

## **PREAMBLE**

Notice of the Rules of the Colorado County Groundwater Conservation District was published on August 19, 2010 and a public hearing was held on September 15, 2010.

In accordance with Section 59 of Article XVI of the Texas Constitution and Act of May 27, 2007, 80th Leg., R.S., ch. 953, 2007 Tex. Gen. Laws (HB 4032), and the non-conflicting provisions of Chapter 36, Texas Water Code, the following Rules are hereby ratified and adopted as the Rules of the District by its Board. Each rule as worded herein has been in effect since the date of passage and as may be hereafter amended.

In adopting these rules, The District considered all groundwater uses and needs; developed rules that are fair and impartial; considered the groundwater ownership and rights described by Section 36.002; considered the public interest in conservation, preservation, protection, recharging, and prevention of waste of groundwater, and of groundwater reservoirs or their subdivisions, and in controlling subsidence caused by withdrawal of groundwater from those groundwater reservoirs or their subdivisions, consistent with the objectives of Section 59, Article XVI, Texas Constitution; and considered the goals developed as part of the district's management plan under Section 36.1071; and developed rules that do not discriminate between land that is irrigated for production and land that was irrigated for production and enrolled or participating in a federal conservation program.

The Rules, regulations, and modes of procedure herein contained are and have been adopted to simplify procedures, avoid delays, and facilitate the administration of the water laws of the State and the Rules of the District. To the end that these objectives are attained, these Rules will be so construed.

These Rules may be used as guides in the exercise of discretion, where discretion is vested. However, under no circumstances and in no particular case may these Rules be construed as a limitation or restriction upon the exercise of powers, duties, and jurisdiction conferred by law. These Rules will not limit or restrict the amount and accuracy of data or information that may be required for the proper administration of the law.