

Having received public comment related to clarifying language addressing the definition of a new well and what permits will be affected by the spacing rules changes, District staff has created suggested language to address the comments.

(29) “New Well” means any well other than an existing well.

(29) “New Well” means [a well for which drilling begins on or after the effective date of the well’s District-issued registration or permit, as applicable.](#)

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 [for which the registration or permit was approved by the District after September 14, 2023. Wells permitted or registered on or before September 14, 2023, are regulated by the spacing requirements of the District Rules that were in effect prior to September 14, 2023.](#)

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 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 assigned contiguous acreage will be a circle based on the amount of groundwater production determined by the following formula:

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. [The assigned contiguous acreage circle footprints under this formula for a new well registered or permitted by the District after September 14, 2023, shall not overlap between wells.](#)
