

SECTION 6. SPACING REQUIREMENTS

RULE 6.1. REQUIRED SPACING

- (a) To minimize as far as practicable the drawdown of the water table and the reduction of artesian pressure, to control subsidence, to prevent interference between wells, to prevent degradation of water quality, and to prevent waste, the District will enforce spacing requirements on all new wells in the District.

Spacing requirements do not apply to: wells drilled in the Brazos River Alluvium formation; domestic and livestock wells that are exempt under Rule 8.1(a); and mining related water wells under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code; and other water well permits issued by the Railroad Commission of Texas.

- (b) As stated below, there are two types of spacing requirements, both of which apply to all new non-exempt wells in the District, other than those in the Brazos River Alluvium. The first spacing rule is the distance that the well site must be from the perimeter of the real property that is assigned to that well under Rule 7.1. The second spacing rule is the distance that the well site must be from all permitted non-exempt wells and all registered exempt wells.

- (1) Spacing of new non-exempt wells completed in the Simsboro Formation shall be one-half foot per gallon per minute ($\frac{1}{2}$ ft / gpm) of average annual production rate or capacity from the perimeter of the property that is legally assigned to that well.

(2) Spacing of all other new non-exempt wells completed in the District, other than the Brazos River Alluvium, shall be one foot per gallon per minute (1 ft / gpm) of average annual production rate or capacity from the perimeter of the property that is legally assigned to that well.

A new well may not be drilled within a minimum of 50 feet from the perimeter of the property that is legally assigned to that well.

- ~~(23)~~ Spacing of new non-exempt wells completed in the Simsboro Formation in the District shall be one foot per one gallon per minute (1 ft / gpm) of average annual production rate or capacity from a permitted or registered well in the Simsboro Formation that is in the District.

- ~~(34)~~ Spacing of all other new non-exempt wells completed in the District, other than the Brazos River Alluvium, shall be two foot per one gallon per minute (2 ft / gpm) of average annual production rate or capacity from a permitted or registered well in the same aquifer formation that is in the District.

RULE 6.2. EXCEPTIONS TO SPACING REQUIREMENTS

- (f) Well spacing of new non-exempt wells completed in the District are exempted from complying with Rule 6.1(b)(~~23~~),(~~34~~) from permitted wells completed in the same aquifer, to the extent that the spacing does not allow the new well owner to produce their Production Based Acreage under Rule 7.1(c).

RULE 7.1. MAXIMUM ALLOWABLE PRODUCTION

(c) **Production Based Acreage**

A permit holder's groundwater production for a new non-exempt well drilled in all aquifers within the District, except the Brazos River Alluvium, is limited by the number of contiguous acres that are legally assigned to the well site. The contiguous acreage assigned to the well ~~shall~~bears a reasonable reflection of the cone of depression impact near the pumped well, as based on the best available science and the required production based acreage. The amount of groundwater production based on the assigned contiguous acreage will be a circle determined by the following formula:

$$\left(\frac{\text{Average Annual Production Rate in Gallons/Minute} \times \text{District Spacing Requirement Between Wells}}{\text{District Spacing Requirement Between Wells}} \right)^2 \times \pi = \text{Total number of contiguous acres required to be assigned to the well site}$$

43,560

The average annual production capacity or rate is defined as the permitted annual production amount in acre-feet multiplied by 0.62 to equal gallons per minute of production on an average annual basis.

More than one well may be assigned to the production acreage at the discretion of the Board as long as the spacing requirements are met. The maximum well pumping capacity denoted in gallons per minute in an operating permit does not mean that the well is authorized by the District to pump that maximum capacity on a year round basis. The authorized amount of water to be produced annually by a permittee is not tied to the pump size. The authorized withdrawal amount of groundwater is stated in each well permit as the rate of production, which authorizes a maximum gpm production, not to exceed a specified number of acre-feet of groundwater production each year.

The permitted groundwater production capacity is also subject to the spacing requirements in Section 6, as well as the availability, production, and beneficial use limits in Section 7.

This provision applies to new wells in the Simsboro Aquifer that did not meet the definition of an existing well as of December 2, 2004.

This provision applies to permit applications for new wells to be drilled in the Queen City, Sparta, Yegua-Jackson, Calvert Bluff, Carrizo and Hooper aquifers that are deemed to be administratively complete after May 9, 2013.

This requirement also applies to applications to amend a permit by increasing the annual production amount. If an existing permit is amended to increase the annual production amount, then the entire permit must meet the production acreage rule. The additional amount of acres required to be legally assigned to the well only applies to the incremental amount of production asked for in the amendment.

RULE 8.4. APPLICATIONS

- (a) Each original application for a certificate of registration, water well drilling permit, operating permit, transport permit, and permit renewal or amendment requires an application by the applicant. Applications for multiple wells may be combined if submitted by the same applicant. Each well on an application for multiple wells will be assigned an individual operating permit detailing production rate and total maximum annual production from each of the individual wells. Application forms will be provided by the District and furnished to the applicant by request. The District will hold hearing(s) on a permit application(s) in accordance with Section 14 of the District's rules.

RULE 8.5. OPERATING PERMIT TERM AND RENEWAL

(b) Duration of Permit – All operating permits and permit renewals are effective for a term of five (5) years from the date a permit is granted, unless granted a one (1) year term under Rule 8.3(j), or otherwise stated on the permit. Except, an operating permit for a well or well site will automatically expire three years from its issuance if the permitted well(s) has not been completed or is not significantly under development. A permit shall not be renewed if a State of Texas Well Report has not been submitted, as required by Rule 12.3.

**RULE 12.3. STANDARDS OF COMPLETION FOR ~~DOMESTIC, INDUSTRIAL,~~
INJECTION, AND IRRIGATION WELLS**

Water well drillers, who shall be licensed by the State of Texas, must indicate the method of completion performed on the State of Texas Well Report (TNRCC 0199) ~~Section 10 Surface Completion~~ form, which shall be submitted to the District not later than the 60th day after the date of the completion or cessation of drilling, deepening, or otherwise altering the well. Unless otherwise ordered by the Board, ~~domestic, industrial, injection, and or state law, irrigation~~ wells must be completed in accordance with all applicable State and local standards, including but not limited to 31 Texas Administrative Code Chapter 290 (~~TNRCC Water Hygiene~~ Rules for Public ~~Water Supply Systems~~ Drinking Water) and 16 Texas Administrative Code Chapter 76 (Rules for Water Well Drillers and Water Well Pump Installers).