

By: Averitt

S.B. No. 1451

A BILL TO BE ENTITLED

AN ACT

relating to the management of groundwater resources in the state.

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

SECTION 1. Subsection (c), Section 35.009, Water Code, is amended to read as follows:

(c) The commission shall also give written notice of the date, time, place, and purpose of the hearing to each state senator and state representative who represents any part of the area proposed for designation as a priority groundwater management area and the governing body of each county, regional water planning group, adjacent groundwater district, municipality, river authority, water district, or other entity which supplies public drinking water, including each holder of a certificate of convenience and necessity issued by the commission, and of each irrigation district, located either in whole or in part in the priority groundwater management area or proposed priority groundwater management area. The notice must be given before the 30th day preceding the date set for the hearing.

SECTION 2. Section 36.111, Water Code, is amended to read as follows:

Sec. 36.111. RECORDS AND REPORTS. A [~~The~~] district shall require that records be kept and reports be made of the drilling, equipping, and completing of water wells and of the production and use of groundwater. A district by rule may establish that the

1 records and reports required by the Texas Department of Licensing
2 and Regulation under its rules or Chapter 1901, Occupations Code,
3 satisfy the requirements of this section.

4 SECTION 3. Section 36.112, Water Code, is amended to read as
5 follows:

6 Sec. 36.112. DRILLERS' LOGS. A district shall require that
7 accurate drillers' logs be kept of water wells and that copies of
8 drillers' logs and electric logs be filed with the district. A
9 district by rule may establish that the drillers' logs required by
10 The Texas Department of Licensing and Regulation under its rules or
11 Chapter 1901, Occupations Code, satisfy the requirements of this
12 section.

13 SECTION 4. Subsection (b), Section 36.117, Water Code, is
14 amended to read as follows:

15 (b) A district may not require any permit issued by the
16 district for:

17 (1) a well used solely for domestic use or for
18 providing water for livestock or poultry on a tract of land larger
19 than 10 acres that is either drilled, completed, or equipped so that
20 it is incapable of producing more than 25,000 gallons of
21 groundwater a day;

22 (2) the drilling of a water well used solely to supply
23 water for a rig that is actively engaged in drilling or exploration
24 operations for an oil or gas well permitted by the Railroad
25 Commission of Texas provided that the person holding the permit is
26 responsible for drilling and operating the water well and the well
27 is located on the same lease or field associated with the drilling

1 rig; ~~or~~]

2 (3) the drilling of a water well authorized under a
3 permit issued by the Railroad Commission of Texas under Chapter
4 134, Natural Resources Code, or for production from such a well to
5 the extent the withdrawals are required for mining activities
6 regardless of any subsequent use of the water; or

7 (4) a monitoring well, as defined by Section 1901.001,
8 Occupations Code.

9 SECTION 5. Subsection (a), Section 36.157, Water Code, is
10 amended to read as follows:

11 (a) A district may pay all costs and expenses necessarily
12 incurred in the creation and organization of a district, including
13 legal fees and other incidental expenses, and may reimburse any
14 person or governmental entity, including a county, for money
15 advanced for these purposes.

16 SECTION 6. This Act takes effect September 1, 2005.