

SPECIAL DISTRICT LOCAL LAWS CODE
TITLE 6. WATER AND WASTEWATER
SUBTITLE H. DISTRICTS GOVERNING GROUNDWATER
CHAPTER 8887. NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8887.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Director" means a board member.
- (3) "District" means the North Plains Groundwater Conservation District.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.002. NATURE OF DISTRICT. The district is a groundwater conservation district created under Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.003. FINDING OF BENEFIT. (a) All land and other property in the district benefit from the:

- (1) creation of the district;
- (2) carrying out of the purposes for which the district was created; and
- (3) acquisition and construction of improvements to carry out those purposes.

(b) The district is necessary to carry out the purposes of Section [59](#), Article XVI, Texas Constitution.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.004. DISTRICT TERRITORY. The district is composed of the territory described by Section 1, Chapter 498, Acts of the 54th Legislature, Regular Session, 1955, as that territory may have been modified under:

- (1) Subchapter J or K, Chapter 36, Water Code; or
- (2) other law.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. 2803), Sec. 1.04, eff. April 1, 2019.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8887.051. TERMS. Directors serve staggered four-year terms.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. 2803), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.052. ELECTION DATE. The district shall hold an election to elect the appropriate number of directors on a uniform election date in each even-numbered year.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. 2803), Sec. 1.04, eff. April 1, 2019.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8887.101. GENERAL POWERS AND DUTIES. The district has all of the rights, powers, privileges, and duties provided by general law applicable to groundwater conservation districts created under Section 59, Article XVI, Texas Constitution, and Chapter 36, Water Code.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. 2803), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.102. WELL PERMITS. (a) The district may:

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

(2) issue a permit subject to terms relating to drilling, equipping, or completing a well that are necessary to prevent waste or contamination.

(b) The district 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 to produce groundwater from that well subject to rules

adopted to prevent waste or contamination.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.103. WELL SPACING AND PRODUCTION. To minimize as far as practicable the drawdown of the water table or the reduction of the artesian pressure, the district may provide for the spacing of wells producing from a groundwater reservoir or a subdivision of a groundwater reservoir in the district and regulate the production from those wells.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.104. RECORDS AND REPORTS. The district may require that records be kept and reports be made of the drilling, equipping, and completion of a well in a groundwater reservoir or a subdivision of a groundwater reservoir in the district and the taking and use of groundwater from those reservoirs or subdivisions of those reservoirs.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.105. LOGS. The district may require that:

(1) accurate driller's logs be kept of the drilling, equipping, and completion of a well in a groundwater reservoir or a subdivision of a groundwater reservoir in the district; and

(2) a copy of a driller's log and of any electric log that is made of the well be filed with the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.106. SURVEYS. The district may have a licensed engineer or qualified groundwater scientist survey the groundwater of a groundwater reservoir or a subdivision of a groundwater reservoir in the district and the facilities for the development, production, and use of that groundwater to determine the:

(1) quantity of the groundwater available for

production and use; and

(2) improvements, developments, and recharges needed for the groundwater reservoir or subdivision of a groundwater reservoir.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.107. RESEARCH AND DETERMINATIONS REGARDING GROUNDWATER WITHDRAWAL. The district may carry out research projects, develop information, and determine limitations, if any, that should be made on the withdrawal of water from a groundwater reservoir or a subdivision of a groundwater reservoir in the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.108. 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 or a subdivision of a groundwater reservoir in the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.109. RULES: PREVENTION OF WASTE. (a) In this section, "waste" has the meaning assigned by Section [36.001](#), Water Code.

(b) The district may adopt and enforce rules to prevent the waste of the groundwater of any groundwater reservoir or subdivision of a groundwater reservoir in the district.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8887.151. LIMITATION ON MAINTENANCE AND OPERATION TAX. To pay the maintenance and operating expenses of the

district, including the maintenance of its installations and activities, the district may impose ad valorem taxes annually at a rate not to exceed five cents on each \$100 of assessed valuation on property in the district subject to taxation.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.152. MAINTENANCE AND OPERATION TAX ELECTION. The district may order an election to impose taxes for the maintenance of the district and its installations and activities. The election must be held as is provided for elections authorizing the issuance of bonds.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.

Sec. 8887.153. DISTRICT DEBT. The district may incur all indebtedness necessary to the achievement of the purposes for which the district is created.

Added by Acts 2017, 85th Leg., R.S., Ch. 869 (H.B. [2803](#)), Sec. 1.04, eff. April 1, 2019.