

**NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT'S
NOTICE OF PUBLIC HEARING ON ADOPTION OF PROPOSED
REVISED RULES 2.7, 2.10, AND 12.1.6**

TO: ALL INTERESTED PERSONS.

The North Plains Groundwater Conservation District ("District") will conduct a public hearing concerning the District's intent to adopt proposed changes to Rules 2.7, 2.10, and 12.1.6 (hereinafter the "Proposed Rules").

The purpose of the public hearing is to provide interested members of the public the opportunity to appear and provide oral or written comments to the District related to the adoption of the District's Proposed Revised Rules. Rules 2.7 and 2.10 are being amended to correct a clerical error of the section number referenced in each Rule. Rule 12.1.6 is being amended to adopt the recent statutory changes enacted by the 89th Texas Legislature under Section 36.102 of the Water Code.

Date, Time, and Place of Public Hearing:

The date, time and place of the public hearing are as follows:

Date:	August 13, 2025
Time:	9:00 a.m. Central Standard Time
Location:	North Plains Water Conservation Center Conference Room 6045 County Road E Dumas, Texas 79029.

**Procedures for Submitting Public Comment
on Proposed Rule:**

A. Oral Comments:

Any person may appear in person, or by authorized representative, at the public hearing on the adoption of the Proposed Rules. Any person making an appearance must indicate such person's desire to make oral comments on the registration form provided by the District at the public hearing. A person must disclose any affiliation on the registration form and if applicable, the legal authority to speak for a person represented. Any other person attending the public hearing will be considered by the District to be an observer not desiring to make comment on the adoption of the Proposed Rules. The District will not consider any comments of an observer in its rulemaking proceedings.

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The presiding officer will establish the order of oral comments of persons at the hearing. As appropriate, the presiding officer may limit:

1. the number of times a person may speak;
2. the time period for oral comments;
3. cumulative, irrelevant, or unduly repetitious comments;
4. general comments that are so vague, undeveloped, or immaterial as to be impracticable for the District to ascertain the intent or purpose of the person making the general oral comments and that are otherwise unhelpful to the District in analyzing the Proposed Rule;
5. the time period for asking or responding to questions; and
6. other matters that come to the attention of the presiding officer as requiring limitation.

B. Written Comments:

1. Written comments concerning the adoption of the Proposed Revised Rules must be filed with the District electronically by email at jguthrie@northplainsgcd.org, or by mail or hand-delivery at the District's office at 603 East First Street, P. O. Box 795, Dumas, Texas 79029-0795. All written comments must be filed with the District and date-stamped no later than Tuesday, August 12, 2025, at 5:00 p.m. Central Standard Time.
2. Written, mailed or hand-delivered, comments must be filed on 8½ x 11-inch paper and be typed or legibly written.

C. Response to Comments:

Please note that while the District Board and staff will consider both oral and written comments, the staff will not prepare written responses to these comments for review and consideration by the Board of Directors of the District when it deliberates on whether or not to adopt the proposed Rules 2.7, 2.10, and 12.1.6.

Procedure for Obtaining the Proposed Rules:

Copies of the Proposed Rules may be obtained from the District by:

1. telephoning (806) 935-6401;

2. e-mailing a request to the District at jguthrie@northplainsgcd.org;
3. visiting the offices of the District at 603 East First Street, Dumas, Texas 79029-0795; or,
4. visiting the District's website at <http://www.northplainsgcd.org>.

**Opportunity to Attend the Board Meeting
at which the Proposed Rule May be Adopted:**

The meeting of the District's Board of Directors to consider the Proposed Revised Rules Change will be held on August 13, 2025, at 9:15 a.m. Central Standard time.

**PROPOSED REVISED RULE 2.7 OF THE
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

2.7 Test Hole Permit Application: In addition to the requirements of Rule 1.65, the Applicant shall provide the following information on forms prescribed by the District:

1. The section, block, survey, league or other recorded legal description, and the county in which the real property is located;
2. The name, mailing address and telephone number of the driller or contractor;
3. An agreement by the Applicant that the location of the Test Hole(s) and driller's logs will be furnished to the District by the Applicant, or by the Applicant's authorized representative, upon completion of the Test Hole operation. The location of the Test Hole(s) shall be identified by a metes and bounds description, or by a GPS longitude and latitude reading;
4. A Declaration that the Test Hole(s) will be Plugged and logs and plugging Reports will be furnished to the District upon completion of the Test Hole operation (TWC §36.112); and
5. Any other information deemed necessary by the General Manager of the District, subject to the approval of the Board.

**PROPOSED REVISED RULE 2.10 OF THE
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

2.10 Well Permit Application Required:

1. To receive a Well Permit, and in addition to the requirements of Rule 1.65, an Applicant shall provide information on forms prescribed by the District as follows:
 - A. The exact location of the Well to be drilled, including the Section, block, survey, league and/or other recorded legal description, the county in which the Groundwater Production Unit is located, and/or GPS longitude and latitude reading, the exact number of yards from the two nearest Section lines, and a statement as to the proposed use of the Well;
 - B. The name and address of the driller, contractor and/or pump installer;
 - C. A verified statement as to the exact location of all Wells and/or Well Permit applications within the Groundwater Production Unit, together with the legal description of each location, or permit application number or District Well number;
 - D. A verified statement that all Wells within the Groundwater Production Unit will be in compliance with all District Rules at the end of the permit construction period;
 - E. An agreement that all required information will be furnished to the District upon completion and prior to production of Water from the Well, including without limitation:
 - (1) Driller's logs in accordance with TWC §36.112; and
 - (2) Records and Reports on the drilling, equipping, and completing of Water Wells in accordance with TWC §36.111, including, without limitation: Casing length, perforation depth, gravel packing, depth of pump, bowl sizes, number of stages, pump size, power unit requirements, horsepower, GPM test pumping and pumping level;
 - F. A Declaration that the integrity of the Well will be maintained and if it becomes deteriorated or is abandoned, the Well will be repaired, Plugged or capped in accordance with the Rules of the District, Chapter 1901 of the Texas Occupations Code and the Texas Department of Licensing and Regulations;
 - G. An application for a Well Permit is subject to any approved Well Permit and/or any active Test Hole Permit on adjacent property. However, a permit application for a Well spaced at least four hundred (400) yards inside the

Property Lines and not in conflict with any other Rules of the District will not be considered in conflict with an active Test Hole Permit on adjacent property; and

- H. Any other information deemed necessary by the General Manager of the District, subject to the approval of the Board.

PROPOSED REVISED RULE 12.1.6 OF THE NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT

6. **Civil Penalties:** Civil penalties for the violation of the ~~any~~ Rules of the District are divided into two classes: ~~Class One and Class Two.~~

~~1. Class One: The Penalty for violation of each of the following Rules shall not be less than \$50, nor more than \$2510,000 per violation and each day of a continuing violation shall be deemed a separate violation.~~

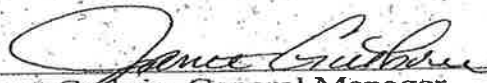
Violation	Rules
Failing to grant entry to real Property to an authorized officer, employee, agent or representative of the District to inspect, or for other authorized purposes.	1.8
Providing incorrect GPU information or failing to notify and obtain written approval from the District of ownership or boundary changes of a GPU pursuant to Rule 7.1.	7.1 7.6
Drilling a Well or increasing the size of a Well without filing an application with the District to register the Well or applying to the District and receiving a permit.	2.1
Failure to register a Well that is exempt under Texas Water Code §36.117, or to properly equip and maintain such Well.	2.15
Failure to register a Well.	2.1, 2.18
Failure to apply for a Test Hole Permit.	2.7
Failure to apply for a Well Permit.	2.1
Failure to apply for an Export Permit.	2.17
Willfully giving erroneous information on a Well Permit application or willfully producing a Well at a higher rate than represented in an application or as approved in a permit, or operating a Well prior to final approval by the District.	2.10 2.14

Failure to apply for a permit to drill a Recharge, Injection, Dewatering or Monitoring Well, or to file a completion report for such Well.	2.1
Withdrawing Groundwater from a Well without having furnished information about the Well on a form required by the District.	2.10 — 2.18
Failure to keep records, including driller's and/or electric logs, and file such logs and reports of drilling, equipping and completion of Wells with the District as required by District Rules and the regulations of the Texas Department of Licensing and Regulation.	2.16 — 2.18
Failure to complete or equip a Well to protect human life and prevent Pollution as required by District Rules and the regulations of the Texas Department of Licensing and Regulation.	4.2, 4.5
Drilling, completing or reworking a Well without having a current Texas Water Well Driller's license, Texas Pump Installer's license, or failure to comply with the Rules of the District, State of Texas, federal or other political subdivision, including the Texas Department of Licensing and Regulation.	4.4
Drilling a Well at a location other than a location approved by the District.	2.10, 4.3
Reworking, re-drilling or re-equipping a Well, or increasing production to raise the Well classification without obtaining a permit to do so, or drilling a replacement Well without a permit.	2.1
The failure to pay Export fee(s) to the District as required.	10.7
Failure to install a flow Meter(s) on any Well as required by District.	5.1 — 5.8
Tampering with a Metering System for purposes of reporting less than actual Well production from a Well.	5.1, 5.3
Failure to report Water production as required by these Rules.	6.4
Failure to report any Conveyance or Reservation of Water Rights separate from the surface of the property.	3.10
Exceeding the Allowable Production limit.	6.1
Failure of a Water Exporter to provide required reports to the District.	2.17
Failure to protect the Groundwater from Pollution.	4.1 — 4.9
Failure to install equipment for the protection of Groundwater quality as required by the District's Rules.	4.4, 4.5
Failing to properly close or cap an open or uncovered Well.	4.7, 4.9
Waste of Groundwater.	9.1, 9.2
The production of Water from any Abandoned or Deteriorated Well.	4.9
Failure to pay Production Fees.	10.8

1. Class Two: The civil penalty for violation of any of the remaining Rules of the District, as may be supplemented or amended from time to time, shall

not be less than \$25, nor more than \$5,000 per violation, and each day of a continuing violation shall be deemed a separate violation.

ISSUED this 21 day of July, 2025.


Janet Guthrie, General Manager
North Plains Groundwater Conservation District

