

RULES OF THE COLORADO COUNTY GROUNDWATER CONSERVATION DISTRICT

WHEREAS, the Colorado County Groundwater Conservation District (the "District") was created by the 80th Texas Legislature with the Act of May 27, 2007, House Bill 4032, as a governmental agency and body politic and corporate; and

WHEREAS, HB 4032 and Chapter 36, Texas Water Code assign certain duties, rights, powers, privileges, authority and functions to the District; and

WHEREAS, HB 4032 allows the District to create rules that require the owner or operator of a well or class of wells to register the well with the District; and

WHEREAS, HB 4032 specifies that the District shall exempt from the well spacing requirements adopted by the District any well that is completed on or before the effective date of the District Rules unless said well loses its exemption due to modification of the well such that it substantially increases the capacity of the well; and

WHEREAS, HB 4032 and Section 36.117, Texas Water Code prohibits the District from requiring meters on the wells exempt from permitting, but does allow those wells not exempt under 36.117(b)(1), Texas Water Code to report groundwater withdrawals from the well using reasonable and appropriate reporting methods and frequency; and

WHEREAS, HB 4032 grants the District the right to impose ad valorem taxes at a rate not to exceed three cents on each \$100 of assessed valuation of taxable property in the District; and

WHEREAS, HB 4032 grants the District the right to assess reasonable fees for services provided, water withdrawn from each well that is not exempt from District permitting or regulation, and groundwater exported from the District; and

WHEREAS, the District is fully prepared to amend and or adopt additional rules or adopt resolutions and orders or issue directives in the future as determined by the Board of Directors in accordance with applicable laws of the state in order to address issues identified in the future; and

WHEREAS, notice and hearing requirements for the consideration and adoption of these rules by the District Board of Directors have been complied with

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLORADO COUNTY GROUNDWATER CONSERVATION DISTRICT THAT:

1. The attached Rules ("Rules") are hereby approved and adopted by the Board of Directors of the District.
2. The attached Rules are authorized to be published, to be made available for use and inspection at the District's office and copies of said Rules will be provided to any person or persons upon request.
3. The attached Rules shall take effect immediately.

Thomas L. Kelley, President

Scott Brasher, Vice-President

Whyman Psencik, Secretary

Mary Stavinoha, Treasurer

Thomas Hudec, Director

Kenny Neuendorff, Director

**AND SO IT IS CONSIDERED, PASSED, APPROVED, ADOPTED, RESOLVED, SIGNED AND DONE
IN OPEN MEETING** on this 15th day of September, 2010.

COLORADO COUNTY GROUNDWATER CONSERVATION DISTRICT

By: Thomas L. Kelley
Thomas L. Kelley, President

Attested by: Whyman Psencik
Whyman Psencik, Secretary