

**Draft Amendments to the Mid-East Texas
Groundwater Conservation District rules**

Amend Rule 1.1 to read as follows:

1.1 Authority to Promulgate Rules

The Mid-East Texas Groundwater Conservation District (the District) is a political subdivision of the State of Texas. The District was created by Acts of the 77th Legislature (2001) codified as Chapter 8866, Special District Local Laws Code (“Chapter 8866”), which grants the District all of the rights, powers, privileges, authority, functions, and duties provided under the general law of this state, including Texas Water Code Chapter 36, applicable to groundwater conservation districts created under Section 59, Article XVI, of the Texas Constitution.

In an election held on November 1, 2002, District voters confirmed the creation of the District. As a duly created and confirmed groundwater conservation district, the District may exercise any and all statutory authority or power conferred under Chapter 8866 and under Chapter 36 of the Texas Water Code, including the adoption and enforcement of rules under Section 36.101 Rule Making Power. All references to statutory provisions in these Rules are to those provisions as may be amended from time to time.

- A. A person with a real property interest in groundwater in the district may file a petition with the district to request the adoption of a rule.
- B. Petitions must be submitted in writing to the district office and must comply with the following requirements:
 - (1) each rule requested must be submitted by separate petition.
 - (2) each petition must be signed, and state the name and address of each person signing the petition.
 - (3) each petition must include:
 - (a) a brief description of the petitioner’s real property interest in groundwater in the district;
 - (b) a brief explanation of the proposed rule;
 - (c) the text of the proposed rule prepared in a manner to indicate the words to be added or deleted from the text of the current rule, if any;
 - (d) an allegation of injury or inequity that could result from the failure to adopt the proposed rule; and
 - (e) signed by at least 50 persons at least 18 years of age with a real property interest in groundwater in the District.
- C. The General Manager may reject any petition for failure to comply with the requirements of Subsection (b) of this section and shall provide notice to the petitioner of the reason for the rejection.
- D. Within 90 days after submission of a petition that complies with this section, the Board shall either deny the petition, stating its reasons for denial in the minutes of the board meeting or in a letter providing a written explanation to the petitioner, or initiate rulemaking proceedings as provided by Section 36.101, Water Code.