

**PERMIAN BASIN UNDERGROUND  
WATER CONSERVATION DISTRICT**

**<< Amendments to District Rule 6 >>**

**Approved at the Public Hearing on July 25, 2019  
Effective October 1, 2019**

The proposed repeal of language is reflected in text that is struck through, and the proposed new language is reflected in text that is **bold and underlined**.

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**RULE 6 – LOCATION OF DRILLING AND SPACING OF WELLS**

- (a) An exempt water well, subject to registration, drilled subsequent to the Effective Date of this rule shall be located at least fifty (50) feet from all property lines unless constructed in accordance with Texas Administrative Code, Title 16, Chapter 76.100(b) (2).**
- (b) A water well, subject to permitting and drilled subsequent to the Effective Date of this rule, shall be located at least one hundred fifty (150) feet from all property lines.**
- (c) After an application for a well permit has been granted, the well, if drilled, must be drilled within 30 feet of the location specified in the permit, and not elsewhere. If the well should be commenced or drilled at a different location, the drilling or operation of such well may be enjoined by the Board pursuant to Chapter 36, Texas Water Code.**
- (d) Wells drilled prior to the Effective Date of these rules are not subject to spacing requirements of this rule.**
- (e)(1) Uncontested Waiver to Permitted Well Spacing Requirements – If an exception to spacing rules is desired the District requires a notarized waiver. The waiver form, provided by the District, must be signed by each landowner whose property would be located within the applicable minimum distance (150') established under these Rules. Each landowner must agree to the proposed location of the new well site. The District spacing requirements will then be waived for the proposed well location. The requirements of the Texas Administrative Code, Title 16, Chapter 76.100(b)(2) apply.**
- (e)(2) Contested Waiver to Permitted Well Spacing Requirements - For property line distance reduction, the potential well owner shall be required to:**

- (i) at the potential well owner's expense, drill and install an observation well at the nearest property boundary of each potentially affected property or an existing well that meets the requirements for such an observation well may be used, with prior District approval, and;
- (ii) conduct an aquifer evaluation based on the desired production. The aquifer evaluation shall be subject to the following criteria:
  - a. the aquifer evaluation shall be performed by a Texas-licensed professional geoscientist or a Texas-licensed professional engineer with experience in aquifer testing to establish the maximum potential production;
  - b. the calculated effect will be based on a drawdown in the observation wells at one year of production from the proposed well not to exceed 15% of the total saturated thickness at each of the potentially affected property boundaries, and;
  - c. the results of the evaluation shall be submitted to the District for review by the District hydrogeologist and shall be kept on file at the District office for public viewing upon request.

(e)(3) Each granted well spacing exception waiver shall be filed and recorded at the District office and county clerk's office of the county where the well is located.

(f) New non-exempt wells installed on a tract of ten (10) acres or less may reduce the one hundred fifty (150) feet property line setback spacing distance required under Rule 6(b) to a distance of fifty (50) feet from a property line so long as the well is equipped to not exceed a production rate greater than 40 gallons per minute. If multiple wells are to be installed on the same tract of ten (10) acres or less utilizing the reduced setback provision of this rule, wells within the reduced setback area must be equipped to ensure a cumulative production rate not to exceed 40 gallons per minute. Alternatively, a potential well owner may refer to section (e)(1) or section (e)(2) of this rule for additional spacing and production options.

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