

DISTRICT INFORMATION

The District was created by the 81st Texas Legislature. Regular Session, in 2009 with the enactment of the Senate Bill 2456. The creation of the District was confirmed by citizens located within the District's boundaries in Jim Wells, Jim Hogg, Brooks and Hidalgo Counties at an election held November 3, 2009. The District contains the authority and responsibilities specified in its Enabling Act, Chapter 36 of the Texas Water Code, the Texas Water Development Board Rules, the Management Plan, and the District's Rules. Brush Country is located within Groundwater Management Area(GMA) 16 and Regional Water Planning Group N. The District is governed by a nine member board of Directors.

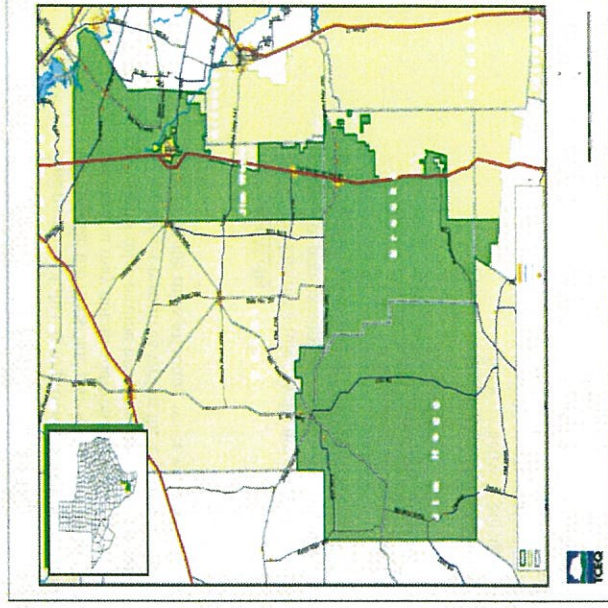
BRUSH COUNTRY GCD BOARD OF DIRECTORS

President--George E. Tanner
Vice-President--Jesse Howell
Secretary-- David Kelly
Member--Robert Fulbright
Member--Mauro Garcia
Member--Robert Scott
Member--William Botard
Member--A.C Jones, VI
Member--Mario Martinez

DISTRICT MISSION & OBJECTIVES

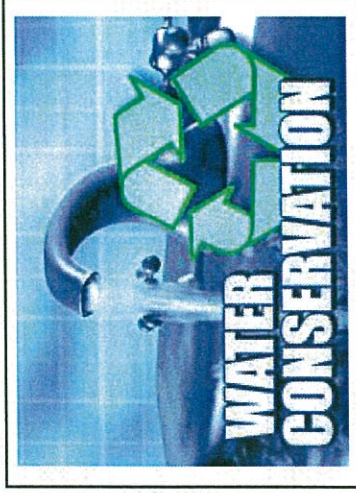
The Brush Country Groundwater Conservation District mission is to strive to preserve and protect the groundwater resources within its boundaries. The District will accomplish its objectives by working to lessen interference between water wells, minimize drawdown of groundwater levels, prevent the wastewater, and reduce the degradation of groundwater quality within the district while helping the local economies maintain and improve their current condition. The District will also use the authority granted in its Enabling Act & applicable state laws to protect & maintain the groundwater resources of the District

BRUSH COUNTRY GROUNDWATER CONSERVATION DISTRICT INFORMATIONAL PAMPHLET 2013



**FELIX SAENZ, JR
GENERAL MANAGER**

**Brooks County Annex Building
408 W. Travis,; Suite 114
P.O. BOX 136
FALFURRIAS, TEXAS 78355
OFFICE: 361-325-5093
email:generalmanager@
brushcountrygcd.com**





BRUSH COUNTRY DRILLING FACTS

On August 26, 2013, the Board of Directors of the Brush Country Groundwater Conservation District (District) adopted comprehensive rules to manage, protect, and conserve the groundwater resources within its boundaries. The purpose of this is to provide background information, summarize the rules, and provide contact information where you may obtain additional information. The District's rules outline how the District will regulate its groundwater resources within the District. Important aspects of the rules affecting water wells are described below:

Exempt Wells

Under the District's rules, wells are classified as either exempt or non-exempt. Permits are not required for exempt wells, which include the following nine categories:

- a well used solely for domestic use or for providing water for livestock or poultry;
- a well used solely to supply water for a rig actively engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas (RRC);
- a well authorized by the RRC for mining activities;
- a well used for agricultural purposes, if the well is drilled, completed, or equipped so that it is incapable of annual production that does not exceed one acre-foot per contiguous surface acre owned or operated by the well owner;
- a small commercial well;
- a well used for a privately-owned small water system;

- a well authorized under a permit issued by the RRC, associated with uranium exploration activities;
- a well authorized under a permit issued by the Texas Commission of Texas Commission on Environmental Quality, Underground Injection Control; and
- a well solely for the purposes of aquifer testing or for monitoring water levels or water quality.

Exempt wells existing before August 26, 2013 must be registered, at no cost, using forms available from the District. Exempt wells drilled after August 26, 2013 must also register and comply with the District's well construction, spacing, and location requirements.

Non-Exempt Wells

Any well that is not exempt (non-exempt well) is required to be permitted. A non-exempt well existing before August 26, 2013 is entitled to a permit with a production limit at an amount equal to the highest use without waste during the five years prior to August 26, 2013. Application must be made for an existing non-exempt well by November 24, 2013.

After August 26, 2013, a non-exempt well may not be drilled until the District has issued a drilling permit. Moreover, production is not authorized for a non-exempt well drilled after August 26, 2013, unless the District issues a production permit. The maximum allowable production for a non-exempt well drilled after August 26, 2013 is up to 2.5 acre-feet per continuous acre owned or operated by an applicant. District rules require all non-exempt wells to be equipped with a meter and well owners must record meter readings monthly and report groundwater withdrawals annually. The District's rules describe which non-exempt well applications are subject to notice and hearing and all permitting applications are subject to Board approval.

Export of Water Outside the District

Groundwater may not be exported outside the District unless authorized by the District under a transport permit. The District shall consider whether the proposed transfer would have a negative effect on the availability of water in the District; the conditions of any aquifer within the District; subsidence in the District; existing permit holders or other groundwater users in the District; and any

applicable approved regional water plan or approved District management plan. Using these factors, if the District determines the transport will have a negative effect, the District may impose requirements or limitations on the transfer. All transport permit applications are subject to notice and hearing and Board approval. The District imposes an annual transport fee of \$0.30 per 1,000 gallons based upon volume of water permitted annually whether or not actually produced, which is payable in advance upon permit issuance.

Application Forms and Fees

Application forms for registration, drilling, production, or transportation permits can be downloaded from the District's website at www.brushcountrygcd.com. There is a \$100.00 registration fee for new non-exempt and exempt water wells. The registration fee is refundable once the well is completed and the driller's log is submitted to the District. There is a \$100.00 non-refundable application fee for new non-exempt well production permits. There is a non-refundable transport application fee of \$1,000.00.

Enforcement Authority

The District may enforce its rules, orders and permits against any person by injunction, mandatory injunction, or other appropriate remedy. Any person who breaches any rule, order or permit of the District is subject to civil penalties not to exceed \$10,000 per day per violation..

Further Information

The District encourages all existing and prospective well owners to read and become familiar with the District's rules. The District staff is ready and willing to assist you in following the rules. A copy of the management plan, rules and application forms may be obtained or reviewed at the District's office at the address above or from the District website www.brushcountrygcd.com, for additional information, feel free to call the Brush Country GCD office at 361-325-5093, or email at generalmanager@brushcountrygcd.com, or visit us at our District office.

