

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Val Verde County Groundwater Conservation District; providing authority to issue bonds; providing authority to impose fees, surcharges, and taxes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle H, Title 6, Special District Local Laws Code, is amended by adding Chapter 8872 to read as follows:

CHAPTER 8872. VAL VERDE COUNTY GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8872.0101. DEFINITIONS. (a) Except as provided by Subsection (b), the definitions in Section 36.001, Water Code, apply to this chapter.

(b) In this chapter:

(1) "Aquifer" means that part of the Edwards-Trinity (Plateau) Aquifer located in Val Verde County.

(2) "Board" means the board of directors of the district.

(3) "City" means the City of Del Rio.

(4) "City council" means the city council of the city.

(5) "Commissioners court" means the Val Verde County Commissioners Court.

(6) "Development board" means the Texas Water Development Board.

(7) "Director" means a member of the board.

1           (8) "District" means the Val Verde County Groundwater  
2 Conservation District.

3           (9) "Domestic use" means the use of groundwater in the  
4 district by a member of a well owner's household or by household  
5 employees, tenants, licensees, or guests for the following  
6 purposes:

7                   (A) drinking, washing, or culinary activities;

8                   (B) irrigation of:

9                           (i) lawns;

10                           (ii) family gardens; or

11                           (iii) orchards, if the produce of the  
12 orchard is used only for household consumption;

13                   (C) filling or maintaining swimming pools,  
14 decorative ponds, or fountains located on the well owner's  
15 property; and

16                   (D) drinking water for domestic animals not  
17 raised, maintained, or sold for commercial purposes.

18           (10) "Existing well" means a well that is completed to  
19 produce groundwater in Val Verde County on or before January 1,  
20 2021. The term includes a well that is reworked or repaired after  
21 January 1, 2021, to restore the well's historic production  
22 capacity, provided that the reworking or repair does not enlarge  
23 the diameter of the well bore as the well bore existed on January 1,  
24 2021.

25           (11) "Political subdivision" means a governmental  
26 entity of this state, including a county, municipality, state  
27 agency, or district or authority created under Section 52, Article

1 III, or Section 59, Article XVI, Texas Constitution. The term also  
2 includes a nonprofit water supply corporation created under Chapter  
3 67, Water Code.

4 Sec. 8872.0102. NATURE OF DISTRICT; PURPOSE. (a) The  
5 district is a groundwater conservation district in Val Verde County  
6 created under and essential to accomplish the purposes of Section  
7 59, Article XVI, Texas Constitution, including:

8 (1) the permitting, recharge, conservation,  
9 protection, and prevention of the waste of groundwater in Val Verde  
10 County;

11 (2) the control of subsidence caused by the  
12 unreasonable withdrawal of groundwater;

13 (3) the regulation of transporting groundwater  
14 outside the boundaries of the district;

15 (4) the regulation of groundwater production and the  
16 implementation of drought management and conservation plans for the  
17 reduction of drawdown when conditions warrant action to protect  
18 spring flow and base flow;

19 (5) the maintenance of sufficient river flows during  
20 periods of drought and water shortage to protect endangered species  
21 and the habitats of endangered species;

22 (6) the development, with the assistance of the  
23 development board, the Parks and Wildlife Department, and the Texas  
24 Commission on Environmental Quality, of empirical groundwater flow  
25 models to inform the district's groundwater management; and

26 (7) the management of the issuance of permits by  
27 requiring studies and groundwater availability model analyses of

1 permit applications that include the use of conservation triggers  
2 to mitigate the impact on spring flow, base flow, and drawdown.

3 (b) The district is created to serve a public use and  
4 benefit.

5 (c) All of the land and other property included within the  
6 boundaries of the district will benefit from the works and projects  
7 that are to be accomplished by the district under powers conferred  
8 by Section 59, Article XVI, Texas Constitution, this chapter, and  
9 Chapter 36, Water Code.

10 Sec. 8872.0103. CONFIRMATION ELECTION AND ADOPTION OF  
11 GUIDELINES REQUIRED. If the creation of the district is not  
12 confirmed at a confirmation election held under Section 8872.0153  
13 before September 1, 2026, or the development board does not adopt  
14 water management guidelines required under Section 8872.0312  
15 before September 1, 2026:

16 (1) the district is dissolved September 1, 2026,  
17 except that:

18 (A) any debts incurred shall be paid;

19 (B) any assets that remain after the payment of  
20 debts shall be transferred to Val Verde County and the city in  
21 proportion to the amount each entity has contributed to the costs of  
22 the confirmation election and district operations; and

23 (C) the organization of the district shall be  
24 maintained until all debts are paid and remaining assets are  
25 transferred; and

26 (2) this chapter expires September 1, 2028.

27 Sec. 8872.0104. INITIAL DISTRICT TERRITORY. The boundaries

1 of the district are coextensive with the boundaries of Val Verde  
2 County.

3 SUBCHAPTER A-1. TEMPORARY PROVISIONS

4 Sec. 8872.0151. APPOINTMENT OF TEMPORARY DIRECTORS;

5 VACANCIES; TERMS. (a) Not later than 60 days after the effective  
6 date of the Act enacting this chapter, the city council and the  
7 commissioners court shall appoint five temporary directors. One  
8 director must represent each of the management zones created under  
9 Section 8872.0311 and one director must represent the district at  
10 large. The directors must be appointed as follows:

11 (1) one director appointed jointly by the city council  
12 and the commissioners court to represent the Devils River  
13 Management Zone;

14 (2) one director appointed by the city council to  
15 represent the San Felipe/Sycamore Management Zone;

16 (3) one director appointed by the city council to  
17 represent the Amistad Management Zone;

18 (4) one director appointed by the commissioners court  
19 to represent the Pecos River Management Zone; and

20 (5) one director appointed by the commissioners court  
21 to represent the district at large.

22 (b) Not later than 30 days after the effective date of the  
23 Act enacting this chapter, the city council and the commissioners  
24 court shall each nominate at least one individual to serve as  
25 temporary director for the Devils River Management Zone.

26 (c) If one entity makes a timely nomination under Subsection  
27 (b) and the other entity does not make a timely nomination under

1 that subsection, the entity that made the timely nomination may  
2 appoint the temporary director for the Devils River Management  
3 Zone. If neither entity makes a timely nomination under Subsection  
4 (b), the governor shall appoint the temporary director for the  
5 Devils River Management Zone.

6 (d) If the city council, commissioners court, or both do not  
7 make a timely appointment under Subsection (a), the governor shall  
8 appoint the temporary director to the applicable position.

9 (e) An individual appointed to serve as a temporary director  
10 must be at least 18 years of age.

11 (f) An individual appointed to serve as a temporary director  
12 representing a management zone must own taxable property in the  
13 management zone.

14 (g) An individual appointed to serve as a temporary director  
15 representing the district at large must:

16 (1) own taxable property in Val Verde County; or

17 (2) be a resident of Val Verde County.

18 (h) If there is a vacancy on the temporary board of  
19 directors of the district, the remaining temporary directors shall  
20 appoint to fill the vacancy an individual who meets the  
21 representational requirements of this section.

22 (i) Temporary directors serve until the earlier of:

23 (1) the date the temporary directors become initial  
24 directors under Section 8872.0155; or

25 (2) the date this chapter expires under Section  
26 8872.0103.

27 Sec. 8872.0152. ORGANIZATIONAL MEETING OF TEMPORARY

1 DIRECTORS. (a) As soon as practicable after all the temporary  
2 directors have qualified under Section 36.055, Water Code, a  
3 majority of the temporary directors shall convene the  
4 organizational meeting of the district at a location within the  
5 district agreeable to a majority of the directors. If an agreement  
6 on location cannot be reached, the organizational meeting shall be  
7 at the Val Verde County Courthouse.

8 (b) At the organizational meeting described by Subsection  
9 (a), the temporary directors shall:

10 (1) elect a president as presiding officer, vice  
11 president, secretary, and treasurer;

12 (2) schedule the confirmation election described by  
13 Section 8872.0153; and

14 (3) notify the applicable groundwater management area  
15 of the district's creation, subject to confirmation under Section  
16 8872.0153 and timely adoption of water management guidelines  
17 required under Section 8872.0312.

18 Sec. 8872.0153. CONFIRMATION ELECTION. (a) The temporary  
19 board shall order an election to be held on the uniform election  
20 date in November following January 1, 2022, to confirm the creation  
21 of the district and authorize the collection of taxes.

22 (b) The ballot for the election must be printed to permit  
23 voting for or against the following proposition: "The creation of  
24 the Val Verde County Groundwater Conservation District and the  
25 imposition of an ad valorem tax in the district at a rate not to  
26 exceed three cents for each \$100 of assessed valuation."

27 (c) Except as provided by this section, a confirmation

1 election must be conducted as provided by Sections 36.017(b)-(i),  
2 Water Code, and the Election Code.

3 (d) If the district's creation is not confirmed at an  
4 election held under this section, the temporary directors may order  
5 one or more subsequent elections to be held to confirm the creation  
6 of the district not earlier than the first anniversary of the  
7 preceding confirmation election. If the district's creation is not  
8 confirmed at an election held under this section before September  
9 1, 2026, the district is dissolved in accordance with Section  
10 8872.0103.

11 (e) The costs of an election held under this section shall  
12 be paid equally by Val Verde County and the city.

13 Sec. 8872.0154. LIMITED POWERS OF DISTRICT BEFORE  
14 CONFIRMATION. Before confirmation of the district and the adoption  
15 of water management guidelines by the development board under  
16 Section 8872.0312, the district's powers are limited to performance  
17 of the duties necessary to hold an election to confirm the creation  
18 of the district.

19 Sec. 8872.0155. INITIAL DIRECTORS. (a) If the creation of  
20 the district is confirmed at an election held under Section  
21 8872.0153, the temporary directors become the initial directors and  
22 serve until successor directors are appointed under Section  
23 8872.0202.

24 (b) The initial directors shall provide notice to the  
25 members of the groundwater management area in which the district is  
26 located that the creation of the district is confirmed.

27 Sec. 8872.0156. EXPIRATION OF SUBCHAPTER. This subchapter



1 expires September 1, 2028.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8872.0201. COMPOSITION OF BOARD. The district is  
4 governed by a board of five directors.

5 Sec. 8872.0202. ELECTION OF DIRECTORS; TERMS;  
6 QUALIFICATIONS. (a) Directors serve staggered four-year terms,  
7 with two or three terms expiring December 1 of every other year. A  
8 director may serve consecutive terms.

9 (b) Directors are elected as follows:

10 (1) one director is elected from each of the four  
11 management zones created under Section 8872.0311 by voters of the  
12 applicable management zone; and

13 (2) one director is elected by the voters of the  
14 district at large.

15 (c) To be elected as a director, an individual must be at  
16 least 18 years of age.

17 (d) To be elected as a director from a management zone, an  
18 individual must own taxable property in the management zone.

19 (e) To be elected as a director from the district at large,  
20 an individual must:

21 (1) own taxable property in Val Verde County; or

22 (2) be a resident of Val Verde County.

23 (f) An election to elect directors must be held on the  
24 uniform election date in November of even-numbered years.

25 Sec. 8872.0203. VACANCIES. (a) If there is a vacancy on  
26 the board, a majority of the board shall appoint an individual to  
27 fill the vacancy for the remainder of the term of the vacant

1 director place. The individual appointed to fill the vacancy must  
2 meet the qualifications under Section 8872.0202 for the vacant  
3 place.

4 (b) If the board has not filled a vacancy before the 90th day  
5 after the date of the vacancy, the county judge of Val Verde County  
6 and the mayor of the city jointly shall appoint an individual who  
7 meets the qualifications under Section 8872.0202 for the vacant  
8 place to serve as director for the remainder of the term being  
9 filled.

10 Sec. 8872.0204. COMPENSATION. (a) A director is not  
11 entitled to receive compensation for performing the duties of a  
12 director.

13 (b) The board may authorize a director to receive  
14 reimbursement for the director's reasonable and actual expenses  
15 incurred while engaging in activities inside or outside the  
16 district on behalf of the board.

17 Sec. 8872.0205. BOARD OFFICERS. (a) At the first meeting  
18 of the board in each calendar year, the board shall elect directors  
19 to serve as the president, vice president, secretary, and  
20 treasurer.

21 (b) The president shall serve as the presiding officer of  
22 the board.

23 (c) The treasurer shall serve as the financial officer of  
24 the district.

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 8872.0301. GENERAL POWERS. Except as otherwise  
27 provided by this chapter, the district has all of the rights,

1 powers, privileges, functions, and duties provided by the general  
2 law of this state applicable to groundwater conservation districts  
3 created under Section 59, Article XVI, Texas Constitution,  
4 including Chapter 36, Water Code.

5 Sec. 8872.0302. LIMITATION ON RULEMAKING POWER NOT  
6 APPLICABLE. Section 36.121, Water Code, does not apply to the  
7 district.

8 Sec. 8872.0303. PERMITS: RULES. (a) The district shall  
9 adopt rules to:

10 (1) require a person to obtain a permit from the  
11 district to drill and produce groundwater from a well, including an  
12 existing well, unless the well is exclusively for agricultural or  
13 domestic use or otherwise exempt from permitting under this chapter  
14 or Chapter 36, Water Code;

15 (2) regulate the terms of a transfer of groundwater  
16 out of the district;

17 (3) regulate the spacing of wells drilled after  
18 September 1, 2021, to prevent unreasonable adverse interference  
19 with other wells;

20 (4) provide for the uniform and nondiscriminatory  
21 reduction or curtailment of the production of groundwater by all  
22 permit holders in the district, if necessary, to protect spring  
23 flow and base flow and reduce aquifer drawdown;

24 (5) limit groundwater production:

25 (A) by the spacing of wells;

26 (B) by basing production on acreage or tract  
27 size; or

1           (C) for a public water supplier, by basing  
2 production on the service area of the supplier;

3           (6) provide for permit provisions that allow the  
4 reduction or curtailment of the production of groundwater, if  
5 necessary, to protect spring flow and base flow and reduce aquifer  
6 drawdown;

7           (7) allow for the injection of a nontoxic tracer dye as  
8 part of a hydrological study; and

9           (8) require the owner of a well that is not exempt from  
10 the district requirement to obtain a permit under this chapter or  
11 Chapter 36, Water Code, to report to the district in January of each  
12 year the annual production of groundwater from the well based on  
13 metered production.

14           (b) The terms of a permit that authorizes the production of  
15 groundwater for transfer out of the district for beneficial use  
16 must be consistent with applicable law, including Section 36.122,  
17 Water Code, and may not be more restrictive than the terms of a  
18 permit authorizing the production of groundwater for beneficial use  
19 inside the district.

20           (c) The district may establish permit conditions and  
21 limitations as provided by Section 36.122, Water Code.

22           (d) The district may not require a permit or a permit  
23 amendment for the maintenance or repair of a well that is not exempt  
24 from permitting under this chapter or Chapter 36, Water Code, if the  
25 maintenance or repair does not make the well capable of producing an  
26 amount of groundwater that is greater than the production amounts  
27 provided by the well's permit.

1       Sec. 8872.0304. PERMITS: CITY. The district shall grant to  
2 the city permits in the city's name that authorize the city to pump  
3 from all wells operated or controlled by the city a cumulative  
4 volume of groundwater of 18,400 acre-feet per year.

5       Sec. 8872.0305. PERMITS: RETAIL PUBLIC UTILITY. (a) In  
6 this section, "retail public utility" has the meaning assigned by  
7 Section 13.002, Water Code.

8       (b) The district shall grant a permit to a retail public  
9 utility in the district or to a political subdivision other than the  
10 city that is providing water or sewer service on or before the  
11 effective date of the Act enacting this chapter. The permit must  
12 authorize the production of a cumulative volume of groundwater from  
13 the wells owned by the entity in an amount equal to the amount of  
14 groundwater required to meet the entity's current and projected  
15 needs as determined under Section 13.250, Water Code.

16       (c) Unless the district has authorized otherwise in  
17 writing, a permitted entity may not resell groundwater produced  
18 under the permit to any person for use or resale outside the  
19 entity's service area, including the area covered by a certificate  
20 of convenience and necessity, and must put the produced water to  
21 beneficial use in the entity's service area.

22       Sec. 8872.0306. PERMITS: COMMERCIAL, INDUSTRIAL, AND  
23 TRANSPORT. (a) The district shall require a person to install a  
24 meter and obtain a permit from the district for commercial use,  
25 industrial use, or transport outside the district.

26       (b) The district shall grant a permit for commercial or  
27 industrial use that authorizes a person to drill one or more wells

1 not to exceed 12 inches in diameter on land owned or controlled by  
2 the person through a lease or other legal right.

3 (c) The district shall grant a permit for the production of  
4 groundwater from an existing well that is beneficially used for  
5 commercial or industrial purposes outside the limits or the  
6 extraterritorial jurisdiction of the city.

7 Sec. 8872.0307. PERMIT RENEWAL. (a) Except as provided by  
8 Subsection (b), the district without a hearing shall renew or  
9 approve an application to renew an operating permit before the date  
10 on which the permit expires, provided that:

11 (1) the application, if required by the district, is  
12 submitted in a timely manner and accompanied by any required fees in  
13 accordance with district rules; and

14 (2) the permit holder is not requesting a change  
15 related to the renewal that would require a permit amendment under  
16 district rules.

17 (b) The district is not required to renew a permit under  
18 this section if the applicant:

19 (1) is delinquent in paying a fee required by the  
20 district;

21 (2) is subject to a pending enforcement action for a  
22 substantive violation of a district permit, order, or rule that has  
23 not been settled by agreement with the district or a final  
24 adjudication; or

25 (3) has not paid a civil penalty or has otherwise  
26 failed to comply with an order resulting from a final adjudication  
27 of a violation of a district permit, order, or rule.

1       (c) If the district is not required to renew a permit under  
2 Subsection (b)(2), the permit remains in effect until the final  
3 settlement or adjudication on the matter of the substantive  
4 violation.

5       Sec. 8872.0308. AGRICULTURAL AND DOMESTIC USE. (a) The  
6 district may not require a person to install a meter or obtain a  
7 permit from the district for a well that produces groundwater only  
8 for domestic or agricultural use in the district's territory.

9       (b) The district may not restrict the production of a well  
10 that produces groundwater only for domestic or agricultural use.

11       (c) An owner of a well that produces groundwater for  
12 domestic or agricultural use shall register the well with the  
13 district.

14       (d) Subsection (a) does not affect the applicability in the  
15 district of Section 36.113(a), Water Code.

16       Sec. 8872.0309. WELL REGISTRATION. A permit issued under  
17 this chapter authorizing the production of groundwater from the  
18 aquifer must also authorize the drilling and operation of a well or  
19 wells in the aquifer, and must require the permit holder to:

20               (1) register each well with the district at no cost;  
21 and

22               (2) file a copy of the well driller's log with the  
23 district on completion of each well.

24       Sec. 8872.0310. PROPERTY RIGHTS. (a) A permit issued by  
25 the district for the drilling, operation, or production of a well is  
26 appurtenant to the real property on which the well is located.  
27 Ownership of the groundwater, or the right to use and produce the

1 groundwater authorized by the permit, may be sold, leased,  
2 assigned, or otherwise transferred by the owner, provided that the  
3 rights granted by the permit to drill a well and to produce  
4 groundwater are exercised on the real property described in the  
5 permit based on the actual production authorized by the permit.

6 (b) Except as provided by this chapter, groundwater  
7 produced as authorized by a permit, once captured at the wellhead,  
8 may be beneficially used for any lawful purpose at any location,  
9 whether on or off the real property to which the permit is attached,  
10 provided that any beneficial use outside the boundaries of the  
11 district is authorized by a transport permit issued by the  
12 district.

13 Sec. 8872.0311. MANAGEMENT ZONES. (a) The district is  
14 divided into four management zones as follows:

15 (1) the San Felipe/Sycamore Management Zone, composed  
16 of the territory described by Section 2(a) of the Act enacting this  
17 chapter;

18 (2) the Devils River Management Zone, composed of the  
19 territory described by Section 2(b) of the Act enacting this  
20 chapter;

21 (3) the Pecos River Management Zone, composed of the  
22 territory described by Section 2(c) of the Act enacting this  
23 chapter; and

24 (4) the Amistad Management Zone, composed of the  
25 territory described by Section 2(d) of the Act enacting this  
26 chapter.

27 (b) The boundaries and field notes contained in Section 2 of



1 the Act enacting this chapter form a closure. A mistake made in the  
2 field notes or in copying the field notes in the legislative process  
3 does not affect the management zone's:

- 4 (1) organization, existence, or validity; or
- 5 (2) legality or operation.

6 (c) The district may adopt different rules to regulate  
7 production from the management zones based on the acreage, tract  
8 size, or service area of the public water supplier.

9 (d) The district must regulate the production of  
10 groundwater in a management zone on a proportional, uniform, and  
11 nondiscriminatory basis, except as provided by Section  
12 8872.0303(a)(6).

13 Sec. 8872.0312. WATER MANAGEMENT GUIDELINES. The  
14 development board shall adopt guidelines for the development of  
15 standards, best management practices, and management objectives  
16 for surface water and groundwater resources in the district,  
17 including a plan for the monitoring of, collection of data on, and  
18 study of the groundwater conditions in the district and the  
19 relationship between groundwater conditions and flows in the Pecos  
20 River, the Devils River, and San Felipe Springs.

21 Sec. 8872.0313. REGIONAL GROUNDWATER PLANNING AND  
22 SUSTAINABILITY. (a) The district shall obtain or develop  
23 groundwater models for use in planning and management of the  
24 aquifer and to assist the district in the district's role as a  
25 member of the groundwater management area in which the district is  
26 located.

27 (b) The district, to the extent possible, shall diligently

1 pursue the long-term health and sustainability of the aquifer.

2 Sec. 8872.0314. REDUCTION AND CURTAILMENT. (a) The board  
3 by rule may provide for the reduction and curtailment of the  
4 production of groundwater from a well permitted under this chapter  
5 to protect spring flow and base flow and reduce drawdown in  
6 accordance with Sections 8872.0303(a)(4) and (5).

7 (b) To implement a reduction or curtailment, the district  
8 may, to the extent not otherwise authorized by Section 36.101(a),  
9 Water Code, limit groundwater production as provided by district  
10 rules.

11 (c) Rules adopted by the board under Sections  
12 8872.0303(a)(4) and (5) requiring a reduction or curtailment of the  
13 production of groundwater must be applied on a proportional,  
14 uniform, and nondiscriminatory basis to all permitted production,  
15 unless the condition requiring reduction or curtailment is limited  
16 to a management zone created under Section 8872.0311.

17 (d) This section does not apply to a permit provision  
18 imposed under Section 8872.0303(a)(6).

19 Sec. 8872.0315. RIGHT TO ENTER LAND. Section 36.123, Water  
20 Code, which authorizes a district's employees or agents to go on and  
21 inspect the property of a landowner, applies to the district  
22 provided that:

23 (1) access is subject to written notice to the  
24 landowner; and

25 (2) the district's employees and agents are prohibited  
26 from carrying firearms on the landowner's property.

27 Sec. 8872.0316. WATER CONSERVATION INITIATIVE. The

1 district may create a water conservation initiative as provided by  
2 Section 11.32, Tax Code.

3 Sec. 8872.0317. PROHIBITION ON DISTRICT PURCHASE, SALE,  
4 TRANSPORT, OR DISTRIBUTION OF WATER. The district may not  
5 purchase, sell, transport, or distribute surface water or  
6 groundwater for any purpose.

7 Sec. 8872.0318. NO EMINENT DOMAIN POWER. The district may  
8 not exercise the power of eminent domain.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 8872.0401. LIMITATION ON TAXES. The district may not  
11 impose ad valorem taxes at a rate that exceeds three cents on each  
12 \$100 valuation of taxable property in the district.

13 Sec. 8872.0402. APPLICABILITY OF CERTAIN TAX PROVISIONS.

14 (a) Sections 26.04, 26.05, 26.06, and 26.07, Tax Code, do not apply  
15 to a tax imposed by the district.

16 (b) Section 49.236, Water Code, applies to the district.

17 Sec. 8872.0403. FEES. (a) The board by rule may impose  
18 uniform, reasonable, equitable, and nondiscriminatory annual  
19 production fees on the amount of permitted water actually produced  
20 from each well.

21 (b) A production fee must be consistent with Section 36.205,  
22 Water Code, and may be based on:

23 (1) the size of column pipe used by the well; or

24 (2) the amount of water actually withdrawn from the  
25 well, or the amount authorized or anticipated to be withdrawn.

26 (c) The district may assess a uniform and nondiscriminatory  
27 export fee consistent with Section 36.122, Water Code, on

1 groundwater that is produced from a well inside the district and  
2 transferred outside the district.

3 (d) The district by rule or resolution may set fees relating  
4 to administrative acts of the district, including filing  
5 applications, reviewing and processing permits, conducting permit  
6 hearings, providing public notice, and paying costs of legal fees,  
7 expert fees, and hearing facility rental fees. The district may not  
8 assess a fee in an amount greater than \$250 for processing permits.

9 SECTION 2. (a) The San Felipe/Sycamore Management Zone  
10 includes all the territory contained in the following area:

11 BEGINNING: At the point at which the South right-of-way of  
12 U.S. Route 377 intersects with the Eastern boundary of Val Verde  
13 County;

14 THENCE: Southwesterly following the South right-of-way of  
15 U.S. Route 377 to a point at its convergence with U.S. Route 277;

16 THENCE: South following the East right-of-way of U.S. Route  
17 277 to a point at the intersection of U.S. Route 277 and Texas State  
18 Highway Loop 79;

19 THENCE: West following the North right-of-way of Texas State  
20 Highway Loop 79 to a point at the intersection of Texas State  
21 Highway Loop 79 and U.S. Route 90;

22 THENCE: Northwest following the North right-of-way of U.S.  
23 Route 90 to a point at the intersection of U.S. Route 90 and Texas  
24 Highway 349;

25 THENCE: Southwesterly following the North right-of-way of  
26 Texas Highway 349 to the Southwestern boundary of Val Verde County;

27 THENCE: Southeasterly to the Southeastern boundary of Val

1 Verde County, and then Northward following the East boundary of Val  
2 Verde County to the POINT OF BEGINNING.

3 (b) The Devils River Management Zone includes all the  
4 territory contained in the following area:

5 BEGINNING: At the point at which the South right-of-way of  
6 U.S. Route 377 intersects with the East boundary of Val Verde  
7 County;

8 THENCE: Southwesterly following the South right-of-way of  
9 U.S. Route 377 to a point at its convergence with U.S. Route 277;

10 THENCE: North following the East right-of-way of U.S. Highway  
11 277 to a point that is perpendicular to the North right-of-way of  
12 Mier Ranch Road;

13 THENCE: West to a point at the intersection of the North  
14 right-of-way of Mier Ranch Road and the West right-of-way of U.S.  
15 Highway 277;

16 THENCE: West following the North right-of-way of Mier Ranch  
17 Road to a point at approximately -100.85623 longitude and 29.73765  
18 latitude;

19 THENCE: In a Southwesterly direction about 1,200 feet to a  
20 point at approximately -100.859523 longitude and 29.737063  
21 latitude, said point being the approximate headwaters of Big Satan  
22 Creek;

23 THENCE: Southwesterly following the centerline of Big Satan  
24 Creek along its meanders in the direction of stream flow to a point  
25 at the confluence of Big Satan Creek and the Devil's River;

26 THENCE: East to a point on the centerline of the Devil's Rive  
27 at approximately -100.949873 longitude and 29.663459 latitude;

1           THENCE: West and Northwesterly following the centerline of  
2 the Devil's River upstream along its meanders to a point at  
3 approximately -100.019808 longitude and 29.730672 latitude, said  
4 point being the confluence of the Devil's River and Dead Man's  
5 Creek;

6           THENCE: Northwest following the centerline of Dead Man's  
7 Creek along its meanders upstream to the point where Dead Man's  
8 Creek intersects the Eastern right-of-way of County Road 163;

9           THENCE: Southwest following the East right-of-way of County  
10 Road 163 to the intersection of County Road 163 and the North  
11 right-of-way of U.S. Route 90;

12           THENCE: Westerly following the North right-of-way of U.S.  
13 Route 90 in a to the intersection of U.S. Route 90 and the East  
14 right-of-way of County Road 1024;

15           THENCE: Northwest following the East right-of-way of County  
16 Road 1024 to the intersection of County Road 1024 and the East  
17 right-of-way of Texas Farm to Market 2083;

18           THENCE: North following the East right-of-way of Texas Farm  
19 to Market 2083 to the North boundary of Val Verde County;

20           THENCE: East following the North boundary of Val Verde  
21 County, and then South following the East boundary of Val Verde  
22 County to the South right-of-way of U.S. Route 377, the POINT OF  
23 BEGINNING.

24           (c) The Pecos River Management Zone includes all the  
25 territory contained in the following area:

26           BEGINNING: At the point where the North right-of way of U.S.  
27 Route 90 intersects the West boundary of Val Verde County;

1           THENCE: East following the North right-of-way of U.S. Route  
2 90 to a point at the intersection of U.S Route 90 and the East  
3 right-of-way of County Road 1024;

4           THENCE: North following the East right-of-way of County Road  
5 1024, being a common boundary with the Western boundary of the  
6 Devil's River Management Zone;

7           THENCE: North following the East right-of-way of County Road  
8 1024 to a point at the intersection of County Road 1024 and the East  
9 right-of-way of Texas Farm to Market 2083;

10          THENCE: North following the East right-of-way of Texas Farm  
11 to Market 2083 to the North boundary of Val Verde County;

12          THENCE: West following the North boundary of Val Verde  
13 County, and then South following the West boundary of Val Verde  
14 County to the intersection of the West boundary of Val Verde County  
15 and the North right-of-way of U.S. Route 90, the POINT OF BEGINNING.

16          (d) The Amistad Management Zone includes all the territory  
17 contained in the following area:

18          BEGINNING: At the point where the North right-of way of U.S.  
19 Route 90 intersects the West boundary of Val Verde County;

20          THENCE: South following the West boundary of Val Verde County  
21 to a point at the Southwest Corner of Val Verde County, being a  
22 common boundary with the United States of America;

23          THENCE: East and Southeasterly following the South boundary  
24 of Val Verde County to a point at the intersection of the North  
25 right-of-way of Texas Highway 349;

26          THENCE: East following the North right-of-way of Texas  
27 Highway 349 to a point at the intersection with the North

1 right-of-way of U.S. Route 90;

2           THENCE: Southeast following the North right-of-way of U.S.  
3 Route 90 to a point at the intersection of the North right-of-way of  
4 U.S. Route 90 and the North right-of-way of Texas State Highway Loop  
5 79;

6           THENCE: East following the North right-of-way of Texas State  
7 Highway Loop 79 to a point at the intersection with the East  
8 right-of-way of U.S. Highway 277;

9           THENCE: North following the East right-of-way of U.S. Highway  
10 277 to a point that is perpendicular to the North right-of-way of  
11 Mier Ranch Road;

12           THENCE: West to a point at the intersection of the North  
13 right-of-way of Mier Ranch Road and the West right-of-way of U.S.  
14 Highway 277;

15           THENCE: West following the North right-of-way of Mier Ranch  
16 Road to a point at approximately -100.85623 longitude and 29.73765  
17 latitude;

18           THENCE: Southwesterly about 1,200 feet to a point at  
19 approximately -100.859523 longitude and 29.737063 latitude, said  
20 point being the headwaters of Big Satan Creek;

21           THENCE: Southwest following the centerline of Big Satan Creek  
22 along its meanders in the direction of stream flow to a point at the  
23 confluence of Big Satan Creek and the Devil's River;

24           THENCE: East to a point on the centerline of the Devil's River  
25 at approximately -100.949873 longitude and 29.663459 latitude;

26           THENCE: Northwest following the centerline of the Devil's  
27 River along its meanders upstream to a point at approximately



1 -100.019808 longitude and 29.730672 latitude, said point being the  
2 confluence of the Devil's River and Dead Man's Creek;

3       THENCE: Northwesterly following the centerline of Dead Man's  
4 Creek along its meanders upstream to the point where Dead Man's  
5 Creek intersects the Eastern right-of-way of County Road 163;

6       THENCE: Southeast following the Eastern right-of-way of  
7 County Road 163 to the point at the intersection of County Road 163  
8 and the North right-of-way of U.S. Route 90;

9       THENCE: West and Northwesterly following the North  
10 right-of-way of U.S. Route 90 to the West boundary of Val Verde  
11 County, the POINT OF BEGINNING.

12       SECTION 3. At the first meeting of the board of directors of  
13 the Val Verde County Groundwater Conservation District that follows  
14 the election held under Section 8872.0153, Special District Local  
15 Laws Code, as added by this Act, the directors shall draw lots to  
16 determine which three directors serve a term expiring December 1 of  
17 the year two years after the date of the election and which two  
18 directors serve a term expiring December 1 of the year four years  
19 after the date of the election.

20       SECTION 4. (a) The legal notice of the intention to  
21 introduce this Act, setting forth the general substance of this  
22 Act, has been published as provided by law, and the notice and a  
23 copy of this Act have been furnished to all persons, agencies,  
24 officials, or entities to which they are required to be furnished  
25 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
26 Government Code.

27       (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on  
2 Environmental Quality.

3 (c) The Texas Commission on Environmental Quality has filed  
4 its recommendations relating to this Act with the governor, the  
5 lieutenant governor, and the speaker of the house of  
6 representatives within the required time.

7 (d) All requirements of the constitution and laws of this  
8 state and the rules and procedures of the legislature with respect  
9 to the notice, introduction, and passage of this Act are fulfilled  
10 and accomplished.

11 SECTION 5. This Act takes effect immediately if it receives  
12 a vote of two-thirds of all the members elected to each house, as  
13 provided by Section 39, Article III, Texas Constitution. If this  
14 Act does not receive the vote necessary for immediate effect, this  
15 Act takes effect September 1, 2021.