A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties, operation, and financing of the Glasscock County Underground Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. CREATION OF DISTRICT. Under Article XVI, Section 59, of the Texas Constitution, the Glasscock County Underground Water Conservation District is created, as a governmental agency and body politic and corporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges, and functions provided by this Act and by Chapters 51 and 52 of the Water Code, as amended, and by other laws of this state relating to underground water conservation districts. In this Act, "district" means the Glasscock County Underground Water Conservation District.

SECTION 2. BOUNDARY OF THE DISTRICT. The boundaries of the district include all of the area in Glasscock County, Texas, and the boundaries of the district are identical to the boundaries of that county.

SECTION 3. PURPOSE OF THE DISTRICT. The district is created to provide for the conservation, preservation, protection, recharge, and prevention of waste of the underground water reservoirs located under district land consistent with the
objectives of Article XVI, Section 59, of the Texas Constitution
and Chapters 51 and 52 of the Water Code, as amended.

SECTION 4. POWERS AND DUTIES OF DISTRICT. The district may
exercise the powers, rights, privileges, and functions permitted by
Chapters 51 and 52 of the Water Code, as amended, including
authority to:

(1) make and enforce rules to provide for conserving,
    preserving, protecting, recharging, and preventing waste of the
    water from the underground water reservoirs that may be enforced by
    injunction, mandatory injunction, or other appropriate remedies in
    a court of competent jurisdiction;

(2) require permits for the drilling, equipping, and
    completion of wells in the underground water reservoirs and issue
    permits subject to terms and provisions with reference to the
    drilling, equipping, and completion of the wells as may be
    necessary to prevent waste or conserve, preserve, and protect
    underground water;

(3) provide for the spacing of wells producing from the
    underground water reservoirs and regulate the production from those
    wells to minimize as far as practicable the drawdown of the water
    table or the reduction of the artesian pressure, provided, the
    owner of the land, his heirs, assigns, and lessees are not denied a
    permit to drill a well on their land and the right to produce
    underground water from that well subject to rules adopted under
    this Act;

(4) require records to be kept and reports to be made of the
    drilling, equipping, and completion of wells into any underground
water reservoir and the taking and use of underground water from
those reservoirs and require accurate driller's logs to be kept of
those wells and a copy of those logs and of any electric logs that
may be made of the wells to be filed with the district;

(5) acquire land for the erection of dams and for the
purpose of draining lakes, draws, and depressions, and construct
dams, drain lakes, depressions, draws, and creeks and install pumps
and other equipment necessary to recharge any underground water
reservoirs;

(6) have made by registered professional engineers surveys
of the underground water of any underground water reservoir and of
the facilities for the development, production, and use of that
underground water, determine the quantity of the underground water
available for production and use and the improvements,
developments, and recharges needed for those underground water
reservoirs;

(7) develop comprehensive plans for the most efficient use
of the underground water of any underground water reservoir and for
the control and prevention of waste of that underground water, with
the plans to specify in the amount of detail that may be
practicable the acts, procedure, performance, and avoidance that
are or may be necessary to effect those plans, including
specifications;

(8) carry out research projects, develop information, and
determine limitations, if any, that should be made on the
withdrawal of underground water from any underground water
reservoir;
(9) collect and preserve information regarding the use of
the underground water and the practicability of recharge of any
underground water reservoir;

(10) publish plans and information, bring them to the notice
and attention of the users of the underground water within the
district, and encourage their adoption and execution; and

(11) contract for, sell, and distribute water from a water
import authority, or other agency.

SECTION 5. ADMINISTRATIVE PROCEDURES. Except as otherwise
provided by this Act, the administrative and procedural provisions
of Chapters 51 and 52 of the Water Code, as amended, apply to the
district.

SECTION 6. INITIAL DIRECTORS. (a) The members of the
initial board of directors are:

(1) Lynn Glass;
(2) Hubert Freich;
(3) Jerry Murphy;
(4) Jimmy Strube; and
(5) Dennis Seidenberger.

(b) The initial members of the board shall serve until their
successors have been elected and have qualified.

SECTION 7. CONFIRMATION OF THE DISTRICT. (a) It is found
that all of the land included within the boundaries of the district
will be benefited and that the district is created to serve a
public use and benefit.

(b) Within 30 days after the effective date of this Act and
without the necessity of having a petition presented, the initial
board of directors shall call an election to be held in the
district for the purpose of confirming the organization of the
district, provided the election is not held sooner than 60 days nor
later than 90 days after the election is ordered.

(c) The propositions to be voted on shall include the
question of whether or not the establishment of the district is
confirmed, the question of election of directors, the question of
levying, assessing, and collecting an ad valorem tax throughout the
district, and any other propositions required by this Act or by the
initial board of directors.

(d) Only qualified electors who reside in the district are
qualified to vote in the election.

(e) Notice of the election shall be published at least twice
in a newspaper of general circulation in the district, at least 30
days and at least ten days respectively, before the date of the
election.

(f) Returns of the election shall be made to the initial
board of directors of the district and the directors shall canvass
those returns and declare the results of the election.

(g) No hearings may be held to determine whether any land
included within the boundaries of the district should be excluded.

SECTION 8. TAX AND BOND PROVISIONS. The tax and bond
provisions of Chapters 51 and 52 of the Water Code, as amended,
apply to the district.

SECTION 9. DISSOLUTION OF THE DISTRICT. Chapter 52 of the
Water Code, as amended, applies to dissolution of the district.

SECTION 10. ANNEXATION. Additional territory may be added
to the district under Chapter 51 of the Water Code, as amended. The directors shall determine to which precinct the annexed land shall be added for purposes of election of directors.

SECTION 11. DIRECTOR ELECTIONS. (a) The district shall be governed by a board of directors that consists of five directors.

(b) To be qualified for election as a director, a person must be a resident of the district, own land subject to taxation in the district, and be at least 21 years of age.

(c) One director shall be elected from each county commissioners precinct in Glasscock County and one director shall be elected at large.

(d) To be qualified for election as a director from a precinct, a person must own land subject to taxation in the precinct from which he is elected.

(e) The three directors receiving the highest number of votes in the initial election shall serve as directors until the three persons elected at the second regular election of directors have qualified, and the other two directors shall serve until the two persons elected at the first regular election of directors have qualified. After the second election of directors, an election shall be held each year with two directors elected one year and three the next year in continuing sequence.

SECTION 12. STATUTORY INTERPRETATION. If there is a conflict between this Act and Chapter 51 or 52 of the Water Code, as amended, this Act controls. If there is a conflict between Chapter 51, Water Code, as amended, and Chapter 52, Water Code, as amended, Chapter 52 controls.
SECTION 13. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.
By Craddick

H.B. No. 2381

A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties, operation, and financing of the Glasscock County Underground Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. CREATION OF DISTRICT. Under Article XVI, Section 59, of the Texas Constitution, the Glasscock County Underground Water Conservation District is created, as a governmental agency and body politic and corporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges, and functions provided by this Act and by Chapters 51 and 52 of the Water Code, as amended, and by other laws of this state relating to underground water conservation districts. In this Act, "district" means the Glasscock County Underground Water Conservation District.

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objectives of Article XVI, Section 59, of the Texas Constitution
and Chapters 51 and 52 of the Water Code, as amended.

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exercise the powers, rights, privileges, and functions permitted by
Chapters 51 and 52 of the Water Code, as amended, including
authority to:

(1) make and enforce rules to provide for conserving,
preserving, protecting, recharging, and preventing waste of the
water from the underground water reservoirs that may be enforced by
injunction, mandatory injunction, or other appropriate remedies in
a court of competent jurisdiction;

(2) require permits for the drilling, equipping, and
completion of wells in the underground water reservoirs and issue
permits subject to terms and provisions with reference to the
drilling, equipping, and completion of the wells as may be
necessary to prevent waste or conserve, preserve, and protect
underground water;

(3) provide for the spacing of wells producing from the
underground water reservoirs and regulate the production from those
wells to minimize as far as practicable the drawdown of the water
table or the reduction of the artesian pressure, provided, the
owner of the land, his heirs, assigns, and lessees are not denied a
permit to drill a well on their land and the right to produce
underground water from that well subject to rules adopted under
this Act;

(4) require records to be kept and reports to be made of the
drilling, equipping, and completion of wells into any underground
water reservoir and the taking and use of underground water from
those reservoirs and require accurate driller’s logs to be kept of
those wells and a copy of those logs and of any electric logs that
may be made of the wells to be filed with the district;

(5) acquire land for the erection of dams and for the
purpose of draining lakes, draws, and depressions, and construct
dams, drain lakes, depressions, draws, and creeks and install pumps
and other equipment necessary to recharge any underground water
reservoirs;

(6) have made by registered professional engineers surveys
of the underground water of any underground water reservoir and of
the facilities for the development, production, and use of that
underground water, determine the quantity of the underground water
available for production and use and the improvements,
developments, and recharges needed for those underground water
reservoirs;

(7) develop comprehensive plans for the most efficient use
of the underground water of any underground water reservoir and for
the control and prevention of waste of that underground water, with
the plans to specify in the amount of detail that may be
practicable the acts, procedure, performance, and avoidance that
are or may be necessary to effect those plans, including
specifications;

(8) carry out research projects, develop information, and
determine limitations, if any, that should be made on the
withdrawal of underground water from any underground water
reservoir;
H.B. No. 2381

(9) collect and preserve information regarding the use of the underground water and the practicability of recharge of any underground water reservoir;

(10) publish plans and information, bring them to the notice and attention of the users of the underground water within the district, and encourage their adoption and execution; and

(11) contract for, sell, and distribute water from a water import authority, or other agency.

SECTION 5. ADMINISTRATIVE PROCEDURES. Except as otherwise provided by this Act, the administrative and procedural provisions of Chapters 51 and 52 of the Water Code, as amended, apply to the district.

SECTION 6. INITIAL DIRECTORS. (a) The members of the initial board of directors are:

(1) Lynn Glass;
(2) Hubert Frerich;
(3) Jerry Murphy;
(4) Jimmy Strube; and
(5) Dennis Seidenberger.

(b) The initial members of the board shall serve until their successors have been elected and have qualified.

SECTION 7. CONFIRMATION OF THE DISTRICT. (a) It is found that all of the land included within the boundaries of the district will be benefited and that the district is created to serve a public use and benefit.

(b) Within 30 days after the effective date of this Act and without the necessity of having a petition presented, the initial
board of directors shall call an election to be held in the
district for the purpose of confirming the organization of the
district, provided the election is not held sooner than 60 days nor
later than 90 days after the election is ordered.

c) The propositions to be voted on shall include the
question of whether or not the establishment of the district is
confirmed, the question of election of directors, the question of
levying, assessing, and collecting an ad valorem tax throughout the
district, and any other propositions required by this Act or by the
initial board of directors.

d) Only qualified electors who reside in the district are
qualified to vote in the election.

e) Notice of the election shall be published at least twice
in a newspaper of general circulation in the district, at least 30
days and at least ten days respectively, before the date of the
election.

f) Returns of the election shall be made to the initial
board of directors of the district and the directors shall canvass
those returns and declare the results of the election.

g) No hearings may be held to determine whether any land
included within the boundaries of the district should be excluded.

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apply to the district.

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The directors shall determine to which precinct the annexed land
shall be added for purposes of election of directors.

SECTION 11. DIRECTOR ELECTIONS. (a) The district shall be
governed by a board of directors that consists of five directors.

(b) To be qualified for election as a director, a person
must be a resident of the district, own land subject to taxation in
the district, and be at least 21 years of age.

(c) One director shall be elected from each county
commissioners precinct in Glasscock County and one director shall
be elected at large.

(d) To be qualified for election as a director from a
precinct, a person must own land subject to taxation in the
precinct from which he is elected.

(e) The three directors receiving the highest number of
votes in the initial election shall serve as directors until the
three persons elected at the second regular election of directors
have qualified, and the other two directors shall serve until the
two persons elected at the first regular election of directors have
qualified. After the second election of directors, an election
shall be held each year with two directors elected one year and
three the next year in continuing sequence.

SECTION 12. STATUTORY INTERPRETATION. If there is a
conflict between this Act and Chapter 51 or 52 of the Water Code,
as amended, this Act controls. If there is a conflict between
Chapter 51, Water Code, as amended, and Chapter 52, Water Code, as
amended, Chapter 52 controls.
SECTION 13. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.
COMMITTEE REPORT

The Honorable Bill Clayton
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON NATURAL RESOURCES, to whom was referred H. R. 2381, have had the same
under consideration and beg to report back with the recommendation that it

(  ) do pass, without amendment.
(  ) do pass, with amendment(s).
(  ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (  ) yes (  ) no

An author's fiscal statement was requested. (  ) yes (  ) no

An actuarial analysis was requested. (  ) yes (  ) no

The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.

This measure (  ) proposes new law,
(  ) amends existing law.

House Sponsor of Senate Measure ________________________________

The measure was reported from Committee by the following vote:

<table>
<thead>
<tr>
<th>AYE</th>
<th>NAY</th>
<th>PNV</th>
<th>ABSENT</th>
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</thead>
<tbody>
<tr>
<td>Craddick, Ch.</td>
<td>✓</td>
<td></td>
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<td>Geistweit, V.C.</td>
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<td>Laney, C.B.O.</td>
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<tr>
<td>Buchanan</td>
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<td>Clark, J.</td>
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<td>Cockerham</td>
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<tr>
<td>Lyon</td>
<td></td>
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<tr>
<td>McWilliams</td>
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<tr>
<td>Patrick</td>
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<tr>
<td>Patterson</td>
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<td>Staniswalis</td>
<td>✓</td>
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</tbody>
</table>

Total

6 aye
0 nay
0 present, not voting
5 absent

CHAIRMAN

COMMITTEE COORDINATOR
BILL ANALYSIS

Background Information

It is believed that an underground water district needs to be created in Glasscock County to protect the underground water supply.

Purpose of the Bill

Creates the Glasscock County Underground Water Conservation District. Proposes new law.

Section by Section Analysis

Section 1: Creates the district to exercise the rights and powers under Chapter 51 and 52 of the Water Code.

Section 2: Establishes the boundaries of the district as being coterminal with the boundaries of Glasscock County.

Section 3: Provides for the purpose of the district, including the protection and preservation of underground water supplies.

Section 4: Provides for the powers and duties of the district including those functions permitted by Chapters 51 and 52 of the Water Code governing water control and improvement districts and underground water conservation districts. Permits the district to make and enforce rules, require permits for the drilling of wells, to provide for the spacing of wells, to require records to be kept to acquire land for the erection of dams and for the purpose of draining lakes, draws and depressions, to develop comprehensive plans for the most sufficient use of underground water, to carry out research projects, to collect and preserve information regarding the use of underground water and the practicality of recharge, to publish plans and information, and to contract for, sell, and distribute water from a water import authority or other agency.

Section 5: Provides that the administrative and procedural provisions of Chapter 51 and 52 of the Water Code apply to the district.

Section 6: Names the initial directors.

Section 7: Provides for the creation of the district subject to a confirmation election. Provides that the initial election will also present the question of levying, assessing, and collecting ad valorem taxes throughout the district. Provides that no hearings may be held to determine whether any land included in the boundaries of the district should be excluded.

Section 8: Provides that the tax and bond provisions of Chapters 51 and 52 of the Water Code will apply to the district.
Section 9: Provides that the dissolution procedures found in Chapter 52 of the Water Code will apply to the district.

Section 10: Provides that Chapter 51's provisions relating to annexation will apply to the district.

Section 11: Provides for directors' elections.

Section 12: Provides that in the event of conflict between the provisions of Chapters 51 and 52, the provisions of Chapter 52 shall prevail.

Section 13: Emergency Clause.

Rulemaking Authority

Section 4 of the bill provides that the district may make and enforce rules to provide for conserving, preserving, protecting, recharging, and preventing waste to the water from the underground water reservoirs that may be enforced by injunction, mandatory injunction or other appropriate remedies in a court of competent jurisdiction. The Committee is unable to estimate the cost of this rulemaking authority.

Summary of Committee Action

The Rules of the House having been suspended by an announcement from the floor of the House, the Committee on Natural Resources considered H.B. 2381 in a formal meeting on May 8, 1981. It was moved that H.B. 2381 be reported back to the House favorably, without amendment, with the recommendation that it do pass and be printed and be placed on the Local Calendar. Upon being duly seconded, the motion prevailed with the following record vote: six ayes, no nays, and five absent.

No witness testified for or against the bill.
FISCAL NOTE
May 8, 1981

Honorable Tom Craddick, Chairman
Committee on Natural Resources
House of Representatives
Austin, Texas

In Re: House Bill No. 2381
By: Craddick

Sir:

In response to your request pursuant to House Rules, Section 3.119, this office finds the fiscal implications of House Bill No. 2381 (relating to the creation, administration, powers, duties, operation, and financing of the Glasscock County Underground Water Conservation District) to be as follows:

No fiscal implication or additional cost to the State attributable to the bill, should it be enacted, is anticipated.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House as to its probable fiscal impact on units of local government.

Thomas M. Keel
Director

Source: LBB Staff: TK, HS, LG
May 8, 1981

The Honorable Members of
the House Natural Resources Committee

Dear Members:

Pursuant to Section 3.119 of the rules of the Texas House of Representatives, I believe that House Bill Number 2381, should it be enacted, would have no fiscal implications to the State of Texas.

Sincerely,

Tom Craddick
On this 14th day of April, 1981, personally appeared before me, the undersigned, a Notary Public in and for said county and state, Wilma Buckmaster, Classified Manager of the Standard-Times, a daily newspaper published at SAN ANGELO, County of TOM GREEN, State of TEXAS, who, being by me duly sworn, states that the attached advertisement, a true copy of which is hereeto annexed, was published in said newspaper in its issues thereof of the following dates: April 8, 1981.

Wilma Buckmaster, Classified Manager

Subscribed and sworn to before me this 14th day of April, 1981.

Grace A. Braziel
Notary Public, Tom Green County, Texas

NOTICE
This is to give notice of the intention to introduce a bill in the 67th Legislature, regular session, relating to the creation, administration, powers, duties, operation, and financing of the Glasscock County Underground Water Conservation District.

Hubert Frerich
Chairman Board of the Glasscock Water Committee
LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES
STATE OF TEXAS

TO: The Honorable William P. Clements, Jr.
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Department of Water Resources copies of House Bill No. 2381, a bill relating to a conservation and reclamation district, and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Department of Water Resources, under Section 59(d), Article XVI, Constitution of the State of Texas.

MAY 8 1981
Date transmitted to Governor's Office
Betty Murray, Chief Clerk
House of Representatives

TO: Texas Department of Water Resources

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of House Bill No. 2381, a bill relating to a conservation and reclamation district, and a copy of the notice of intention to introduce the bill.

5-12-81
Date transmitted to Texas Department of Water Resources
William P. Clements, Jr.
Governor

TO: The Honorable Bill Clayton
Speaker of the House
The Honorable W.P. Hobby
President of the Senate
The Honorable William P. Clements, Jr.
Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are the recommendations of the Texas Department of Water Resources on House Bill No. 2381, in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.

Harvey Davis
Executive Director
Honorable William P. Clements, Jr.
Governor of Texas

Honorable W. P. Hobby
President of the Senate

Honorable Bill Clayton
Speaker of the House

Gentlemen:

Re: H.B. 2381 - Glasscock County Underground Water Conservation District

Recommendations of the Texas Department of Water Resources pursuant to Article XVI, Section 59d, Texas Constitution, concerning a bill relating to the above referenced district.

The Department has evaluated the above referenced bill and would offer no specific recommendations.

Sincerely yours,

[Signature]

Harvey Davis
Executive Director

cc: Representative Tom Craddick
Ms. Betty King, Secretary, Senate
A BILL TO BE ENTITLED

AN ACT

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(1) make and enforce rules to provide for conserving, preserving, protecting, recharging, and preventing waste of the water from the underground water reservoirs that may be enforced by injunction, mandatory injunction, or other appropriate remedies in a court of competent jurisdiction;

(2) require permits for the drilling, equipping, and completion of wells in the underground water reservoirs and issue permits subject to terms and provisions with reference to the drilling, equipping, and completion of the wells as may be necessary to prevent waste or conserve, preserve, and protect underground water;

(3) provide for the spacing of wells producing from the underground water reservoirs and regulate the production from those wells to minimize as far as practicable the drawdown of the water table or the reduction of the artesian pressure, provided, the owner of the land, his heirs, assigns, and lessees are not denied a permit to drill a well on their land and the right to produce underground water from that well subject to rules adopted under this Act;

(4) require records to be kept and reports to be made of the drilling, equipping, and completion of wells into any underground
water reservoir and the taking and use of underground water from
those reservoirs and require accurate driller's logs to be kept of
those wells and a copy of those logs and of any electric logs that
may be made of the wells to be filed with the district;

(5) acquire land for the erection of dams and for the
purpose of draining lakes, draws, and depressions, and construct
dams, drain lakes, depressions, draws, and creeks and install pumps
and other equipment necessary to recharge any underground water
reservoirs;

(6) have made by registered professional engineers surveys
of the underground water of any underground water reservoir and of
the facilities for the development, production, and use of that
underground water, determine the quantity of the underground water
available for production and use and the improvements,
developments, and recharges needed for those underground water
reservoirs;

(7) develop comprehensive plans for the most efficient use
of the underground water of any underground water reservoir and for
the control and prevention of waste of that underground water, with
the plans to specify in the amount of detail that may be
practicable the acts, procedure, performance, and avoidance that
are or may be necessary to effect those plans, including
specifications;

(8) carry out research projects, develop information, and
determine limitations, if any, that should be made on the
withdrawal of underground water from any underground water
reservoir;
(9) collect and preserve information regarding the use of
the underground water and the practicability of recharge of any
underground water reservoir;

(10) publish plans and information, bring them to the notice
and attention of the users of the underground water within the
district, and encourage their adoption and execution; and

(11) contract for, sell, and distribute water from a water
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SECTION 5. ADMINISTRATIVE PROCEDURES. Except as otherwise
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of Chapters 51 and 52 of the Water Code, as amended, apply to the
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(1) Lynn Glass;
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(b) The initial members of the board shall serve until their
successors have been elected and have qualified.

SECTION 7. CONFIRMATION OF THE DISTRICT. (a) It is found
that all of the land included within the boundaries of the district
will be benefited and that the district is created to serve a
public use and benefit.

(b) Within 30 days after the effective date of this Act and
without the necessity of having a petition presented, the initial
board of directors shall call an election to be held in the
district for the purpose of confirming the organization of the
district, provided the election is not held sooner than 60 days nor
later than 90 days after the election is ordered.
(c) The propositions to be voted on shall include the
question of whether or not the establishment of the district is
confirmed, the question of election of directors, the question of
levying, assessing, and collecting an ad valorem tax throughout the
district, and any other propositions required by this Act or by the
initial board of directors.
(d) Only qualified electors who reside in the district are
qualified to vote in the election.
(e) Notice of the election shall be published at least twice
in a newspaper of general circulation in the district, at least 30
days and at least ten days respectively, before the date of the
election.
(f) Returns of the election shall be made to the initial
board of directors of the district and the directors shall canvass
those returns and declare the results of the election.
(g) No hearings may be held to determine whether any land
included within the boundaries of the district should be excluded.

SECTION 8. TAX AND BOND PROVISIONS. The tax and bond
provisions of Chapters 51 and 52 of the Water Code, as amended,
apply to the district.

SECTION 9. DISSOLUTION OF THE DISTRICT. Chapter 52 of the
Water Code, as amended, applies to dissolution of the district.

SECTION 10. ANNEXATION. Additional territory may be added
to the district under Chapter 51 of the Water Code, as amended.
The directors shall determine to which precinct the annexed land
shall be added for purposes of election of directors.

SECTION 11. DIRECTOR ELECTIONS. (a) The district shall be
governed by a board of directors that consists of five directors.
(b) To be qualified for election as a director, a person
must be a resident of the district, own land subject to taxation in
the district, and be at least 21 years of age.
(c) One director shall be elected from each county
commissioners precinct in Glasscock County and one director shall
be elected at large.
(d) To be qualified for election as a director from a
precinct, a person must own land subject to taxation in the
precinct from which he is elected.
(e) The three directors receiving the highest number of
votes in the initial election shall serve as directors until the
three persons elected at the second regular election of directors
have qualified, and the other two directors shall serve until the
two persons elected at the first regular election of directors have
qualified. After the second election of directors, an election
shall be held each year with two directors elected one year and
three the next year in continuing sequence.

SECTION 12. STATUTORY INTERPRETATION. If there is a
conflict between this Act and Chapter 51 or 52 of the Water Code,
as amended, this Act controls. If there is a conflict between
Chapter 51, Water Code, as amended, and Chapter 52, Water Code, as
amended, Chapter 52 controls.
SECTION 13. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.
May 28, 1941

Austin, Texas

Date of report to Senate

To the Senate:

The Senate Committee on Military Resources, to which was referred Senate Bill 175, having considered the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

Chairman
REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

Hon. Roy Blake, Chairman
Administration Committee

Sir:

Pursuant to S.R. 148, notice is hereby given that _HB 2381_, by: Craddock/Snelson was heard by the Committee on _NATURAL RESOURCES_ on _May 27_, 1981, and reported out with the recommendation that it be placed on the Local and Uncontested Calendar.

Chairman of the reporting committee

IMPORTANT: THIS FORM MUST BE ATTACHED TO A PRINTED COPY OF THE BILL OR RESOLUTION, WHICH ALONG WITH 7 ADDITIONAL COPIES OF THE BILL OR RESOLUTION SHOULD BE DELIVERED TO THE OFFICE OF THE COMMITTEE ON ADMINISTRATION, ROOM G-27J. PLEASE CALL 5-1134 IF YOU HAVE ANY QUESTIONS. DEADLINE FOR SUBMITTING BILLS FOR THE LOCAL CALENDAR IS 5:00 P.M. MONDAYS.

Attach white copy of this form to original bill; yellow copy to Reporting Committee; pink copy to Sponsor
AN ACT

relating to the creation, administration, powers, duties, operation, and financing of the Glasscock County Underground Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. CREATION OF DISTRICT. Under Article XVI, Section 59, of the Texas Constitution, the Glasscock County Underground Water Conservation District is created, as a governmental agency and body politic and corporate, authorized to exercise the powers essential to the accomplishment of the purposes of that constitutional provision and to exercise the rights, powers, duties, privileges, and functions provided by this Act and by Chapters 51 and 52 of the Water Code, as amended, and by other laws of this state relating to underground water conservation districts. In this Act, "district" means the Glasscock County Underground Water Conservation District.

SECTION 2. BOUNDARY OF THE DISTRICT. The boundaries of the district include all of the area in Glasscock County, Texas, and the boundaries of the district are identical to the boundaries of that county.

SECTION 3. PURPOSE OF THE DISTRICT. The district is created to provide for the conservation, preservation, protection, recharge, and prevention of waste of the underground water reservoirs located under district land consistent with the
objectives of Article XVI, Section 59, of the Texas Constitution and Chapters 51 and 52 of the Water Code, as amended.

SECTION 4. POWERS AND DUTIES OF DISTRICT. The district may exercise the powers, rights, privileges, and functions permitted by Chapters 51 and 52 of the Water Code, as amended, including authority to:

(1) make and enforce rules to provide for conserving, preserving, protecting, recharging, and preventing waste of the water from the underground water reservoirs that may be enforced by injunction, mandatory injunction, or other appropriate remedies in a court of competent jurisdiction;

(2) require permits for the drilling, equipping, and completion of wells in the underground water reservoirs and issue permits subject to terms and provisions with reference to the drilling, equipping, and completion of the wells as may be necessary to prevent waste or conserve, preserve, and protect underground water;

(3) provide for the spacing of wells producing from the underground water reservoirs and regulate the production from those wells to minimize as far as practicable the drawdown of the water table or the reduction of the artesian pressure, provided, the owner of the land, his heirs, assigns, and lessees are not denied a permit to drill a well on their land and the right to produce underground water from that well subject to rules adopted under this Act;

(4) require records to be kept and reports to be made of the drilling, equipping, and completion of wells into any underground
water reservoir and the taking and use of underground water from
those reservoirs and require accurate driller's logs to be kept of
those wells and a copy of those logs and of any electric logs that
may be made of the wells to be filed with the district;
(5) acquire land for the erection of dams and for the
purpose of draining lakes, draws, and depressions, and construct
dams, drain lakes, depressions, draws, and creeks and install pumps
and other equipment necessary to recharge any underground water
reservoirs;
(6) have made by registered professional engineers surveys
of the underground water of any underground water reservoir and of
the facilities for the development, production, and use of that
underground water, determine the quantity of the underground water
available for production and use and the improvements,
developments, and recharges needed for those underground water
reservoirs;
(7) develop comprehensive plans for the most efficient use
of the underground water of any underground water reservoir and for
the control and prevention of waste of that underground water, with
the plans to specify in the amount of detail that may be
practicable the acts, procedure, performance, and avoidance that
are or may be necessary to effect those plans, including
specifications;
(8) carry out research projects, develop information, and
determine limitations, if any, that should be made on the
withdrawal of underground water from any underground water
reservoir;
(9) collect and preserve information regarding the use of 
the underground water and the practicability of recharge of any 
underground water reservoir;

(10) publish plans and information, bring them to the notice 
and attention of the users of the underground water within the 
district, and encourage their adoption and execution; and

(11) contract for, sell, and distribute water from a water 
import authority, or other agency.

SECTION 5. ADMINISTRATIVE PROCEDURES. Except as otherwise 
provided by this Act, the administrative and procedural provisions 
of Chapters 51 and 52 of the Water Code, as amended, apply to the 
district.

SECTION 6. INITIAL DIRECTORS. (a) The members of the 
initial board of directors are:

(1) Lynn Glass;
(2) Hubert Frerich;
(3) Jerry Murphy;
(4) Jimmy Strube; and
(5) Dennis Seidenberger.

(b) The initial members of the board shall serve until their 
successors have been elected and have qualified.

SECTION 7. CONFIRMATION OF THE DISTRICT. (a) It is found 
that all of the land included within the boundaries of the district 
will be benefited and that the district is created to serve a 
public use and benefit.

(b) Within 30 days after the effective date of this Act and 
without the necessity of having a petition presented, the initial
board of directors shall call an election to be held in the
district for the purpose of confirming the organization of the
district, provided the election is not held sooner than 60 days nor
later than 90 days after the election is ordered.

(c) The propositions to be voted on shall include the
question of whether or not the establishment of the district is
confirmed, the question of election of directors, the question of
levying, assessing, and collecting an ad valorem tax throughout the
district, and any other propositions required by this Act or by the
initial board of directors.

(d) Only qualified electors who reside in the district are
qualified to vote in the election.

(e) Notice of the election shall be published at least twice
in a newspaper of general circulation in the district, at least 30
days and at least ten days respectively, before the date of the
election.

(f) Returns of the election shall be made to the initial
board of directors of the district and the directors shall canvass
those returns and declare the results of the election.

(g) No hearings may be held to determine whether any land
included within the boundaries of the district should be excluded.

SECTION 8. TAX AND BOND PROVISIONS. The tax and bond
provisions of Chapters 51 and 52 of the Water Code, as amended,
apply to the district.

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Water Code, as amended, applies to dissolution of the district.

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H.B. No. 2381

to the district under Chapter 51 of the Water Code, as amended.
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the district, and be at least 21 years of age.
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be elected at large.
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precinct, a person must own land subject to taxation in the
precinct from which he is elected.
(e) The three directors receiving the highest number of
votes in the initial election shall serve as directors until the
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have qualified, and the other two directors shall serve until the
two persons elected at the first regular election of directors have
qualified. After the second election of directors, an election
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conflict between this Act and Chapter 51 or 52 of the Water Code,
as amended, this Act controls. If there is a conflict between
Chapter 51, Water Code, as amended, and Chapter 52, Water Code, as
amended, Chapter 52 controls.
SECTION 13. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.
I certify that H.B. No. 2381 was passed by the House on May 15, 1981, by the following vote: Yeas 145, Nays 1, 2 present, not voting; and, pursuant to the provisions of Article XVI, Section 59(d) of the Constitution of Texas, a copy of H.B. No. 2381 was transmitted to the Governor on May 8, 1981, and the recommendation of the Texas Water Commission was filed with the Speaker of the House on May 14, 1981.

I certify that H.B. No. 2381 was passed by the Senate on May 31, 1981, by the following vote: Yeas 31, Nays 0.

APPROVED:______________________________

Date

Governor
H. B. No. 2381

A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties, operation, and
financing of the Glasscock County Underground Water Conservation District.

MAY 8 1981
1. Filed with the Chief Clerk.

MAY 8 1981
2. Read first time and referred to Committee on

MAY 8 1981
3. Reported favorably and sent to Printer at 1:55 pm.

MAY 8 1981
4. Printed and distributed at 3:35 pm.

MAY 8 1981
5. Sent to Committee on Calendars at 4:09 pm.

MAY 15 1981
6. Read second time amended; passed to third reading failed by (Non-Record Vote) (Record Vote of 145 yeas, 2 nays, present, not voting).

MAY 15 1981
7. Motion to reconsider and table the vote by which H.B. ________ was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of ________ yeas, ________ nays, and ________ present, not voting).

MAY 15 1981
8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of ________ yeas, ________ nays, and ________ present, not voting.

MAY 15 1981
9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of ________ yeas, ________ nays, present, not voting).

MAY 15 1981
10. Caption ordered amended to conform to body of bill.

MAY 15 1981
11. Motion to reconsider and table the vote by which H.B. ________ was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of ________ yeas, ________ nays, and ________ present, not voting).

MAY 15 1981
12. Ordered Engrossed at 2:58 pm.

MAY 15 1981
13. Engrossed.

MAY 15 1981
14. Returned to Chief Clerk at 4:17 pm.

MAY 16 1981
15. Sent to Senate.

Bertie Murray
Chief Clerk of the House

MAY 18 1981
16. Received from the House

MAY 18 1981
17. Read, referred to Committee on NATURAL RESOURCES

MAY 28 1981
18. Reported favorably

MAY 28 1981
19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

MAY 28 1981
20. Ordered not printed.

MAY 28 1981
21. Regular order of business suspended by

(a viva voce vote.)

______ yeas, ________ nays.
22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of __________ yeas, __________ nays.

MAY 31, 1981

23. Read second time ________ passed to third reading by: __________

viva voce vote.

24. Caption ordered amended to conform to body of bill.

MAY 31, 1981

25. Senate and Constitutional 3-Day Rules suspended by vote of 31 yeas, 0 nays to place bill on third reading and final passage.

MAY 31, 1981

26. Read third time and passed by 31 yeas, 0 nays.

OTHER ACTION:

27. Returned to the House.

MAY 31, 1981

28. Received from the Senate (inrommended)

MAY 31, 1981

29. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record Substitute) Vote (Record Vote of __________ yeas, __________ nays, __________ present, not voting).

MAY 31, 1981

30. Conference Committee Ordered.

MAY 31, 1981

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of __________ yeas, __________ nays, and __________ present, not voting).

MAY 31, 1981

32. Ordered Enrolled at 5:37 p.m.