



PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

NOTICE OF PUBLIC HEARING January 17, 2023

NOTICE IS HEREBY GIVEN to all interested persons in Ellis, Hill, Johnson, and Somervell Counties, Texas:

That the Board of Directors of the Prairielands Groundwater Conservation District (“District”) will hold a public hearing, accept public comment, and may act to adopt amendments to the District Rules regulating water wells within the boundaries of the District, including Ellis, Hill, Johnson, and Somervell Counties, Texas. Prior to its adoption of these amendments, the District’s Board of Directors (“Board”) adopted permanent District Rules on December 17, 2018, and has subsequently amended them. The proposed amendments to the District Rules include: 1) revising the definition of “contiguous controlled acreage” to include acreage on separate properties divided by a publicly owned road, highway, utility or pipeline route, a stream or other watercourse, or other long and narrow easement or strip of property if the properties would otherwise share a common border and constitute contiguous controlled acreage, subject to certain restrictions related to well spacing; 2) changing the exemptions from the permitting, water use fee payment, metering, and reporting requirements of the rules based on whether the well was drilled before or after January 1, 2023, the production capacity of the well, and the purpose of use of the well; 3) providing that, for purposes of calculating the maximum annual amount of groundwater that may be produced under an Operating Permit—including an Operating Permit for a retail public utility—the contiguous controlled acreage associated with a well from which, after multiplying by the production allowable, must be subtracted all annual groundwater production authorization recognized under any Historic Use Permit or pending application for a Historic Use permit only includes that contiguous controlled acreage that was associated with the Historic Use Permit or pending application as of December 31, 2018—the close of the existing and historic use period; 4) clarifying that any additional contiguous controlled acreage that was acquired on or after January 1, 2019, may be multiplied by the production allowable without the need to subtract the production authorization recognized under a Historic Use Permit or pending application for a Historic Use Permit; 5) clarifying that reductions in production amounts authorized under a retail public utility’s Operating Permit will be made by the District upon renewal of the permit to account for any reduction in contiguous controlled acreage in the utility’s CCN or corporate boundaries that is not owned or leased by the permittee for the right to produce groundwater; 6) clarifying that a permit amendment is required for any Operating Permit if any contiguous controlled acreage owned or leased by the permittee is sold during the term of a permit, and prohibiting production in excess of the production authorization as based on the reduced amount of contiguous controlled acreage; 7) clarifying the method for determining the maximum controlled contiguous acreage that may be assigned to an Operating Permit for a retail public utility that is a political subdivision in situations where the boundaries of the utility’s CCN and its corporate boundaries are not coterminous; 8) providing requirements for calculating the maximum contiguous controlled

acreage within the corporate boundaries of a political subdivision where a retail public utility's CCN wholly or partially overlaps the political subdivision's corporate boundaries; 9) making it a minor violation of the District rules to fail to provide water meter logs within ten (10) days upon written request by the District; 10) making it a major violation to operate a well that is required to be metered without a meter that complies with the requirements of the rules; 11) prohibiting open, uncovered, abandoned, or deteriorating wells and creating violations related to same same; and 12) other minor clarifying or nonsubstantive changes.

This hearing will be held on Tuesday, January 17, 2023, beginning at 9:00 a.m., at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. Any person who desires to appear at the hearing and present comment or other information on the proposed adoption of amendments to the District Rules may do so in person, by legal representative, or both. Comments may be presented verbally or in written form. Limits may be placed on the amount of time that each person is allowed to present verbal comments. Persons interested in submitting written comments on the proposed amendments may do so by sending any such comments to the District office at 208 Kimberly Drive, Cleburne, TX 76031. The Board may act to adopt the amendments to the rules as proposed or with additional changes based upon comments and discussion at the hearing. The hearing posted in this notice may be recessed from day to day or continued where appropriate.

The public hearing is available to all persons regardless of disability. If you require special assistance to attend the hearing, please contact the Prairielands Groundwater Conservation District at (817) 556-2299 at least 24 hours in advance of the hearing.

A copy of the proposed amendments to the District Rules may be requested by email at kjones@prairielandsgcd.org, is available for reviewing or downloading at www.prairielandsgcd.org, and may be reviewed, inspected, or obtained in person at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. For more information, contact the District's General Manager, Kathy Turner Jones, at (817) 556-2299.