

CHAPTER 5 – MONITORING WELL PERFORMANCE

SECTION 5.1 – OVERSIGHT OF PRODUCTION

RULE 5.1.1 – METERING NON-EXEMPT WELLS

- a) **Equipment** – All permitted wells except those exempted in rule 5.1.2 below or granted an exception by the Board, shall be equipped with a functioning water meter, meeting American Water Works Association (AWWA) standards for line size, pressures, and flows. Failure to equip a well with a functioning water meter is a violation of these rules and subjects the well owner or operator to civil penalty as stated in Section 36.102 of the Texas Water Code and Chapter 9 of these Rules.
- b) **Downtime** – Reasonable periods of downtime for repair or replacement of meters is permitted, and the permittee may estimate the amount of water used during these periods. Water meters may be removed for repairs and the well kept operational provided that the District is notified prior to removal, and the repairs are completed within ninety (90) days. The readings of the meter must be recorded prior to removal and again upon reinstallation. The annual pumpage report must include an estimate of groundwater withdrawal during the period the meter was not installed and operating.
- c) **Aggregate Withdrawal** – Each well that is a member of an aggregate system is to be measured; however, where wells are permitted in the aggregate, one water meter may be used for the aggregate well system, if the water meter is installed so as to measure the groundwater production from all wells covered by the aggregate system. The District must give approval for installation of aggregate metering.
- d) **Subsidies for Meter Installation** – Well owners of existing wells (i.e. wells that were in place prior to the implementation of these rules), may be eligible for a partial rebate of the cost of a meter after the meter has been installed should District funding be available. The rebate shall only be granted with an approved copy of an invoice presented to the General Manager. Lack of availability of these funds does not preclude the well owner or well operator's responsibility toward installing a meter.
- e) **Violations** – Failure to show proof of installation of the metering device within ninety (90) calendar days of Board approval of an Existing and Historic Use Permit may result in revocation of the permit or civil penalties as put forth in Chapter 9 of these Rules.

RULE 5.1.2 – WATER METER EXCEPTIONS

- a) **Class A and B Wells** – Non-exempt wells designated as Class A or B do not require a meter unless the Board has sufficient cause to require one.
- b) **Aggregate Wells** – An exception for the requirement of a water meter may be granted at the Board's discretion to wells in an aggregate system in which all wells are six (6) inches or less in inside casing diameter.
- c) **Low Production Class C Wells** – If sufficient evidence is presented to the Board that a Class C well will only produce minor amounts of water, the Board may exempt the well owner or operator from the requirement of installing a meter.
- d) **Wells Not Meeting Exception Status** – If evidence is presented to the Board which indicates that the well or wells do not meet the casing diameter requirements of these exceptions, then the Board may require that water meters be installed within a specified time period.
- e) **Voluntary Metering of Low-Rate Permitted Wells** – If an owner or operator of a non-exempt well that is not required by these District Rules to be metered wishes to voluntarily install a meter, the District may at its discretion, make rebate money available on a first come-first serve basis.

RULE 5.1.3 – METERING EXEMPT WELLS

- a) **Obligation** – Unless cause exists to believe that an exempt well is not being used or produced in a manner that was specified to the District, there is no obligation for an owner or operator of an exempt well to monitor the production of that well.
- b) **Voluntary Metering of Exempt Wells** – If an owner or operator of an exempt wishes to voluntarily install a meter, the District may at its discretion make rebate money available on a first come-first serve basis. If the well owner or operator decides to install a metering device, the District encourages the owner or operator to submit production results to the District in order to add to the District's database.

SECTION 5.2 – WATER-LEVEL MONITORING

RULE 5.2.1 – NEW WELLS

- a) **Completion of New Wells** – Once drilling and completion operations have ended, all wells shall have an initial

water-level measurement. This measurement should be accompanied by an accurate measurement of land elevation at the exact site of the well. The method and instrument used to determine the land elevation should be provided. Supplying this information to the Texas Department of Licensing and Regulation, the Texas Water Development Board, or any subsequent agency is sufficient to adhere to this rule unless the District specifically requests that the information be supplied directly. Unless good cause can be shown, failure to provide an accurate location, elevation, and water-level measurement for any new well drilled is a violation of these Rules and is subject to civil penalties as stated in Section 36.102 of the Texas State 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.

RULE 5.2.2 – MONITORING NON-EXEMPT WELLS

- a) **Obligation** – Any new or existing non-exempt well may be required to submit to (or responsible for) periodic monitoring of water level. Failure to submit the well for water-level monitoring shall subject the well owner or operator to civil penalties as stated in Section 36.102 of the Texas State Water Code and Chapter 9 of these Rules.

RULE 5.2.3 – MONITORING EXEMPT WELLS

- a) **Obligation** – Unless cause exists to believe that an exempt well is not being used or produced in a manner that was specified to the District, there is no obligation for an owner or operator of an exempt well to monitor the production of that well.
- b) **District Water-Level Monitor Network** – The District may solicit well owners or operators to be part of the District’s water-level monitoring network. Owners and operators of wells may request to become part of the District’s water-level monitoring program. If it is deemed that an area of the District is under-represented in monitor wells and the District cannot solicit volunteers to submit wells for periodic monitoring, the District may require that a well owner or operator submit to compulsory water level monitoring of their exempt well.

SECTION 5.3 – VERIFICATION

RULE 5.3.1 – VERIFICATION OF WATER MEASUREMENTS

- a) **Calibration of Water Meter** – The General Manager may require the well owner or operator to test and calibrate, at the well owner’s expense, the water meter or alternative measuring method or device for each permitted well. The well owner or operator must then provide the District with a certification in affidavit form of the test results and accuracy of the calibrations on a form provided by, or in a format approved by, the General Manger.
- b) **Random Investigations** – At the District’s expense and at any time, the District may also undertake random investigations for the purpose of verifying water measurement methods or devices and readings, acquiring data for alternative calculations of groundwater withdrawal, estimating the capability of a well, determining water levels, and acquiring such other information as may be helpful to the District in carrying out its goals.
- c) **Accuracy Requirements** - If the District’s verification reveals that a water measuring method is not within an accuracy of plus or minus five percent (+/- 5%), the District may require a permittee to reimburse the District for its cost of verification and require the permittee to undertake immediate repair, replacement, or correction of the water measurement method or device.

RULE 5.3.2 – VIOLATIONS AND PENALTIES

- a) **Violations** – False reporting or logging of water measurements or meter readings, intentionally tampering with or disabling a meter, or similar actions to avoid accurate reporting of groundwater use and pumpage shall constitute a violation of these Rules.
- b) **Red-Tagging Water Meters** – If the permittee refused to reimburse the District for cost of verification or does not immediately correct inaccurate water measuring methods as specified in Rule 5.3.1c, the General Manager has authority to red-tag the water meter or similar device. Tampering with, altering, damaging, or removing a water meter red tag shall constitute a violation of these Rules.
- c) **Penalties** – Anyone violating the rules as specified in a) and b) above shall be subject to civil penalties as provided for in Section 36.102 of the Texas Water Code and Chapter 9 of these Rules.