

SPECIAL DISTRICT LOCAL LAWS CODE  
TITLE 6. WATER AND WASTEWATER  
SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER  
CHAPTER 8806. COKE COUNTY UNDERGROUND WATER  
CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8806.001. DEFINITIONS. In this chapter:

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

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

(3) "District" means the Coke County Underground Water Conservation District.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.002. NATURE OF DISTRICT. The district is created under Section 59, Article XVI, Texas Constitution, to provide for the conservation, preservation, protection, recharge, and prevention of waste of the groundwater reservoirs located under district land, consistent with the objectives of Section 59, Article XVI, Texas Constitution, and Chapters 36 and 51, Water Code.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The district is created to serve a public use and benefit.

(b) Land included in the boundaries of the district will benefit.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.004. DISTRICT TERRITORY. The boundaries of the district are coextensive with the boundaries of Coke County, Texas.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11,

eff. April 1, 2009.

Sec. 8806.005. ADMINISTRATIVE PROCEDURES. The administrative and procedural provisions of Chapters 36 and 51, Water Code, apply to the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.006. CONFLICT OF LAW. If there is a conflict between Chapters 36 and 51, Water Code, Chapter 36 controls.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

#### SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8806.051. COMPOSITION OF BOARD; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.052. METHOD OF ELECTING DIRECTORS. One director is elected from each county commissioners precinct in Coke County and one director is elected at large.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.053. ELECTION DATE. The district shall hold an election in the district to elect directors on the uniform election date in May of each odd-numbered year.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.054. QUALIFICATIONS FOR ELECTION. (a) To be qualified for election as a director, a person must be:

- (1) a resident of the district; and
- (2) at least 21 years of age.

(b) To be qualified for election as a director from a precinct, a person must reside in that precinct.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 8806.101. GENERAL RIGHTS, POWERS, DUTIES, PRIVILEGES, AND FUNCTIONS. The district has:

(1) the powers essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution; and

(2) the rights, powers, duties, privileges, and functions provided by this chapter, Chapters 36 and 51, Water Code, and other laws of this state relating to groundwater conservation districts.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.102. WELL PERMITS. (a) The board may:

(1) require a permit for drilling, equipping, or completing a well in the groundwater reservoir; and

(2) issue a permit subject to terms and provisions relating to drilling, equipping, or completing a well that are necessary to prevent waste or conserve, preserve, and protect groundwater.

(b) The board may not deny an owner of land, or the owner's heirs, assigns, and lessees, a permit to drill a well on that land or the right to produce groundwater from that well subject to rules adopted under this chapter.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.103. WELL SPACING AND PRODUCTION. The board may:

(1) provide for the spacing of wells producing from groundwater reservoirs; and

(2) 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.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.104. RECORDS, REPORTS, AND LOGS. (a) The board may require that records be kept and reports be made of:

(1) the drilling, equipping, and completing of a well into a groundwater reservoir; and

(2) the taking and use of groundwater from that reservoir.

(b) The board may require accurate driller's logs to be kept of a well described by Subsection (a)(1).

(c) The board may require that a copy of a driller's log and of any electric log that may be made of a well be filed with the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.105. ACQUISITION OF LAND. The district may acquire land to erect a dam or drain a lake, depression, or draw.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.106. RECHARGE OF RESERVOIR. The district may construct dams, drain lakes, depressions, draws, or creeks, and install pumps and other equipment necessary to recharge a groundwater reservoir.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.

Sec. [8806.107](#). SURVEYS. The district may have a licensed engineer survey the groundwater of a groundwater reservoir and the facilities for the development, production, and use of that groundwater and determine the quantity of the groundwater available for production and use and the improvements, developments, and recharges needed for the groundwater reservoir.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11,

eff. April 1, 2009.

Sec. 8806.108. DISTRICT PLANS. (a) The district may develop comprehensive plans for the most efficient use of the groundwater of a groundwater reservoir and for the control and prevention of waste of that groundwater.

(b) The plans must specify in the amount of detail that may be practicable any act, procedure, performance, or avoidance necessary to effect those plans.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.109. RESEARCH PROJECTS. The district may carry out research projects, develop information, and determine limitations, if any, that should be made on the withdrawal of groundwater from a groundwater reservoir.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.110. COLLECTION AND PRESERVATION OF INFORMATION. The district may collect and preserve information regarding the use of groundwater and the practicability of recharge of a groundwater reservoir.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.111. DISSEMINATION OF PLANS AND INFORMATION. The board may:

- (1) publish plans and information;
- (2) notify the users of groundwater in the district of the plans and information; and
- (3) encourage the adoption and execution of the plans.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. 3166), Sec. 1.11, eff. April 1, 2009.

Sec. 8806.112. CONTRACT FOR AND SALE AND DISTRIBUTION OF WATER. The district may contract for, sell, and distribute water

from a water import authority or other agency.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.

Sec. [8806.113](#). ANNEXATION. Territory may be added to the district under Subchapter [J](#), Chapter [49](#), Water Code. The board shall determine to which precinct the annexed land is added for the purpose of electing directors.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.

Sec. [8806.114](#). DISSOLUTION. Chapter [36](#), Water Code, applies to the dissolution of the district.

Added by Acts 2007, 80th Leg., R.S., Ch. 920 (H.B. [3166](#)), Sec. 1.11, eff. April 1, 2009.