

STATE OF TEXAS

§

RESOLUTION # \_\_\_\_\_

COUNTY OF BROOKS

§

§

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
BRUSH COUNTRY GROUNDWATER CONSERVATION DISTRICT  
THAT ADOPTS THE FISCAL YEAR 2013 FEE SCHEDULE**

**WHEREAS**, the Brush Country Groundwater Conservation District (the “District”) has the authority under Chapter 36, Texas Water Code, Chapter 8852, Texas Special District Local Law Code and District Rules to establish reasonable fees; and

**WHEREAS**, the Board of Directors of the District is responsible for establishing reasonable fees to cover costs of administrative functions and as a regulatory tool to manage the groundwater within the District; and

**WHEREAS**, the Board of Directors of the District is authorized under Special District Local Law Code §8852.104(d) to impose a fee or surcharge as an export fee. The restrictions under §36.122(e) of the Water Code do not apply to a fee or surcharge imposed by the District. An export fee is necessary as a regulatory tool to mitigate the negative effects on the availability of water in the district; the aquifer conditions that overly the district; subsidence in the district; and on existing permit holders or other groundwater users in the district that result from a transfer of water outside the District; and

**WHEREAS**, the District is required by District Rules to establish fees by Resolution; and

**WHEREAS**, the adoption of this Resolution meets the requirements of District Rules and State law for the adoption of the District’s Annual Fee Schedule; and

**WHEREAS**, the Board of Directors of the District desires to address its mandate to conserve, preserve, protect, and enhance the groundwater within the District through regulatory fees and to recover reasonable administrative costs;

**NOW, THEREFORE, WE, THE BOARD OF DIRECTORS OF THE BRUSH COUNTRY GROUNDWATER CONSERVATION DISTRICT, DO HEREBY ADOPT THE Fiscal Year 2013 Fee Schedule** attached as Exhibit A, as allowed under its enabling legislation codified at Special District Local Laws Code, Chapter 8852; Chapter 36 of the Texas Water Code; and other State laws.

The motion passed with \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

**PASSED, APPROVED, AND MADE EFFECTIVE** for August 26, 2013.

\_\_\_\_\_  
George Tanner, Board President

\_\_\_\_\_  
David Kelly, Board Secretary

Brush Country Groundwater Conservation District  
 Fee Schedule  
 (Effective August 26, 2013)

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| Production Fees  | No production fees required  |
| Transport Fees   | <p>\$0.30 per 1,000 gallons</p> <p>Annual fee based upon volume of water permitted annually whether or not actually produced</p> <p>Payable in advance upon permit issuance</p>  |
| Fee for Water Well Registration, Drilling, and Plugging  | <p>For wells drilled before August 26, 2013:<br/>No Fee</p> <p>For Wells drilled after August 26, 2013:<br/>\$100.00 application fee</p> <p>Note: The \$100.00 fee is refundable if the drillers log is received by the District within 60 days after drilling and/or completion of the well</p> |
| Fee for Application to Produce and Operate a Well or to Amend a Permit                                 | <p>For wells drilled before August 26, 2013:<br/>No Fee</p> <p>For Wells drilled after August 26, 2013:<br/>\$100.00 application fee</p>   |
| Fee for Application to Transport Water Outside the District or Application to Amend a Transport Permit | <p>\$1,000.00 plus deposit for estimated cost of reviewing application</p> <p>If actual cost exceeds deposit, the balance will be due prior to permit being declared administratively complete</p> <p>If actual cost is less than deposit, the excess will be refunded</p>                       |