

Upper Trinity Groundwater Conservation District

---A Short History ---

The Texas Water Development Board (TWDB), in 2006, identified several counties in north central Texas as either currently experiencing or expected to experience within the next 25 years critical groundwater problems with the quality and or the quantity of groundwater available to provide for the demands of the residents within the area. This determination caused the TWDB to start in motion the designation of a Priority Groundwater Management Area (PGMA) for the counties of Montague, Wise, Parker, Hood, Cooke, Denton, Tarrant, Dallas, and others in the region. Upon completion of the PGMA designation process every county within the specified area would have a maximum of two years to either create a Groundwater Conservation District (GCD), join an existing GCD or face the certainty that the State of Texas would either create a District for them or place them in an existing District of the State's choosing.

The Commissioners Courts in the counties of Montague, Wise, Parker, and Hood worked tirelessly with the members of the State Legislature in order to pass legislation late in the 2007 session that would insure the creation of a locally controlled Groundwater Conservation District. This cooperative effort allowed the residents of these four counties to control their own destiny rather than be forced into a larger district controlled most likely by Tarrant or Dallas County. The legislation creating the Upper Trinity Groundwater Conservation District (UTGCD) specified that each of the four counties, through their respective Commissioners Court, would appoint two board members to serve on the Board of Directors. Furthermore, the legislation forbid the District from levying a tax in order to operate and instead required that the District operate solely on fees applied for the use of groundwater. The UTGCD was the first GCD created within the State of Texas that was given the ability to charge the oil and gas industry a fee for the groundwater that they use in their operations as well as forcing the oil and gas industry to abide by the spacing rules, the reporting rules, and the monitoring rules of the District. A confirmation election was held in November of 2007 and more than 78% of the residents casting ballots in this election voted in favor of creating the Upper Trinity Groundwater Conservation District (UTGCD).

From the very first days of its existence the UTGCD has taken a proactive position on protecting the quality and the quantity of the groundwater resource within its boundaries. The UTGCD has adopted a format that allows it to monitor, intervene, secure corrective action, and protest, if and when necessary, the permitting of injection wells used to dispose of oil and gas industry waste products within the four counties. The UTGCD has secured the services of a highly qualified team of experts and professionals to assist in the state mandated Groundwater Management Area (GMA) process as well as providing invaluable expertise, data, and insight into the decision making process. The Board of

Directors of the UTGCD made sure that they had a voting member on the Board of Directors of GMA 8, which represents more than 40 counties in north central Texas including the four counties within the District, immediately following the very first organizational meeting. The recent adoption of the Temporary Rules by the Board of Directors of the Upper Trinity Groundwater Conservation District will allow the District to start enforcing spacing regulations between wells and minimum set backs from property boundaries for the drilling of new wells beginning January 1, 2009. In addition, the District must begin to generate revenue in order to start working on a Management Plan, the adoption of Permanent Rules, and to fund the continuing process of monitoring permit applications for injection wells as well as performing its many duties of protecting the quantity and quality of the groundwater resource within the District.