

***NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT'S
NOTICE OF PUBLIC HEARING ON THE PROPOSED REPEAL OF
CURRENT RULE 3.3 (AUXILIARY WELL)***

TO: ALL INTERESTED PERSONS.

The North Plains Groundwater Conservation District ("District") will conduct a public hearing concerning the District's intent to repeal District Rule 3.3. (hereinafter "Rule 3.3.").

The purpose of the public hearing is to provide interested members of the public the opportunity to appear and provide oral or written comments to the District related to the repeal of Rule 3.3.

Date, Time, and Place of Public Hearing.

The date, time and place of the public hearing are as follows:

Date: **November 15, 2022**
Time: **9:00 a.m., Central Standard Time**
Location: **North Plains Water Conservation Center Board Room
6045 County Road E
Dumas, Texas 79029**

**Procedures for Submitting Public Comments
on Proposed Repeal of Rule 3.3.**

A. Oral Comments:

Any person may appear in person, or by authorized representative, at the public hearing concerning the District's intent to repeal Rule 3.3. Any person making an appearance must indicate their desire to make oral comments on the registration form provided by the District at the public hearing. A person must disclose any affiliation on the registration form and if applicable, the legal authority to speak for a person represented. Any other person attending the public hearing will be considered by the District to be an observer not desiring to make comment regarding the repeal of Rule 3.3. The District will not consider any comments of an observer in its rulemaking proceedings.

The presiding officer will establish the order of oral comments of persons at the hearing. As appropriate, the presiding officer may limit:

1. the number of times a person may speak;
2. the time period for oral comments;
3. cumulative, irrelevant, or unduly repetitious comments;
4. general comments that are so vague, undeveloped, or immaterial as to be impracticable for the District to ascertain the intent or purpose of the person making the general oral comments and that are otherwise unhelpful to the District in analyzing the proposed repeal of Rule 3.3.;
5. the time period for asking or responding to questions; and
6. other matters that come to the attention of the presiding officer as requiring limitation.

B. Written Comments:

1. Written comments concerning the proposed repeal of Rule 3.3. must be filed with the District electronically by email at swalthour@northplainsgcd.org, or by mail or hand-delivery at the District's office at 603 East First Street, P. O. Box 795, Dumas, Texas 79029-0795. All written comments must be filed with the District and date-stamped no later than **November 14, 2022, at 5:00 p.m., Central Standard Time.**
2. Written, mailed or hand-delivered, comments must be filed on 8½ x 11-inch paper and be typed or legibly written.

C. Response to Comments:

In its deliberations, the District Board will consider all oral and written comments submitted to the District.

CURRENT RULE 3.3. OF THE NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT PROPOSED TO BE REPEALED

3.3. Auxiliary Well: One Auxiliary Well may be constructed on a Groundwater Production Unit ("GPU"). The Auxiliary Well may be spaced closer to the Owner's other Wells than the District's spacing Rules permit. However, the Auxiliary Well must comply with all Rules of the District, including the minimum distance from the Property Line and must be properly spaced from the Wells of an adjacent Owner. If the Auxiliary Well is constructed closer to another Well of the Owner than the District's spacing Rules permit, the capacity of the Auxiliary Well and the capacity of the Owner's Well closest to the Auxiliary Well shall be combined to determine proper spacing from Wells of an adjacent Owner. The Auxiliary Well shall be included in the GPU's Well density.

Opportunity to Attend the Board Meeting at which the Proposed Rule 3.3. May be Repealed.

The meeting of the District's Board of Directors to consider the proposed repeal of Rule 3.3., will be held on November 15, 2022, at 10:00 a.m., Central Standard Time.

Issued this 11th day of October 2022.



Steve Walthour, General Manager
North Plains Groundwater Conservation District