

PROPOSED RULE AMENDMENTS

Amend the District Rules as follows:

- 1) Amend Rule 2 – Definitions by inserting the following:

"Agricultural use " means any of the following activities:

- (A) cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers;
- (B) the practice of floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or nonsoil media, by a nursery grower;
- (C) raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value;
- (D) planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure;
- (E) wildlife management;
- (F) raising or keeping equine animals; and
- (G) domestic use in residential structures on the same property as the agricultural operations.

- 2) Amend Rule 4.1.D-Production Reports to read as follows:

D. Production Reports.

(1) Nonexempt wells: Every owner or operator of a nonexempt well is responsible for measuring withdrawals from each well.

(2) The owner or operator of a well must keep a record of the amount of groundwater withdrawn and the measuring method used and must file with the District an annual report reflecting monthly withdrawals for the previous calendar year, no later than January 31st of each year.

(3) Agricultural Use Exception. Notwithstanding the requirements of Subsections (1) and (2) above, wells used solely for agricultural use will be exempt from the annual production reporting requirement under this Rule, provided the well owner complies with the following:

(a) The well owner must submit a written certification on a form provided by the District, declaring that the well is used solely for agricultural purposes. The certification must

include a general description of the agricultural operation supported by the well, such as the approximate acreage irrigated, types of crops grown, or number and types of livestock served.

(b) The well owner must notify the District within 90 days of any change in the use of the well that results in the well no longer being used solely for agricultural purposes. Upon such change, the well owner shall be subject to all reporting requirements and must begin filing annual production reports for the full year during which the change occurred.

(c) The District may periodically review the agricultural use certification and may request additional documentation or conduct an inspection pursuant to Rule 4.5 to verify that the well continues to be used solely for agricultural purposes. If, following notice and a hearing before the Board, the District determines that the well is not being used solely for agricultural purposes, the agricultural use exception may be revoked, and the well owner will be required to submit annual production reports in accordance with Subsections (1) and (2) above, and may be subject to enforcement action under Rule 9.