

# HIGH PLAINS UNDERGROUND WATER CONSERVATION DISTRICT NO. 1

## SUMMARY OF DISTRICT RULE REVISIONS

The purpose of this summary document is to provide a brief overview of the main revisions to the High Plains Underground Water Conservation District No. 1 (“District”) rules, effective on July 19, 2011. Please visit the District’s website at [www.hpwd.com](http://www.hpwd.com) or at the District office to review the actual rules or for other information regarding the District’s management of groundwater in the High Plains area.

### Registration and Permitting of Water Wells

- **Permitting of Water Wells:** The following types of wells do not have to obtain a permit from the District:
  1. A well that is equipped to produce 17.5 gpm (25,000 gallons per day) or less. If a well is part of a well system that has a total capacity of more than 17.5 gpm, the well does not qualify under this exemption.
  2. A well that is used solely for domestic use.
  3. A well used to supply water to an oil or gas rig if: (1) the water well is used to supply water for drilling or exploration operations for an oil or gas well permitted by the Railroad Commission; (2) the person holding the Railroad Commission permit is responsible for drilling/operating the water well; and (3) the water well is located on the same lease/field as the drilling rig. This exemption does not apply to wells used for operations to increase production of oil or gas.
  4. A well used for coal mining operations.

All new wells that do not meet one of the exemptions above must obtain a permit from the District.

All existing wells that are not considered to be pre-District wells or exempt under a previous version of the District rules and that do not meet one of the exemptions above must obtain a permit from the District.

- **Registration of Water Wells:**

New wells = all new exempt wells must be registered with the District before the well is drilled.

Existing wells =

- Existing domestic wells do not have to register with the District.
- Existing wells equipped to produce 17.5 gpm or less do not have to register with the District
- Existing water wells used for oil and gas or coal mining activities that are exempt from permitting must register with the District.
- Any wells that are not permitted by the District, are not pre-District wells, and that were exempt from permitting under previous District rules but that do not meet one of the permitting exemptions above must register with the District.

### Allowable Production Rate (APR) – Determining the Amount of Groundwater that can be Produced

- The APR applies to all water wells that withdraw groundwater from the Ogallala Aquifer, except those wells that are exempt from permitting.

- Well owners or operators that are subject to the District APR must limit their production from their well or well system to the applicable APR:

Year	Allowable Production Rate (APR)
2012 and 2013	1.75 acre feet per Contiguous Acre per year
2014 and 2015	1.5 acre feet per Contiguous Acre per year
2016 and beyond	1.25 acre feet per Contiguous Acre per year

\*Note that a year means from January 1 through December 31.

- Contiguous Acres** – Means the property where a well or well system is located and is owned or controlled for the right to produce groundwater and all adjacent property that is owned or controlled for the right to produce groundwater.
  - Property that is on separate tracts and is only separated by being across a street or other public right of way or easement is considered to be contiguous.
  - Separate tracts that are not contiguous are counted separately and the APR for those tracts cannot be combined and produced from one tract.
- Carrying Forward the Allowable Production Rate for Future Use** – A well owner or operator can set aside any amount of the APR for use during any of the following three (3) years from the year the water is set aside.
  - The well owner or operator must apply to the District by March 1 of the year following the year that the owner or operator would like to set water aside.
- Determining How Much Water can be Produced in a Year** – A well owner or operator can determine how much groundwater can be produced by using the following process:

**Step 1:** Determine the year that applies to know what the APR is for that year (Example: the APR for 2012 is 1.75 acre feet; the APR for 2014 is 1.5 acre feet)

**Step 2:** Multiply the APR for that year times the number of Contiguous Acres around the well owned or controlled to determine how much groundwater can be produced in that year.

**Step 3:** Add the amount calculated in Step 2 above to any water that has been carried forward for future use.

*Example 1:* The APR for 2013 is 1.75 acre feet per Contiguous Acre and the well owner has 300 Contiguous Acres. The well owner did not carry forward any groundwater for future use.  $1.75 \text{ acre feet} \times 300 \text{ Contiguous Acres} = 525 \text{ acre feet of groundwater that can be produced in 2012.}$

*Example 2:* The APR for 2014 is 1.5 acre feet per Contiguous Acre and the well owner has 150 Contiguous Acres. The well owner carried forward 50 acre feet that the well owner did not use in 2013.  $1.5 \text{ acre feet} \times 150 \text{ Contiguous Acres} + 50 \text{ acre feet carried forward} = 275 \text{ acre feet of groundwater that can be produced in 2014.}$

- Base APR for Cities/Public Water Systems** – The base APR for cities and public water systems is the maximum amount of groundwater that was produced during any one of the last three (3) calendar years (2009, 2010, or 2011), regardless of the amount of Contiguous Acres that the city or public water system owns or controls.

- The city or public water system must submit a sworn certification to the District by March 1, 2012.
- If a city or public water system wants to produce more than its base APR, then it must have enough Contiguous Acres to be able to produce that amount of water over its base APR.
- Note that cities or public water systems cannot carry forward any amount of their unused base APR.

*Example:* City X certifies to the District by March 1, 2012 that it produced 150 acre feet (48.88 million gallons) in 2011 and therefore has a base APR of 150 acre feet. City X later decides that it needs to produce 200 acre feet (65.17 million gallons) in 2013. City X would need to be sure that it has enough Contiguous Acres to produce the additional 50 acre feet over the base APR of 150 acre feet.

## Metering and Reporting

- All existing and new wells and well systems must be metered and must record the production of groundwater, except for those wells that are equipped to produce 17.5 gpm or less or those wells that are used solely for domestic purposes.
- **Metering of New Wells** – Beginning on January 1, 2012, all new wells or well systems that are required to be metered must be equipped with a meter that is from the District’s meter specifications and approved meter list.
- **Metering of Existing Wells** – Beginning on January 1, 2012, all existing wells or well systems that are required to be metered must begin recording groundwater production through either a meter that is from the District’s meter specifications and approved meter list or through an alternate measuring method authorized in the District’s meter specifications.
  - All existing wells or well systems must be equipped with a meter that is from the District’s meter specifications and approved meter list by January 1, 2016 (alternate measuring methods no longer allowed).
  - Wells or well systems that are equipped with meters as of September 1, 2011 (the date the District’s meter specifications and approved meter list was published) are grandfathered.
- **Meter Sealing** – Once a meter has been installed on a well the owner or operator must submit a form to the District and the District staff will inspect and seal the meter.
- **Production Reporting** – Beginning on January 1, 2012, all wells except those exempt wells that are equipped to produce 17.5 gpm or less or are used solely for domestic purposes must begin recording groundwater production.
  - Meter readings or readings from alternate measuring methods may be taken and calculated at any point from December 15 to January 15 of each year.
  - Beginning in 2013, production reports must be submitted to the District by March 1 of each calendar year for the previous year’s production. The first production reports must be submitted by March 1, 2013, and will report production from the 2012 production year.