AN ACT

relating to the name, administration, powers, and duties of the
Collingsworth County Underground Water Conservation District.

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

SECTION 1. Chapter 376, Acts of the 69th Legislature,
Regular Session, 1985, is amended by amending Sections 1, 3, 4, 5,
and 6 and by adding Section 4A to read as follows:

Sec. 1. CREATION OF DISTRICT. Under Article XVI, Section
59, of the Texas Constitution the Collingsworth County Underground
Water Conservation District is created as a governmental agency
and body politic and corporate, authorized to exercise the powers
essential to the accomplishment of the purposes of that
constitutional provision and to exercise the rights, powers,
duties, privileges, and functions provided by this Act and by
Chapter 36 [Chapters 51 and 52], Water Code, and by other laws of
this state relating to underground water conservation districts.

Sec. 3. BOUNDARY OF DISTRICT. The district includes all of
the territory located in Collingsworth County and any territory
annexed by the district.

Sec. 4. PURPOSE OF DISTRICT. The district is created to
provide for the conservation, preservation, protection, recharge,
and prevention of waste of the underground water reservoirs located
under district land consistent with the objectives of Article XVI,
Section 59, of the Texas Constitution and Chapter 36 [Chapters 51

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Sec. 4A. DISTRICT NAME CHANGE. The board by resolution may change the district's name.

Sec. 5. POWERS AND DUTIES OF DISTRICT. The district may exercise the powers, rights, privileges, and functions permitted by Chapter 36 [Chapters 51 and 52], Water Code, and may:

(1) make and enforce rules to provide for conserving, preserving, protecting, recharging, and preventing waste of the water from the underground water reservoirs;

(2) enforce its rules by injunction, mandatory injunction, or other appropriate remedies in a court of competent jurisdiction;

(3) require permits for the drilling, equipping, and completion of wells in the underground water reservoirs in the district and issue permits that include terms and provisions with reference to the drilling, equipping, and completion of the wells that are necessary to prevent waste or conserve, preserve, and protect underground water;

(4) provide for the spacing of wells producing from the underground water reservoirs in the district and regulate the production from those wells to minimize as far as practicable the drawdown of the water table or the reduction of the artesian pressure, provided, the owner of the land, his heirs, assigns, and lessees are not denied a permit to drill a well on their land and the right to produce underground water from that well subject to rules adopted under this Act;

(5) require records to be kept and reports to be made
of the drilling, equipping, and completion of wells into any underground water reservoir in the district and the taking and use of underground water from those reservoirs and require accurate driller's logs to be kept of those wells and a copy of those logs and of any electric logs that may be made of the wells to be filed with the district;

(6) acquire land for the erection of dams and for the purpose of draining lakes, draws, and depressions; construct dams, drain lakes, depressions, draws, and creeks; and install pumps and other equipment necessary to recharge any underground water reservoirs in the district;

(7) have made by registered professional engineers surveys of the underground water of any underground water reservoir in the district and of the facilities for the development, production, and use of that underground water and determine the quantity of the underground water available for production and use and the improvements, developments, and recharges needed for those underground water reservoirs;

(8) develop comprehensive plans for the most efficient use of the underground water of any underground water reservoir in the district and for the control and prevention of waste of that underground water, with the plans to specify in the amount of detail that may be practicable the acts, procedure, performance, and avoidance that are or may be necessary to carry out those plans, including specifications;

(9) carry out research projects, develop information, and determine limitations, if any, that should be made on the
withdrawal of underground water from any underground water reservoir in the district;

(10) collect and preserve information regarding the use of the underground water and the practicability of recharge of any underground water reservoir in the district;

(11) publish plans and information, bring them to the notice and attention of the users of the underground water in the district, and encourage their adoption and execution; and

(12) contract for, sell, and distribute water from a water import authority or other agency.

Sec. 6. ADMINISTRATIVE PROCEDURES. Except as provided by this Act, the administrative and procedural provisions of Chapter 36 [Chapters 51 and 52], Water Code, apply to the district.

SECTION 2. Section 7(a), Chapter 376, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

(a) In addition to other requirements provided by law, the district shall file with the county treasurer of each county in whose jurisdiction the district is located copies of all audits, orders of the board of directors, and other documents relating to district finances. The copies shall be filed within 60 days after the audits are completed, the orders are adopted, or the other documents are finalized.

SECTION 3. Section 12, Chapter 376, Acts of the 69th Legislature, Regular Session, 1985, is amended to read as follows:

Sec. 12. ANNEXATION; EFFECT ON BOARD OF DIRECTORS. (a) Additional territory may be added to the district as provided by Chapter 36 [49], Water Code. If the district annexes additional
territory, the board of directors may add the annexed territory to one or more existing single-member districts for purposes of electing directors, may redraw the five single-member districts to include the annexed territory, or may add additional single-member districts for the election of an additional director.

(b) The district may not contain more than 11 single-member districts.

SECTION 4. Sections 8, 9, 11, and 14, Chapter 376, Acts of the 69th Legislature, Regular Session, 1985, are repealed.

SECTION 5. 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, 2007.
H.B. No. 3995

President of the Senate

Speaker of the House

I certify that H.B. No. 3995 was passed by the House on May 9, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3995 was passed by the Senate on May 22, 2007, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _______________________

Date

Governor