

TO WHOM IT MAY CONCERN:

July 24, 2024

Notice is hereby given to all interested members of the public that the Board of Directors of the Kinney County Groundwater Conservation District (the District) will hold a public hearing for Draft Rules on August 14, 2024. The public hearing is to discuss the District's Draft Rules. The public hearing is scheduled at 6:00 p.m. at the Kinney County Groundwater Conservation District office at 503 South Ann Street, Brackettville,, TX 78832.

Immediately following the public hearing will be the regular board meeting. A copy of the Draft Rule changes and the agenda for the public hearing can be found on the district website at www.kinneycountygcd.org

**Proposed Amendments to the Kinney County
Groundwater Conservation District Rules**

(1) Rule 3.06 subsections (A) and (D) are amended to read as follows:

- A) Applications for Permits or Permit Amendments other than Test Permits.** Within sixty (60) days from the date on which the District determines that an application is administratively complete, the application shall be set on the agenda for Board action at a Board meeting. Such setting shall be no later than the next available Board meeting. An application for a permit to withdraw less than 50 acre-feet of groundwater per year may be approved without a public hearing. An application for a permit to withdraw 50 acre-feet or more of groundwater per year shall be scheduled for a public hearing.
- D) Board Action if No Request for Contested Case Hearing.** If no request for a contested case hearing is made by 5:00 p.m. three business days before the public hearing, the Board shall issue a written order or resolution reflecting its decision. If the Board approves the Application, the permit shall be an attachment to that written order or resolution. The Board's decision shall be made within sixty (60) days after the final hearing at which the Application was considered. If the Board votes to issue the permit at an amount less than the amount requested on the application, or votes to issue the permit with conditions that were not part of the original proposal, or denies the permit, the applicant may demand a contested case hearing by submitting a written demand to the District office no later than the close of business on the twentieth (20th) tenth (10th) business day after the Board's vote.

(2) Rule 4.02 (B) is amended to read as follows:

- B) Equipment Required for Establishing Quantity of Groundwater Produced.** All operable non-exempt use wells must have installed meters and monitoring equipment approved by the District from a list of approved vendors. A well is deemed to be operable unless the well plumbing and power source are disconnected from the well head or the well casing is capped or the well is plugged. Monitoring equipment may include real-time monitoring equipment installed at the District's office at the well owner's expense. The meter and monitoring equipment installation must be inspected by the District and schematic drawing of installation provided to the District. Metering Device failure must be reported to the District and the District must approve an appropriate measuring alternative. The purpose of the approved meter and monitoring equipment is to ensure that the District has the capability to promptly and accurately measure the amount of groundwater being produced or transported out of the District.

(3) Rule 4.03 is amended by adding new subsection (C) to read as follows:

C) **Drought Production Limits.** The Board may declare the District to be in a drought stage at any Board meeting conducted in accordance with the Open Meetings Act. During a drought stage, permittees may produce an amount of groundwater equal to the maximum amount produced in any one calendar year during the twenty-one preceding calendar years. Following a Board declaration of a drought stage, the District shall, in writing, inform each permittee of the production limit for each permit. During a drought stage, the District will not accept any applications for a Testing Permit. The Board may declare the end of a drought stage at any Board meeting conducted in accordance with the Open Meetings Act.