northwest of the District. Other towns adjacent to the District are: Christoval on Highway 277 just north of

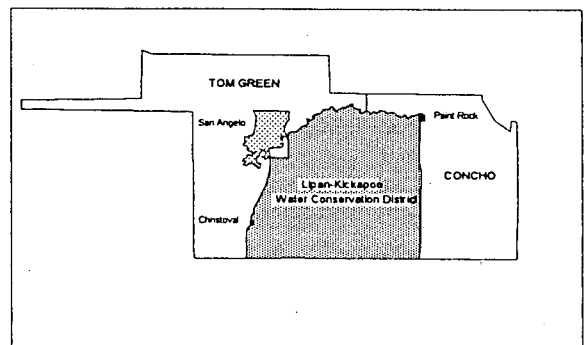


Figure 1. Location of Lipan-Kickapoo WCD.

Schleicher County, Paint Rock at the juncture of the Concho River and US Highway 83, and Eden 5 miles east of the District at the juncture of US Highway 83 and US Highway 87. There are 7 small communities within the District: Vancourt, Wall, Veribest, Mereta, Eola, Vick, and Live Oak. Land use in the District is for agricultural purposes of which 285,000 acres is crop or farm land, 7500 acres is improved pasture, and the balance of 286,700 acres is range land. The cropland is located primarily in the northern half of the District over the Lipan aquifer while the range land is in the southern half of the District over the Edwards-Trinity aquifer. Irrigation covers approximately 48,000 acres of the District's crop land. The principle method of irrigation has been furrow irrigation. However, within the last 4 to 5 years there has been a large scale change to more highly efficient pivot and drip irrigation. There are an estimated 200 + pivot systems currently operating within the District with new systems being installed.

Topography and Drainage

The District is within what is known as the Concho Valley of Texas. Topographically, the district consists of the Lipan Flats on the west side of the District and southeast of the city of San Angelo to rolling plains on the east side of the district in Concho County. The altitude of the land surface ranges from 1610 feet above mean sea level at the Concho River near Paint Rock in Concho County to 2481 feet above mean sea level south of Susan Peak in Southern Tom Green County.

The Lipan-Kickapoo WCD lies within the Colorado River Basin. The Concho River is a tributary of the Colorado River and is the northern boundary of the District. There are six primary creeks that provide additional drainage to the area: Lipan Creek, Kickapoo Creek, Dry Hollow Creek, Pecan Creek, Snake Creek, and Frog Pond Creek.

Groundwater Resources

The Lipan aquifer is located in the Lipan Flats of eastern Tom Green, western Concho, and southern Runnels counties (Fig. 2). Water from the aquifer is principally used for irrigation, with limited amounts used for rural domestic and livestock needs.

The aquifer is comprised of up to 125 feet of saturated alluvial deposits of the Leona formation of Quaternary age. Although the aquifer is located in three counties, water is found only sporadically throughout the aquifer. Also included in the Lipan aquifer are the updip portions of the underlying Choza Formation and Bullwagon Dolomite of Permian age that are hydrologically continuous with the Leona Formation.

Ground water naturally discharges from the Lipan aquifer both by seepage to the Concho

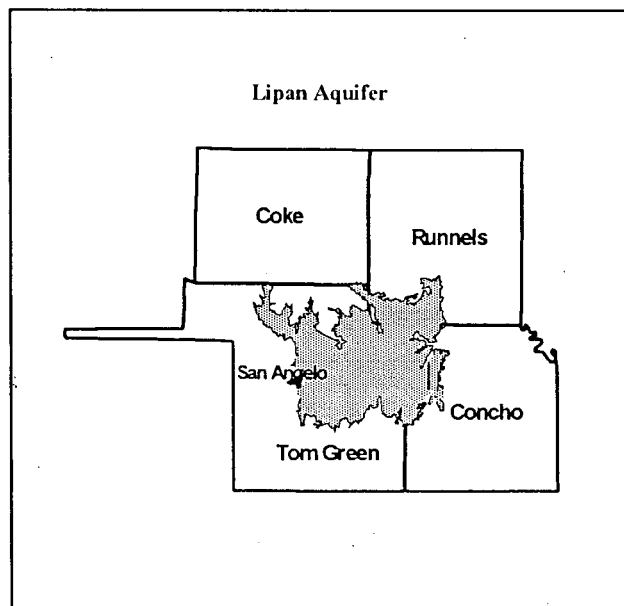


Figure 2. Location of Lipan Aquifer (Ashworth and Hopkins, 1995).

River and by evapotranspiration. This evapotranspiration occurs in areas where the water table is at or near the land surface. It is common for well yields to range from 50 gal/min to more than 500 gal/min.

The water quality in the Leona Formation ranges from fresh to slightly saline and is very hard. Water in the underlying updip portions of the Choza and Bullwagon Formations tends to be slightly saline. The overall quality of the water within the Lipan aquifer generally does not meet drinking water standards. However, in most areas it is suitable for irrigation.

The Edwards-Trinity (Plateau) aquifer is a minor source of groundwater in the southern half of the District and is used primarily for livestock and domestic needs, with limited amounts used for irrigation. This aquifer consists of saturated sediments of lower Cretaceous age Trinity Group formations and overlying limestones and dolomite of the Comanche Peak, Edwards, and Georgetown formations. The Glen Rose Limestone is the primary unit of the Trinity in the in the southern part of the plateau and is replaced by the Antlers Sand north of the Glen Rose pinch out.

Chemical quality of 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 salinity of the groundwater tends to increase toward the west. Certain areas have unacceptable levels of fluoride.

For planning purposes, the District, wherever possible, will use local data of existing conditions and will use data from the Texas Water Development Board as a reference source. The primary reference source is the TWDB's data for Groundwater Availabilities as well as estimates of recharge and availability rates. These data sets describe the saturated thickness and yield, which the product describes as water in storage. When combined with recharge and production values, these estimates can be used to derive goals for future estimates of available groundwater. Data from the TWDB indicate that annual recharge to the Lipan aquifer is 16,000 acre-feet per year. Historically the aquifer is pumped each year until water is no longer available. Therefore, the estimated recoverable volume of water in storage from the Lipan aquifer is the annual recharge. The Edwards-Trinity (Plateau) aquifer underlies the southern half of the District and provides, at best, water for livestock and limited domestic use. It is estimated that there is 26,734 acre-feet of recoverable water in storage in the Edwards-Trinity (Plateau) aquifer. According to the TWDB data, the annual recharge for the Edwards-Trinity (Plateau) aquifer is also estimated to be 26,734 acre-feet. Out of the estimated 26,734 acre-feet of annual recharge and recoverable water in storage in the Edwards-Trinity (Plateau) aquifer as indicated by the TWDB data, only about 450 acre-feet is actually available for recovery. All these numbers become suspect since more groundwater is already being used within the District than indicated by the data from the TWDB for the entire Concho and Tom Green counties. Therefore, the District will rely on current local data to estimate the recoverable volume and annual recharge of the aquifers.

As previously stated, the aquifers are pumped each year until water is no longer available. When the aquifers are filled to capacity, the wells will supply 72,000 to 96,000 acre-feet of recoverable water. This is based on data from District pump and pivot evaluations and annual NRCS and TWDB irrigation surveys that indicate irrigators apply from 1.5 to 2 acre-feet per acre annually. Multiplying the total 48,000 irrigated acres within the District by 1.5 acre-feet indicates that approximately 72,000

acre-feet of recoverable water can be pumped within the District during average recharge years. And multiplying the irrigated acres by 2 acre-feet indicates that approximately 96,000 acre-feet of recoverable water can be pumped within the District during optimal recharge years. During an average year, irrigators have enough recoverable groundwater to apply 1.5 acre-foot per acre. Therefore, the average annual recharge of the Lipan and other undifferentiated aquifers is estimated to be 72,000 acre-feet. Since the majority of the irrigation wells are pumping from the Lipan and other undifferentiated aquifers, the estimated recoverable volume of water in storage from these aquifers is the annual recharge. There are no wells pumping large volumes of water within the District. New wells being drilled in the Lipan aquifer are reducing the amount of water being pumped by existing wells. Well owners are being forced to down-size their pumps to cope with this situation. This indicates that 96,000 acre-feet is the maximum storage capacity of the aquifers within the District. It also reveals that the groundwater underlies a large area and that the residents of the District effectively deplete the aquifers each year based on the amount of annual recharge, eg. if the recharge is 25,000 acre-feet in a given year, then 25,000 acre-feet is pumped; if the recharge is 72,000 acre-feet in a given year, then 72,000 acre-feet is pumped. Groundwater within the District is not available for any other purpose other than supplemental irrigation and livestock and domestic use. This is a result of the scarcity of large pumping capacities, the annual depletion of the aquifers, and the poor quality of the water.

There is no surplus surface water in the district available for artificial recharge of the aquifers. However, research performed at Texas A & M indicates that brush control would save rain water for desirable plants and increase the amount of percolation of excess water through the soil by 1 to 2 %. In an average rainfall year, approximately 6,450 acre feet of water saved through brush control could eventually percolate through the soil as part of the natural recharge of the aquifers. This additional water would be available for use by the residents of the District. However, due to the high cost of brush control and the limited amount of rainfall in this area, further research has to be completed to determine the cost effectiveness and feasibility of this enhancement to the natural recharge of the aquifers.

Surface Water Resources

All surface impoundments with the exception of five are used to supply water for livestock consumption. These five small impoundments catch flood waters and are used for irrigation purposes. They are located on Lipan creek and Dry Hollow creek. The landowners have permits from the TNRCC to pump up to a total of 526 acre feet per year if the water is available. The Lipan-Kickapoo WCD has no jurisdiction over surface water nor does the district have any obligation or the jurisdiction to supply groundwater to these surface permit holders. Under section 14(k) of the District's enabling legislation "*the district may not enter into any contract or engage in any action to supply underground water or surface water inside or outside the district.*" There are no surface water management entities with surface water storage located within the District.

Projected Water Supplies

Historically the Lipan aquifer is pumped each year until water is no longer available. Since the aquifer recharges rapidly after significant rainfall on the recharge area, the estimated recharge rate will be used in this plan as the projected water supply.

Groundwater Use

Based on available Texas Water Development Board data, during the last five years ending in 1995, annual groundwater usage in the District has varied from a low of 11,197 acre-feet to a high of 58,604 acre-feet. The annual estimated usage within the District for the 5 years is as follows:

1995	58,604 acre-feet per year
1994	46,340 acre-feet per year
1993	52,191 acre-feet per year
1992	11,197 acre-feet per year
1991	16,524 acre-feet per year

These data were obtained from the Texas Water Development Board's annual survey of estimated irrigation use program.

Projected Demands for Water

The TWDB published projected groundwater needs in their planning document "Water for Texas Today and Tomorrow, 1997. This management planning document is based upon the estimates contained in that document and related files of the Texas Water Development Board and will be used until alternatives are generated. The TWDB has projected that the total water demands for the Lipan-Kickapoo WCD will be 21,270 acre-feet per year by 2010. This estimate is based on the following projections and statistics. Irrigation demand is estimated to be 20,836 acre-feet per year, domestic and livestock demands are 434 acre-feet per year. However, based on historical and current usage, the District estimates that the irrigation demand will remain at 96,000 acre-feet per acre per year and the domestic and livestock demands will be 450 acre-feet per year.

Potential Demand and Supply Issues and Solutions

Based on supply and demand calculations and projections it is obvious that there will be times that demands exceed supply. In this area of the State and with the type of aquifer that serves the area, this is a normal occurrence that is recognized by the local residents.

The supply and demand totals for 2010 are as follows:

Projected Supplies	TWDB	L-K WCD
Groundwater from Lipan aquifer	12,000 acre-feet per year	72,000 acre-feet per year
Groundwater from Edwards-Trinity (Plateau) aquifer	4,505 acre-feet per year	450 acre-feet per year
Total Projected Supply	16,505 acre-feet per year	72,450 acre-feet per year
Total Projected Demand	21,270 acre-feet per year	96,450 acre-feet per year
Balance (Shortage)	(4,765) acre-feet per year	(24,000) acre-feet per year

Data supplied by the Texas Water Development Board was used to calculate the projected water supply and demand for water in the district as listed in the TWDB column above and the District does not express an opinion as to the accuracy of the information. The data listed in the L-K WCD column are estimates based on current local field data available from the NRCS.

The residents of the District understand that groundwater supplies are limited and have modified farming and ranching techniques to match the availability of water. There are approximately 200 highly efficient pivot irrigation systems now operating in the District with new ones being installed every day. Hundreds of acres of highly efficient drip irrigation have also been installed. Efforts are being made by the residents of the District to use the available groundwater resources with maximum efficiency, while monitoring the quality of the groundwater to protect this resource for the years to come.

Management of Groundwater Supplies

For the last 10 years, the District has and will continue to 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, public and private. In consideration of the economic and cultural activities occurring within the District, the District will continue to identify and engage in such activities and practices, that if implemented, would result in preservation and protection of the groundwater. The District will continue to make a regular assessment of groundwater supply and storage conditions and make them available to the public.

The District has, or will amend as necessary, rules to regulate groundwater withdrawals by means of spacing and/or production limits. The relevant factors to be considered in making the determination to grant a permit or limit groundwater withdrawals, will include:

1. The purpose of the District and its rules;
2. The equitable conservation and preservation of the resource; and
3. The economic hardship resulting from granting or denying a permit or the terms prescribed by the rules.

In pursuit of the District's mission of preserving and protecting the resource, the District will enforce the terms and conditions of permits and the rules of the District, by either setting reasonable civil penalties for breach of any rule of the District that shall not exceed the jurisdiction of a justice court as provided by Section 27.031, Government Code or enforcement of the rules by injunction, mandatory injunction, or other appropriate remedy in a court of competent jurisdiction or both.

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 activities. All operations of the District will be consistent with the provisions of this plan.

The District has adopted rules which have been in force since 1989 and will amend, as necessary, rules relating to the implementation of this plan. Rules adopted or amended 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.

The District shall treat all citizens with equality. Citizens may apply to the District for discretion in enforcement of the rules on grounds of adverse economic effect or unique local characteristics. In granting of discretion to any rule, the Board shall consider the potential for adverse effect on adjacent owners and aquifer conditions. The exercise of said discretion by the Board shall not be construed as limiting the power of the Board.

The methodology that the District will use to trace its progress on an annual basis, in achieving all of its management goals will be 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 for the previous fiscal year, during the first meeting of each new 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.

GOALS, MANAGEMENT OBJECTIVES and PERFORMANCE STANDARDS

Goal

1.0 Provide for the Efficient Use of Groundwater Within the District.

Management Objective

1.1 Each year the District will perform pivot irrigation flow tests to help the irrigators determine the amount of water being applied with each application.

Performance Standards

1.1a - Perform pivot irrigation flow tests on at least 1 pivot within the District.

1.1b - Annual report to the Board of Directors on the number of pivots tested.

Goal

2.0 Control and Prevent the Waste* of Groundwater.

Management Objective

2.1 Each year, identify wasteful practices within the District.

Performance Standards

2.1a - District will investigate any identified wasteful practices within 2 working days of identification.

2.1b - Annual report to Board of Directors listing all of the wasteful practices identified.

SB-1 MANAGEMENT GOALS DETERMINED NOT-APPLICABLE

Goal

3.0 Control and prevention of subsidence.

The rigid geologic framework of the region precludes significant subsidence from occurring. This management goal is not applicable to the operations of the District.

Goal

4.0 Conjunctive surface management issues.

All surface impoundments located in the District with the exception of five are used to supply water for livestock consumption. These five small impoundments are located on creeks and are used for irrigation purposes. The landowners have permits from the TNRCC to pump a total of 526 acre feet per year if the water is available. The Lipan-Kickapoo WCD has no jurisdiction over surface water nor does the district have any obligation or the jurisdiction to supply groundwater to these surface permit holders. Under section 14(k) of the District's enabling legislation "*the district may not enter into any contract or engage in any action to supply underground water or surface water inside or outside the district.*" There are no surface water management entities with surface water storage located within the District. The groundwater within the district is used primarily for irrigated agriculture and domestic and livestock needs. This management goal is not applicable to the operations of the District.

Goal

5.0 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 management 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 Lipan-Kickapoo Water Conservation District.

"District" - the Lipan-Kickapoo 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 groundwater from a groundwater reservoir at a rate and in an amount that causes 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 if the water produced is not used for a beneficial purpose;
- (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.

Rules and By-Laws
of
LIPAN-KICKAPOO
WATER CONSERVATION DISTRICT

>> 1989 <<

P.O. BOX 67
VANCOURT, TEXAS 76955

Effective: March 6, 1989

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**RULES OF THE LIPAN-KICKAPOO
WATER CONSERVATION DISTRICT**

The Rules of the Lipan-Kickapoo Water Conservation District and as amended are hereby published as of the 19th day of February, 1989.

In accordance with Section 59 of Article XVI of the Texas Constitution and with Acts of the 70th Legislature (1987), p.2010; Ch. 439, S.B. 1525 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 the 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 water laws of the State and the rules of the 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 1 – 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) An "Authorized Well Site" shall be:
 - (1) The location of a proposed well on an application duly filed with the District 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.)

- (c) The **"Board"** shall mean the Board of Directors of the Lipan-Kickapoo Water Conservation District, consisting of seven (7) duly elected members.
- (d) **"Capping"** shall mean equipping a well with a suitable device that will prevent the entrance of surface pollutants into the well.
- (e) **"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.
- (f) **"Cement"** shall mean a neat Portland of 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 betonite, gypsum, or other additives; the well driller will adhere to the manufacturer's recommended water content for the mix.
- (g) **"Completion"** shall mean sealing off the access of undesirable water to the well bore by proper casing and/or cementing procedures.
- (h) **"District"** shall mean the Lipan-Kickapoo Water Conservation District, maintaining its principle office in Vancourt, 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 Vancourt, Texas.
- (i) **"Exempt Well"** shall mean and include any artificial excavation constructed to produce or which produces less than 25,000 gallons of water per day or 17.36 gallons per minute. For all purposes herein, an "Exempt Well" as defined herein shall be exempt from permitting requirements created hereunder, but shall not be exempt from registration/validation requirements created hereunder.
- (j) **"Mud"** shall mean a relatively homogeneous, relatively viscous fluid produced by the suspension of clay-size particles in water.
- (k) **"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 ten (10) feet deep, nor more than six (6) feet in diameter.
- (l) **"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.

- (m) **"Person"** shall mean any individual, partnership, firm, or corporation.
- (n) **"Plugging"** shall mean an absolute sealing of the well bore.
- (o) **"Pollution"** shall mean the alteration or 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 property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.
- (p) **"Undesirable Water"** shall mean water that is injurious to vegetation, to land, or to fresh water, or water that can cause pollution.
- (q) the word **"Waste"** as used herein shall have the same meaning as defined by the Legislature, as follows:
 - (1) Withdrawal of underground water from an underground water reservoir at a rate and in an amount that causes or threatens to cause the intrusion into the reservoir of water unsuitable for agricultural, gardening, domestic, or stock raising purposes;
 - (2) The flowing or producing of wells from an underground water reservoir if the water produced is not used for a beneficial purpose;
 - (3) The escape of underground water from an underground water reservoir to any other reservoir that does not contain underground water;
 - (4) The pollution or harmful alteration of underground water in an underground water reservoir of the District by salt water or other deleterious matter admitted from another stratum or from the surface of the ground;
 - (5) Willfully or negligently causing, suffering, or permitting underground water 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; or
 - (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.
- (r) **"Water"** shall mean underground water.
- (s) The term **"Well"** or **"Water Well"** shall mean and include any artificial excavation constructed to

produce underground water.

- (t) "Well Log" shall mean a log accurately kept, on forms prescribed by the Water Well Driller's 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 Driller's Board of Texas or of this Board.

RULE 2 --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 1 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 (q), Rule 1 of the Rules of the Lipan-Kickapoo Water Conservation District.

RULE 3 -- WELL REGISTRATION

Application for Registration is required for all existing and future wells in the District and shall be filed with the District on a form and in the manner required by the District. Registration includes all wells:

- (a) that produce less than 25,000 gallons of water per day;
- (b) that produce or will produce water from the well to be used to supply the domestic needs of ten or fewer households and person who is a member of each household is either the owner of the well or a person related to the owner or member of the owner's household within the second degree by consanguinity, or an employee of the owner;
- (c) that produce or will produce water from the well to use or to be used to provide water for the feeding of livestock and poultry connected with farming, ranching, or dairy enterprises;

- (d) that supply water for hydrocarbon production activities, regardless of whether those wells are producing, that are associated with any well permitted by the Railroad Commission of Texas drilled before the effective date of S.B. 1525, Acts of the 70th Legislature, Regular Session 1987; or
- (e) that produce or will produce water used for domestic use;
- (f) that produce or will produce water used for Industrial and/or Manufacturing purposes;
- (g) that produce or will produce water used for commercial and/or municipal purposes;
- (h) that produce or will produce water for all other uses.

RULE 4 -- 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 Subsection 170 of Chapter 52, Texas Water Code (being generally wells used for the production of oil, gas, or other minerals and water wells used in conjunction therewith).

RULE 5 -- 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 forms 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 forms and log of the well nor the permit marked "Abandoned" is returned to said District within **three (3) 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 form and log or permit has not been returned or is not returned to the District with which the deposit was made within three (3) months from the approval date of the permit.

RULE 6 -- 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 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 of the owners thereof.
- (6) An agreement by the applicant that a completed well registration form 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 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 7 -- 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 the 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 11 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 8 – 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 three hundred thirty (330') feet from the nearest existing well nor closer than fifty (50') feet to the property line, provided that the Board, in order to prevent waste or to prevent confiscation of property, may grant exceptions to permit drilling within shorter distances than those above described 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 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) (i) 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 this District, no subdivision of property made subsequent to the adoption of the original spacing rule will be considered 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.

(ii) 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, (a) segregated from a larger tract in contemplation of water resource development, or (b) segregated by fee title conveyance from a larger tract after the spacing rule became effective and the voluntary subdivision rule attached.

(iii) 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 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.

(iv) 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 survey section (hereinafter 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 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 3 gallons per acre per minute**. In this event the landowner shall be permitted to drill additional water wells on said lands until the 3 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 9 -- 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 thereof 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 equaling six hundred (600) feet. 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 after a 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 10 -- PLACE OF DRILLING OF WELL

After an application for a well permit has been granted, the well, if drilled, must be drilled within **ten (10) 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 11 -- REWORKING OR REPLACING OF WELL

- (a) No person shall rework, redrill, or reequip a well in a manner that would increase the maximum rate of production of such well as established by Rule 7 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 by 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 8; otherwise the replacement well shall be considered to be a new well for which application must be made under Rule 6 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 **90 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 90 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, reequip, 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.)
 - (c) In the event that application meets all spacing requirements, the Board may grant such application without further notice.

RULE 12-TIME DURING WHICH A PERMIT SHALL REMAIN VALID

Any permit granted hereunder shall be valid if the work permitted shall have been completed within **two (2) 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 **two (2) months** if an application for such extension shall have been made to the District during the first two (2) month 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 13 -- CHANGED CONDITIONS

The decision of the Board on any matter contained herein may be reconsidered by it of its own motion or upon motion showing changed conditions, or upon the discovery of new and different conditions or facts after the hearing or decision of 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 14 -- 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 the lands 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 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 enforcement of the rules and regulations of the District. The operation of any well may be enjoined by the Board immediately upon refusal to permit the gathering of information as above provided from such well.

RULE 15 -- 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 **\$500** 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 as amended. 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 16 -- FINAL ORDERS OF THE BOARD

The orders of the Board in any non-contested application of 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 19 hereof.

RULE 17 -- 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 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 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 18 -- 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 (5) days before the hearing date.
- (b) **PROTEST REQUIREMENTS:** Protests shall be submitted in writing with a duplicate copy to the opposite 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 interveners,

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 interveners so appear and offer testimony of 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) 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 19 -- GENERAL RULES OF PROCEDURE FOR HEARING

- (a) **HEARINGS:** Hearings will be conducted in such a 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 proceedings.
- (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 20 -- 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 Vancourt, Texas. 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, canceled, 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 at any such hearing will be conducted in accordance with these rules of procedures and practice.

RULE 21 -- WELL VALIDATION

In order to provide for the validation of existing water wells that are subject to the rules and regulations of the Lipan-Kickapoo Water Conservation District (hereinafter referred to as the District), it shall be the policy of this Board that a certificate 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 the District personnel, and/or designated agents acting for said District.

It is the privilege of this Board to cause to be issued a validation certification 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.

RULE 22 -- TRANSPORTATION OF WATER FROM THE DISTRICT

I. Every person must obtain a permit from the District for the transporting of water by pipeline, channel, ditch, watercourse or other natural or artificial facilities, or any combination of such facilities, if such water is produced from wells located or to be located within the District, and of all or part of such water is used or is intended for use outside of the boundaries of the District. However, the requirement for a permit hereunder shall not apply to any well currently in operation located within the District prior to the effective date of this Rule provided that amount of water transported from such well annually shall not exceed the greatest amount of water transported in any one of the previous three (3) calendar years.

- (a) The permit provided for herein must be applied for and filed with the District in the form or forms promulgated by the District hereunder and such permit must be obtained from the District prior to the proposed transporting of water, all in accordance with the provisions of this rule.
- (b) An application for the transportation of water for which a permit is required under this Rule must:
 - (1) be in writing and sworn to;
 - (2) contain the name, post office address and place of residence or principal office of the applicant;
 - (3) identify the location of the well from which the water to be transported is produced or to be produced;
 - (4) describe specifically the proposed transportation facilities;
 - (5) state the nature and purposes of the proposed use and the amount of water to be used for each purpose;

- (6) state the time within which the proposed construction or alteration is to begin;
 - (7) state the length of time required for the proposed use of the water;
 - (8) provide information showing the effect of the proposed transportation on the quantity and quality of water available within the District;
 - (9) identify any other possible sources which could be used for the stated purposes, including quality and quantity of such alternate sources;
 - (10) identify any other liquids that could be substituted for the fresh ground water and possible sources of such liquid including quantity and quality.
- (c) The application must be accompanied by a map or plat drawn on a scale not less than one inch equals 4,000 feet, showing substantially:
 - (1) the location of the existing or proposed well; and
 - (2) the location of the existing or proposed water transporting facilities; and
 - (3) the location of the proposed or increased use or uses.
 - (d) The application must be accompanied by an application fee in the amount of **\$50.00**.
 - (e) The District shall determine whether the application, maps, and other materials comply with the requirements of this Act. The District may require amendment of the application, maps, or other materials to achieve necessary compliance.
 - (f) The District shall conduct a hearing on each application within ninety (90) days of the filing of the complete application.
 - (g) The District shall give notice of the hearing on the application as prescribed by this Rule, stating:
 - (1) the name and address of the applicant;
 - (2) the date the application was filed;
 - (3) the location and purpose of the well from which the water to be transported is produced or to be produced;
 - (4) the time and place of the hearing; and
 - (5) any additional information the District considers necessary.
 - (h) At the time and place stated in the notice, the District shall hold a hearing on the application.

The hearing may be held in conjunction with any regular or special meeting of the District, or a special meeting may be called for the purpose of holding a hearing. Any person may appear at the hearing, in person or by attorney, or may enter his appearance in writing. Any person who appears may present evidence, orally or by affidavit, in support or in opposition to the issuance of the permit, and it may hear arguments.

- (i) After the hearing, the District shall make a written decision granting or denying the application. The application may be granted in whole or in part. Any decision to grant a permit, in whole or in part, shall require a majority vote of Directors present.
- (j) Such application shall not be approved unless the Board of Directors finds and determines that the transporting of water for use outside the District applied for will not substantially affect the quantity and quality of water available to any person or property within the District; that all other feasible sources of water available to the person requesting a permit have been developed and used to the fullest; that no other liquid could be feasibly substituted for the fresh ground water; and that the proposed use, of any part of the proposed use, will not constitute waste as defined under the laws of the State of Texas. In evaluating the application, the District shall consider the quantity of water proposed to be transported; the term for which the transporting is requested; the safety of the proposed transportation facilities with respect to the contamination of the aquifer; the nature of the proposed use; the effect of the proposed use of the water to be transported on District residents taking into account all beneficial use of District residents, including municipal, agricultural, industrial, recreational and other categories; and such or the factors as are consistent with the purposes of the District.
- (k) On approval of an application, the District shall issue a permit to the applicant. The applicant's right to transport shall be limited to the extent and purposes stated in the permit. A permit shall not be transferable except as provided in Paragraph (O).
- (l) The permit shall be in writing and attested by the seal of the District and is shall contain substantially the following information:
 - (1) the name of the person to whom the permit is issued;
 - (2) the date the permit is issued;

- (3) the term for which the permit is issued;
 - (4) the date the original application was filed;
 - (5) the destination and use or purpose for which the water is to be transported;
 - (6) the maximum quantity of water to be transported annually;
 - (7) the time within which construction or work on the well transportation facilities must begin and the time within which it must be completed; and
 - (8) any other information the District prescribed.
- (m) The permittee shall file with the District quarterly reports describing the amount of water transported and used for the permitted purpose. Such report shall be filed on the appropriate form of forms provided by the District within ten (10) days of March 31, June 30, September 30, and December 31 following the commencement of transporting of water, and within ten (10) days of each such quarterly date thereafter.
- (n) All transporting facilities for wells subject to the requirements of this subsection shall be equipped with flow monitoring devices approved by the District and available to be available for District inspection at any time.
- (o) A permittee may apply for an extension of any permit granted under this subsection or for transfer of a permit to another person. The District shall consider and grant or deny such application for extension or transfer of a permit in the same manner as is provided herein for the application for a permit.
- (p) Any permit granted under this subsection shall be subject to revocation for nonuse or waste by the permittee, or for substantial deviation from the purposes or other terms stated in the permit. Revocation of a permit for nonuse shall require that no water is transported under the permit for a period of five (5) years.

II. Any person transporting water produced from wells located within the District for use outside of the District, regardless of the amount of water so transported, must register such transporting with the District. Such registration shall be made within one hundred eighty (180) days after the effective date of this Rule.

- (1) Any person subject to the requirements of the Subsection (II) shall file with the District quarterly reports describing the amount of water transported, the destination and use of such water. Such

report shall be filed on the appropriate form or forms provided by the District within ten (10) days of March 31, June 30, September 30, and December 31 following the commencement of transporting of water and within ten (10) days of each such quarterly date thereafter.

- (2) All transporting facilities for wells subject to the requirements of this Subsection shall be equipped with flow monitoring devices approved by the District and available for District inspection at any time.

RULE 23-WELL DRILLING, COMPLETION, CAPPING AND PLUGGING

(a) Responsibility:

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 of wells.

(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 water-tight 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 the known flood level.

(c) Standards of Completion For Domestic, Industrial, Injection, and Irrigation Wells.

Domestic, industrial, injection, and 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 the 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 (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.

(i) The slab or block shall extend at least **two (2) 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.

(ii) The surface of the slab shall be sloped to drain away from the well.

(iii) 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:

(i) The casing shall extend a minimum of one foot above the original ground surface; and

(ii) A slab or block as described in Paragraph (2)(i) is required above the cement slurry except when a pitless adapter is used. 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.

(4) 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.

(5) 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 well driller or owner

shall see that the well drilled, deepened or otherwise altered is forthwith completed in accordance with the following:

- (i) When undesirable water is encountered in a well, the undesirable water shall be sealed off and confined to the zone(s) of origin.
 - (ii) When undesirable water is encountered in a zone overlaying fresh water, the well shall be cased from the top of the fresh water zone to the land surface.
 - (iii) The annular space between the casing and the wall of the borehole shall be cemented to the land surface.
 - (iv) When undesirable water is encountered in a zone underlying a fresh water zone, the part of the well bore 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 containing undesirable water shall, within **30 days** after completing the well, submit a well completion report to the District Manager, on forms supplied by the District.

(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 of 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 the 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 a 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 the land surface to a depth of not less than 10 feet. If a well is plugged under this subsection, prior approval of the plugging procedure must be obtained from the District.

RULE 24 – 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 the well drilled, deepened, or otherwise altered, on forms supplied by the District Manager, a statement signed by the well driller indicating that the land-owner 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 that such water was found.
- (c) The statement indicated in subsection (2) of this Rule must be submitted within **10 days** after encountering undesirable water.

REPEAL OF PRIOR REGULATIONS

All of the previous rules and regulations of the District have been revised and amended; and except 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 judgment 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.

LIPAN-KICKAPOO WATER CONSERVATION DISTRICT

A. H. DENIS, III, *President*

Board of Directors

Attest:

Michael Hoelscher

Secretary

**BY-LAWS AND RULES
OF THE
LIPAN-KICKAPOO
WATER CONSERVATION DISTRICT**

In accordance with the Legislative Act, S.B. 1525, Article XVI, Section 59, of the Texas Constitution and Chapters 51 and 52 of the Texas Water Code, Vernon's Civil Statutes of Texas, the following on the 15th day of March, 1989, were ratified and adopted. These are guides to be used with discretion and were adopted for the purpose of simplifying procedures and facilitating the administration of the District.

ESTABLISHMENT OF THE DISTRICT

Definitions:

- 1) **"Board"** means the District's Board of Directors consisting of seven (7) duly elected members, three (3) Directors from Tom Green County, three (3) Directors from Concho County, and one (1) Director from the District as a whole, who shall be elected by a majority vote of the qualified voters residing in the area of each portion of a county in the District.
- 2) **"District"** means the Lipan-Kickapoo Water Conservation District maintaining its office in Vancourt, Texas; where applications, registrations, reports, and other papers are to be filed with or sent to the District at P.O. Box 67, Vancourt, TX 76955.
- 3) **"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.
- 4) **"Person"** shall mean any individual, partnership, firm, or corporation.
- 5) **"Water"** shall mean underground water.
- 6) The word **"Waste"** as used shall have the same meaning as defined in Section 52.001, of the Texas Water Code, as amended.

REQUIREMENTS FOR THE BOARD AND PROCEDURES FOR MEETINGS

Candidates:

A person is qualified to serve on the Board who has filed an application with the secretary of the Board. It must be signed by the applicant or by at least 10 qualified electors of the District and filed **20 days** prior to the election. In addition, a person must be a resident of the District and resident of the County; at least **18 years** of age; and not otherwise disqualified by Section 50.026, of the Texas Water Code, as amended.

Elections:

An election shall be held on the 1st Saturday in May (as dictated by Section 41.001, Uniform election dates, of the Texas Election Laws, as amended), every second year to elect the appropriate number of Directors to the Board.

Meetings:

The Board shall hold meetings as necessary to conduct the business of the District at the call of the Chairman or at the request of at least two **(2)** of the Directors.

—a quorum is the majority of the Directors.

—the Board may elect its own officers yearly.

—meetings will be held in the District's office.

—the Board will follow the Roberts Rules of Parliamentary Procedures.

—the Board may also act as a hearing Board concerning any disputes concerning the Rules and operations of the District.

POWERS AND DUTIES OF THE DISTRICT

The District may exercise the powers, rights, privileges, and functions permitted by Chapters 51 and 52 of the Water Code, as amended, including authority to:

- 1) make and enforce rules to provide for conserving, preserving, protecting, recharging, and preventing waste of the water from the *underground water reservoirs* that may be enforced by injunction, mandatory injunction, or other appropriate remedies in a court of competent jurisdiction, or;
- 2) require permits for the drilling, equipping, and completion of wells in the *underground water reservoirs* and issue permits subject to terms and provisions with reference to the drilling, equipping, and completion of the wells as may be necessary to prevent waste or conserve and protect the

underground water;

- 3) provide for the spacing of wells producing from the underground water reservoirs and regulate the production from those wells to minimize as far as practicable the drawdown of the water table or reduction of the artesian pressure, provided, the owner of the land, his heirs, assigns and lessees are not denied a permit to drill a well on their land and the right to produce underground water from that well subject to rules adopted under this act;
- 4) require records to be kept and reports to be made of the drilling, equipping, and completion of wells into any underground water reservoirs and the taking and use of underground water from those reservoirs and require accurate driller's logs to be kept of those wells and a copy of those logs and of any electric logs that may be made of the wells to be filed with the District;
- 5) acquire land for the erection of dams and for the purpose of draining lakes, draws and depressions, and construct dams, drain lakes, depressions, draws, and creeks and install pumps and other equipment necessary to recharge any underground water reservoirs;
- 6) have made by registered professional engineers, surveys of the underground water of any underground water reservoir and of the facilities for the development, production and use of the underground water, determine the quantity of the underground water available for production and use and the improvements, developments, and recharges needed for those underground water reservoirs;
- 7) develop comprehensive plans for the most efficient use of the underground water of any underground water reservoir and for the control and prevention of waste of that underground water, with the plans to specify in the amount of detail that may be practicable the acts, procedures, performance, and avoidance that are or may be necessary to effect those plans, including specifications;
- 8) carry out research projects, develop information, and determine limitations, if any that should be made on the withdrawal of underground water from any underground water reservoir;
- 9) collect and preserve information regarding the use of the underground water and the practicability of recharge of any underground water reservoir;
- 10) publish plans and information. Bring them to the notice and attention of the users of the underground water within the District, and encourage their adoption and execution.

ADMINISTRATION PROCEDURES

Administrator and Employees:

The Board may employ a manager and set his/her salary. The Board may delegate any of its powers and duties (Except those of adopting rules, a dissolution resolution, a dissolution order, and those relating to hearings, taxation and bonds) to the manager who may carry out the powers and duties delegated to him/her by the Board. Employment of personnel is subject to the general law of nepotism. The manager with the approval of the Board may employ employees of the Board and set their salaries and hire legal counsel for the Board.

The manager shall with the approval of the Board develop a plan of work for the District, act as official liaison for the Board between the public and governmental agencies, and prepare budgets. The manager's position shall be reviewed yearly at the beginning of the Fiscal Year.

TAXATION AND BONDS

The tax and bond provisions of Chapters 51 and 52 of the Water Code, as amended, apply to the District.

The Board may levy annual taxes not to exceed fifty (.50) per \$100 dollar valuation on all taxable property within the District. The Board has adopted the county appraisal as the base for valuations necessary to provide net funds.

ANNEXATION

Additional territory may be added to the District by petition of the landowner under Chapter 50 and 52 of the Texas Water Code, as amended. The Directors shall determine to which county the annexed land shall be added for purposes of election of Directors.

AMENDMENT TO BY-LAWS

These By-Laws may be altered or amended or the same may be repealed by new By-Laws adopted at any regular or special meeting of the Board of Directors of the District, provided that no such action be taken at a regular or special meeting unless ten (10) days notice of the proposed alteration, amendment or repeal and a copy of proposed new By-Laws is submitted in writing to each of the Directors of the District with the notice of such meeting. No such alteration, amendment or repeal of the By-Laws or the adoption of new By-Laws shall be valid unless the same shall be adopted by the affirmative vote of at least a majority of all of the Directors of the District.

DISSOLUTION OF THE DISTRICT

Chapter 52 of the Texas Water Code, as amended, applies to dissolution of the District.

**Lipan-Kickapoo
Water Conservation District**

P.O. Box 67
Vancourt, Texas 76955

**Management Plan
1998 - 2008**

WHEREAS, the Lipan-Kickapoo Water Conservation District (District) was created by Acts of the 70th Legislature (1987), p. 2010, Ch. 439, S.B. 1525 in accordance with Article 16, 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's new Management Plan shall be certified by the Executive Administrator if the plan is administratively complete; 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

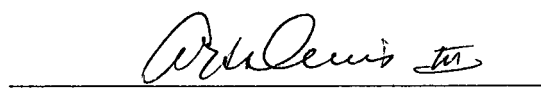
WHEREAS, the District Board of Directors has determined that the new 10 year Management Plan addresses the requirements of Chapter 36.1071.

NOW, THEREFORE, be it resolved, that the Board of Directors of the Lipan-Kickapoo 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 1st day of April, 1998, by the Board of Directors of the Lipan-Kickapoo Water Conservation District.


Michael Hoelscher, Board Secretary


A.H. Denis, III, Board President

NOTICE OF HEARING

FILED FOR RECORD

OF THE

'98 MAR 25 PM 3 42

LIPAN-KICKAPOO WATER CONSERVATION DISTRICT

JUDITH HAWKINS
COUNTY CLERK

A **Public Hearing** is scheduled for Wednesday April 1, 1998 at 7:00 A.M. in the Lipan-Kickapoo Water Conservation District Office, Suite C, Vancourt Office Building, Vancourt, Texas. The purpose of this hearing is to take public comment on a **Proposed 10-year Management Plan** for the District which would replace the existing Management Plan that was adopted in 1989.

Copies of the Proposed 10-Year Management Plan are available at the District office.

All residents of the District and any interested parties may appear and be heard.

PUBLIC NOTICE

REGULAR MEETING OF THE BOARD OF DIRECTORS

LIPAN-KICKAPOO WATER CONSERVATION DISTRICT

The Board of Directors will meet in Regular Session on Wednesday, April 1, 1998 immediately following the Public Hearing in the Lipan-Kickapoo Water Conservation District Office, Suite C, Vancourt Office Building, Vancourt, Texas.

The following items are on the agenda:

- (1) Review and possible action on Resolution to Adopt the Proposed 10-Year Management Plan.
- (2) Discussion and possible action on a District Action Plan for 1998 to 2003.
- (3) Approve the minutes of the previous meeting - January 21, 1998.
- (4) Review and possible action on the financial report for January, February, March - 1998.
- (5) Review and possible action on any unpaid bills.
- (6) Work session on revision of district rules.
- (7) Miscellaneous Business:
 - a) Next regular meeting tentatively set for Wednesday, August 5 at 7:00 A. M.
 - b) Suggested agenda items for the next meeting:
 - (1) Budget Workshop for FY 1998-99.
 - (2) Work session on rules.
- (8) Adjournment.

Date: March 25, 1998

Time: 11:20 A.M.

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OF THE

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Date: March 25, 1998
Time: 11:20 A.M.

FILED
The 26. Day of March 19 98
At 2:10 O'clock

Barbara K. Vesterman
County Clerk, Concho Co. Tex.
By *Melissa A. Gonzalez*
Melissa A. Gonzalez, Deputy
Deputy