

APPENDIX A – DEFINITIONS

- **Abandoned Well** – a well that is not in use. A well is considered to be in use in the following cases: (a) the well is not a deteriorated and contains the casing, pump, and pump column in good condition; (b) the well is not a deteriorated well which has been capped; (c) the water from the well has been put to an authorized beneficial use, as defined by the Texas Water Code; or, (d) the well is used in the normal course and scope and with the intensity and frequency of other similar users in the general community.¹
- **Acre-foot** – the amount of water necessary to cover one acre of land one foot deep. It is equivalent to 325,851 gallons of water.
- **Act** – the enabling legislation that created the Colorado County Groundwater Conservation District.
- **Affected Person** – as it applies to groundwater management areas, it is as defined by 36.1082 Texas Water Code.
- **Aggregation** – multiple wells treated together as one system rather than as a series of individual wells. A well owner can apply for an operating or existing and historic use permit for multiple wells which supply a single well system rather than being required to obtain separate operating or existing and historic use permits for each individual well.
- **Aquifer Emergency Warning** – a public notification issued by the CCGCD Board in which the concentration of total dissolved solids increases above safe drinking water standards in any groundwater well within the District and/or other contamination or hazardous conditions affecting groundwater quality exists.
- **Beneficial Use** – use of groundwater for any of the following: (a) agricultural, gardening, domestic, stock raising, municipal, mining, manufacturing, industrial, commercial, or recreational, or pleasure purposes; (b) exploring for, producing, handling, or treating oil, gas, sulfur, or other minerals; or (c) any other purpose that is useful and beneficial to the user and does not meet the definition of waste as defined by District Rules and Chapter 36 of the Texas Water Code.²
- **Board** – the Board of Directors of the Colorado County Groundwater Conservation District.
- **Capped Well** – a well that is closed or capped with a covering capable of preventing surface pollutants from entering the well and sustaining weight of at least 400 pounds and constructed in such a way that the covering cannot be easily removed by hand.¹
- **Casing** – a watertight pipe which is installed in an excavated or drilled hole, temporarily or permanently, to maintain the hole sidewalls against caving, advance the borehole, and in conjunction with cementing and/or bentonite grouting, to confine the ground waters to their respective zones of origin, and to prevent surface contaminant infiltration.¹
- **Closed Well** – see Capped Well.
- **Commercial Use** – a well used to supply water to properties or establishments which are in business to provide goods or services or repairs and which use water in those processes or incidental to the maintenance of the property or establishment including landscape irrigation; or a well used to supply water to the business establishment primarily for employees and customer sanitary purposes.³
- **Contested Case** – a situation whereby a party has an opposing position to the Board, the General Manager or another party regarding the issuance of a permit.
- **Critical Groundwater Depletion Area** – a designation assigned by the Board where there is compelling evidence that the aquifer is in a precarious and possibly dangerous situation from the influence of pumpage and/or severe climatic conditions. Within a CGDA, the Board has special powers to limit groundwater production and usage in order to alleviate the effects of the conditions that caused the designation to occur.
- **Desired Future Conditions (DFC)** – a quantitative description, adopted in accordance with Section 36.108, Texas Water Code, of the desired condition of the groundwater resources in a management area at one or more specified future times.
- **Deteriorated Well** – a well that, the condition of which will cause or is likely to cause waste of groundwater in the District.
- **District** – the Colorado County Groundwater Conservation District (CCGCD) unless otherwise indicated.

- **Domestic Use** – the use of water not delivered through a public water system, for personal hygiene needs or for household purposes such as drinking, bathing, heating, cooking, or cleaning in a residence, including pleasure uses, landscape irrigation, and non-commercial gardening use so long as no more than 50% of the garden product is sold or leased.²
- **Exempt Wells** – wells that are exempt from the requirements to obtain a permit.³
- **Existing and Historic Use Period** – the time period ten years prior to the adoption of the first rules of the Colorado County Groundwater Conservation District.
- **Existing and Historic Use Permit** – permission by the CCGCD to operate any non-exempt, existing well that produced water during the existing and historic use period.
- **Existing Well** – any well drilled into the aquifer prior to the effective date of these original rules (September 15, 2010).
- **Fee Schedule** – a Board-approved listing of all applicable fees and charges by the District.
- **General Manager** – an individual employed by the District who is responsible to the Board and that is in charge of the day-to-day operations of the District.
- **Groundwater** – water percolating below the surface of the earth.²
- **Hearing Examiner** – the person appointed by the Board to conduct a hearing or other proceeding.
- **Historic Use** – production and beneficial use of groundwater from the aquifer during the existing and historic use period.
- **Industrial Use** – the use of water integral to the production of primary good and/or services provided by industrial, manufacturing or commercial facilities and used primarily in the building, production, manufacturing, or alteration of a product or goods, or a well used to wash, cleanse, cool, or heat such goods or products; does not include agricultural use.³
- **Irrigation** – the supply of water to dry land by artificial means in order to vitalize or make fertile the land with the intent of growing crops. Watering of lawns and gardens are typically NOT part of this definition.
- **LCRA** – Lower Colorado River Authority
- **Livestock Use** – the use of water for open-range watering of livestock. Irrigation of pasture land for livestock is NOT included in this definition.
- **Management Plan** – a document adopted by the District which specifies the acts, procedures, performance and avoidance necessary to prevent waste, the reduction of artesian pressure, or the draw-down of the water table. District Rules and Regulations area used to implement the Management Plan.
- **Modeled Available Groundwater (MAG)** -- the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a desired future condition established under Section 36.108.
- **Maximum Historic Use** – the amount of groundwater from the aquifer as determined by the District that an applicant for an Existing and Historic Use Permit is authorized to withdraw. This amount is equal to the most applicable of the following:
 - ❖ for an applicant who has beneficial use during the Existing and Historic Use Period for a full calendar year, the applicant’s actual maximum beneficial use of groundwater from the aquifer excluding waste during any one full calendar year of the Existing and Historic Use Period; or,
 - ❖ for an applicant who has beneficial use during the Existing and Historic Use Period, but whose well has not been in operation for a full calendar year during the Existing and Historic Use Period, the applicant’s extrapolated maximum beneficial use will be determined as follows: the amount of groundwater that would normally have been placed to beneficial use without waste by the applicant for the last 365 days during the Existing and Historic Use Period for the applied for purpose had the applicant’s activities been commenced and in operation for the full final calendar year during the Existing and Historic Use Period.
- **Metering** – the act of using a measuring device that can accurately record the amount of groundwater produced during a measured time.
- **Mining Use** – use of water for mining processes, including hydraulic use, drilling, washing sand and gravel,

and oil field re-pressuring.⁴

- **Monitoring** – the act of periodically checking the status of water in a well. This may include measuring the water level in a well for the purpose of noting changes in the water table or taking water samples for laboratory analyses to determine if contaminants are present.
- **Municipal Use** – use of potable water within a community or municipality and its environs for domestic, recreational, commercial, or industrial purposes or for the watering of golf courses, parks, or the use of reclaimed water in lieu of potable water for the preceding purposes or the application of municipal sewage effluent on land pursuant to Texas Water Code, Chapter 36, permitting.⁴
- **New Well** – any well drilled and in operation after the effective date of these original rules (September 15, 2010).
- **Non-exempt Wells** – a well required to obtain a permit for the production of groundwater from within the District.
- **Operating Permit** – a right granted by the groundwater District to drill and/or operate a non-exempt well for the purposes of producing water for the usage and the amounts specified by the District.
- **Permit Class** – a classification of operating permit or existing and historic permit based upon the pumpage capability of the well. Permit classes have differing approval criteria.
- **Permit Hearing** – a hearing conducted by the District regarding the rights, duties and/or privileges of a party requesting a permit that may be issued by the District.
- **Plugging a Well** – a process that renders a well permanently sealed such that it can no longer be used or operated.
- **Public Water Supply** – a system that provides water for human consumption as defined by the rules of the Texas Commission on Environmental Quality.
- **Red-Tag** – a physical tag placed on a well or its equipment in a manner such that operation of the well is not possible unless the tag is removed, broken or otherwise tampered with. The tag is placed on the well in situations where further pumping of groundwater or operation of the well or continuing with other District regulated activities is not permitted by the District. Red tag can also be used to describe the act of placing the tag on the well or equipment.
- **Registration** – basic information provided to the groundwater District by the well or landowner or well owner's assigned agent, usually containing information about the well use and capacity, well location, and property information. This information will help determine whether wells will require a permit and provides spacing protection from offset production.
- **Replacement Well** – a new well drilled to replace a well that has ceased production. The well must be drilled in the immediate vicinity of the original well be used for the same purpose and be capable of producing no more than the original operating well.
- **Rulemaking Hearing** – a hearing conducted by the District to consider matters involving general applicability that implement, interpret, or prescribe the law or District policy, or that prescribe the procedure or practice requirements of the District including adoption of or amendment to the District Management Plan and/or Rules and Regulations.
- **Rules** – the rules of the District.
- **SOAH** – State Office of Administrative Hearings.
- **TCEQ** – Texas Commission on Environmental Quality
- **Transport Permit** – a right granted by the groundwater District to transfer or transport water outside the boundaries of the District beyond what is considered incidental quantities.³
- **TWDB** – Texas Water Development Board
- **Waste** – any one of the following:
 - ❖ Withdrawal of groundwater from a groundwater reservoir at a rate and in an amount that causes or threatens to cause intrusion into the reservoir of water unsuitable for agriculture, gardening, domestic, or stock raising purposes;

- ❖ The flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose;
- ❖ Escape of groundwater from a groundwater reservoir to any other reservoir or geologic strata that does not contain groundwater;
- ❖ Pollution or harmful alteration of groundwater in a groundwater reservoir by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground;
- ❖ Willfully or negligently causing, suffering, or allowing groundwater to escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch, or onto any land other than that of the owner of the well unless such discharge is authorized by permit, rule, or order issued by the commission under Chapter 26;
- ❖ Groundwater pumped for irrigation that escapes irrigation tailwater onto land other than that of the owner of the well unless permission has been granted by the occupant of the land receiving the discharge; or,
- ❖ For water produced from an artesian well, “waste” has the meaning assigned by Section 11.205 of the Texas Water Code.
- ❖ In order to reduce loss by evaporation, any water produced for re-sale must be conveyed in a closed conduit to its final usage point, unless:
 - Conveyance is authorized by appropriate TCEQ permits or;
 - Compelling evidence can be presented to the Board that such loss is negligible.

¹ – definition taken from the Texas Administrative Code, Title 16, Part 4, Chapter 76, Rule 76.10.

² – definition taken from the Texas Water Code, Title 2, Subtitle E, Chapter 36, Rule 36.001.

³ – definition taken from the CCGCD Management Plan.

⁴ – definition taken from the “Texas Water Law Glossary” (Flores and Wasinger, 2005)