By: Gallego H.B. No. 3593

A BILL TO BE ENTITLED

AN ACT

relating to changing the boundaries of Hudspeth County Underground Water Conservation District No. 1.

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

SECTION 1. DEFINITIONS. In this Act:

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

(2) "Director" means a director of the board of the district.

(3) "District" means the Hudspeth County Underground Water Conservation District No. 1.

SECTION 2. BOUNDARIES. The district includes all the territory contained in the following described area:

BEGINNING at the northeast corner of Section 6, Block 69, Township 1, Hudspeth County, Texas, and being a point in the state line between Texas and New Mexico, for the northwest corner of the survey;

THENCE south with the east boundary line of Section 6, Block 69, Township 1 to the southeast corner of Section 6;

THENCE west with the south boundary line of Section 6, Block 69, Township 1, to the southwest corner of Section 6, which point is also the southeast corner of Section 1, Block 70, Township 1, Hudspeth County, Texas;

THENCE continuing west with the south boundary line of Section 1,

Block 70, Township 1 to the southwest corner of Section 1, this point also being the northwest corner of Section 12, Block 70, Township 1;

THENCE south with the west boundary line of Section 12 and continuing south with the west boundary line of Section 13, 24, 25, 36, and 37, Block 70, Township 1, to the southwest corner of Section 37;

THENCE east with the south boundary line of Section 37 to its southeast corner, which point is also the northeast corner of Section 48, Block 70, Township 1;

THENCE south with the east line of Section 48 to its southeast corner, which point is also the northwest corner of Section 6, Block 69, Township 2, Hudspeth County, Texas;

THENCE continuing south with the west line of Sections 6 and 7, Block 69, Township 2, to the southwest corner of Section 7;

THENCE east with the south boundary line of Sections 7, and continuing east with the south line of Section 8 to the southeast corner of Section 8, which point is also the northwest corner of Section 16, Block 69, Township 2, Hudspeth County, Texas;

THENCE south with the west boundary line of Section 16 to its southwest corner;

THENCE east with the south boundary line of Section 16 to its southeast corner, which point is also the northwest corner of Section 22, Block 69, Township 2;

THENCE south with the west boundary line of Section 22 to its southwest corner;

THENCE east with the south boundary line of Section 22 to its

southeast corner, which point is also the northwest corner of Section 26, Block 69, Township 2, Hudspeth County, Texas;

THENCE south with the west boundary line of Section 26, and continuing to the southwest corner of Section 35, Block 69, Township 2;

THENCE east with the south boundary line of Section 35 to its southeast corner, being also the northeast corner of Section 38, Block 69, Township 2;

THENCE south with the east boundary line of Sections 38 and 47, Block 69, Township 2, to its intersection with the north right-of-way line of U.S. Highway 62 as in existence on August 12, 1955, and shown on Texas Highway Department plans for such construction;

THENCE with the north right-of-way line of U.S. Highway 62, as above described, in its east, southeast and northeast course to its intersection with east boundary line of Section 43, Block 67, Township 2, Hudspeth County, Texas;

THENCE north on east boundary line of Section 43, Block 67, Township 2 to its northeast corner, which point is also the southeast corner of Section 34, Block 67, Township 2.

THENCE continuing north with the east boundary lines of Sections 34, 33, 24, 23, 14, 11, 2, Block 67, Township 2 and Sections 47, 38, 35, 26, 23, 14, 11, 2, Block 67, Township 1 to the northeast corner of Section 2, being a point in the Texas-New Mexico State line forming the north boundary line of Hudspeth County, Texas.

THENCE west with the Texas-New Mexico State Line to the Point of Beginning.

SECTION 3. FINDINGS RELATED TO BOUNDARIES. The legislature finds that the boundaries and field notes of the district form a closure. If a mistake is made in the field notes or in copying the field notes in the legislative process, the mistake does not affect in any way:

(1) the organization, existence, or validity of the district;

(2) the right of the district to impose taxes; or

(3) the legality or operation of the district or the board.

SECTION 4. ADJUSTMENTS OF DIRECTOR PRECINCTS AND ELECTIONS. As a result of the change to the boundaries of the district made by Section 2 of this Act or if otherwise required by law, the board may:

(1) adjust the precinct boundaries for the election of directors as necessary to provide for proper representation of the residents of the district; and

(2) call and hold elections under Chapter 36, Water Code, or other law to ensure the lawful representation and taxation of the residents of the district.

SECTION 5. EXISTING OBLIGATIONS. The change to the district's boundaries made by Section 2 of this Act does not impair any obligation related to bonds or notes issued by the district before the effective date of this Act. All outstanding bonds and notes validly issued by the district remain valid, enforceable, and binding and shall be paid in full, both principal and interest, in accordance with their terms and from the sources pledged to the

payment of the bonds or notes. An owner of land within the area excluded from the district by this Act the taxes on which have been pledged for bonds or notes issued by the district remains liable for the owner's pro rata share of that bond or note debt and shall continue to pay taxes on that land until the owner's pro rata share is paid.

SECTION 6. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003.

COMMITTEE AMENDMENT NO. 1

Amend H.B. 3593 by adding an additional SECTION 6 to read as follows:

SECTION 6. REQUIRED ANALYSIS. The district shall complete by January 1, 2005, an analysis of the difference between the district's defined boundaries in relation to the Bone Spring-Victorio Peak Aquifer and the boundaries reestablished by SECTION 2 of the Act, and its recommendations concerning appropriate district boundary changes such that the district's boundaries and those of the Bone Spring-Victorio Peak Aquifer coincide.

The district's analysis shall be furnished to the Texas Water Development Board, Governor, Lieutenant Governor, and the Speaker of the Texas House of Representatives.

Puente