

CHAPTER 2 – REGISTRATION

SECTION 2.1 – REGISTRATION CRITERIA

RULE 2.1.1 – MANDATORY REGISTRATION

- a) Exempt and Non-Exempt Wells – All water wells, including monitoring wells, whether currently capable of producing water or not, in the District are required to be registered with the District on forms approved by the General Manager. This applies to all water wells, whether exempt or non-exempt from permitting. After the registration is completed, the District will determine whether the well must be permitted or is exempt from permitting by the District.
- b) Drilling and Servicing Wells – It is considered a violation of these rules for licensed drillers or pump installers to drill or service water wells without the well being registered with the District. Failure to adhere to this rule may result in fines and/or notification to the Texas Department of Licensing and Regulation (TDLR) or any other appropriate agency.
- c) Alteration of Wells – Any non-water well, including those permitted by the Railroad Commission, that is then converted into a water well, must be registered with the District.

RULE 2.1.2 – EXCEPTIONS FOR REGISTRATION

- a) Test Wells – Test wells that do not utilize a pump test are not required to be registered with the District as long as the well is properly plugged or returned to original conditions. If the test well is converted to another use, that well must be registered with the District prior to conversion. Test wells that do utilize a pump test must be registered with the District prior to drilling.

SECTION 2.2 – REGISTRATION OF EXISTING WELLS

RULE 2.2.1 – COMPULSORY INFORMATION

- a) Registrant and Landowner Information – Well registration shall be made in the name of the well owner or property owner on a form or forms approved by the General Manager. The original registration form must be submitted and signed by the owner or an owner's authorized agent, who may be required to provide the District with a notarized authorization from the owner. This agent may be the well driller, lessee or renter of the property or well, a representative with power of attorney, or other appropriate agent. The application pursuant to which registration has been issued is incorporated into the registration and registrations are granted on the basis of, and contingent upon, the accuracy of the information supplied in that application.
- b) Completeness – A well cannot be considered registered unless District staff has declared the registration form to be administratively complete. A registration form may be rejected as not administratively complete if the District finds that substantive information required on the registration form or by District staff is missing, false, or incorrect. Applicants submitting incomplete registration forms will be notified by the District within five (5) business days of receipt.

RULE 2.2.2 – PERMIT REQUIREMENT

- a) Determination of Status – District staff will review the registration form and make a determination of whether the well meets the exemptions from permitting provided in Chapter 3 of these Rules. Staff will inform the registrant of their determination as soon as practically possible but no later than ten (10) business days of receipt of the completed registration form. No further action needs to be taken by the registrant if the determination is that the well is exempt from permitting. If the staff's determination is that the well is not exempt, the District will inform the registrant of further application information or fees required to proceed with a permit application.

RULE 2.2.3 – COMPLIANCE

- a) Registration Deadline – Any water well that has not been plugged (permanently sealed), must be registered with the District within twelve (12) months of the adoption of these rules. This includes, but is not limited to, covered or uncovered wells that are incapable of water production.
- b) Violations – Any existing well that is not registered, whether abandoned or operating, is in violation of District Rules. Violation of any Rule is subject to civil penalties as specified in Chapter 36 of the Texas Water Code and Chapter 9 of these Rules. As stated in the Texas Water Well Drillers and Pump Installers Administrative Rules, Title 16, Part 4, Chapter 76, Texas Administrative Code, all work performed on a well by licensed

drillers or pump installers must adhere to District Rules. All wells that fail to be registered within the designated time period will be ineligible for existing and historic use status as described in Section 3.3 of these Rules. Additionally, only wells that have been registered will be afforded protection by the District. District staff can only perform work on a well that is registered with the District.

SECTION 2.3 – REGISTRATION OF NEW WELLS

RULE 2.3.1 – COMPULSORY INFORMATION

- a) **Registrant and Landowner Information** – Well registration shall be made in the name of the well owner or property owner on a form or forms approved by the General Manager. The original application must be submitted and signed by the owner or an owner’s authorized agent, who may be required to provide the District with a notarized authorization from the owner. This agent may be the well driller, lessee or renter of the property or well, a representative with power of attorney, or other appropriate agent. The application pursuant to which registration has been issued is incorporated into the registration and registrations are granted on the basis of, and contingent upon, the accuracy of the information supplied in that application.
- b) **Completeness** – A well cannot be considered registered unless District staff has declared the registration form to be administratively complete. The District will not take action on a registration form that is not administratively complete or that has not proceeded in a manner consistent with District Rules. A registration form may be rejected as not administratively complete if the District finds that substantive information required on the form or by District staff is missing, false, or incorrect. Applicants submitting incomplete registration forms will be notified by the District in writing. If a registration form is deemed incomplete, and the applicant has been notified of the missing, false, or incorrect information, then the registrant must submit to the District the information requested by the District within thirty (30) calendar days of written notification, or the registration shall be deemed to have expired.

RULE 2.3.2 – PERMIT REQUIREMENT

- a) **Determination of Status** – District staff will review the registration form and make a determination of whether the well meets the exemptions from permitting provided in Chapter 3 of these Rules. Staff will inform the registrant of their determination as soon as practically possible but no later than ten (10) business days of receipt of the completed registration form. If the staff’s determination is that the well is not exempt, the District will inform the registrant of further application information or fees required to proceed with a permit application. Furthermore, if the well is not exempt, no person may drill, equip, complete, or substantially alter the well without first obtaining the appropriate permit or amendments thereto from the District.

RULE 2.3.3 – COMPLIANCE

- a) **Registration Deadline** – All new wells must be registered prior to commencement of drilling.
- b) **Expiration of Registration** – A registration will expire and be considered null and void by the District if the well is not drilled within six (6) months of the date the registration is approved. The registrant must file a new registration and receive approval from the District before drilling may commence.
- c) **Violations** – It is a violation of these Rules for a well owner or property owner to drill any well without the well registration being filed with the District, either in person, by mail, by electronic mail, or by facsimile, as provided herein. Violation of any Rule is subject to civil penalties as specified in Section 36.102 of the Texas Water Code and Chapter 9 of these Rules. A violation of this Rule occurs on the first day the drilling, equipping, completion, or alteration without appropriate registration begins and continues each day thereafter until the appropriate registration is issued. As stated in the Texas Water Well Drillers and Pump Installers Administrative Rules, Title 16, Part 4, Chapter 76, Texas Administrative Code, all work performed on a well by licensed drillers or pump installers must adhere to District Rules. Additionally, only wells that have been registered will be afforded protection from offset permitted wells. District staff can only perform work on a well that is registered with the District.

RULE 2.3.4 – WELL DATA

- a) **State Well Report** – The well driller is required to provide the State Well Report within sixty (60) calendar days of well completion. This requirement applies to wells both exempt and non-exempt from requiring a permit.
- b) **Wireline Logs** – All electric wireline logs acquired from the well must be supplied to the District by the individual or agency that commissioned the log.

SECTION 2.4 – AMMENDING A REGISTERED WELL

RULE 2.4.1 – QUALIFYING EVENTS

- a) **Need for Amendment** – A well that has been registered should be amended if the following situation arises:
 - i. There has been a change in the property lines.
 - ii. There has been a change in property ownership.
 - iii. There has been a substantive change in the nature of the well. If a well has been altered such that it is capable of producing more than previously, then it may be necessary to apply for a permit. District staff will determine within five business days whether the well will require a permit.
- b) **Registrant and Landowner Information** – Amendments to registered wells shall be made in the name of the well owner or property owner on a form approved by the General Manager. The sworn, original application must be submitted and signed by the owner or an owner’s authorized agent.
- c) **Deadline** – Amendments for registered wells should be made on a form supplied by the District and as soon as practically possible but no later than sixty (60) days after the event that necessitated an amendment. Failure to file an amendment to a registration within the time specified is a violation of District Rules and the well owner or operator is subject to civil penalties as specified in Section 36.102 of the Texas Water Code and Chapter 9 of these Rules.
- d) **Status of Registration** – Qualifying events, as noted, do not affect the registration status of the well. Registered wells will remained registered with the District until such time that they are permanently plugged. Requests to withdraw a registration for an existing well will be denied.