



House Bill 4122

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Referred to House Natural Resources Committee

Hearing on April 5th 2017. 10:30 AM or upon adjournment. E2.010.

House Bill 4122 would allow the owner of a piece of land that is greater than 1,000 acres and within the jurisdiction of two or more groundwater conservation districts to request that the entire property be transferred into the territory of one of the districts. The landowner must submit a petition to both districts making the request and must provide a statement from the district proposed to receive the portion of the land that the district is willing to accept the land in its territory. The bill requires that upon receiving a petition, the districts must enter an agreement with each other to effectuate the transfer as requested by the landowner and must adopt a joint resolution approving the agreement.

TESPA opposes this bill.

From a statewide perspective, these bills create unnecessary burdens for groundwater conservation districts at the behest and to the benefit of one private landowner. The removal of a large number of acres from a groundwater district, especially a smaller district, will reduce the district's appraisal roll and ability to collect property taxes (if the district has the authority to collect taxes), impact the district's finances (from reduced taxes and fees), and require that both districts make amendments to their rules and management plans.

Furthermore, Section 36.351(b) of the Texas Water Code already allows adjacent districts to consolidate portions of either district if one district relinquishes land within that district to the jurisdiction of the other district. House Bill 4122 is redundant and unnecessary.

Locally, these bills would have major impacts in Hays County. They would allow Needmore Ranch, an approximately 5,000 acre ranch within the jurisdiction of the Barton Springs Edwards Aquifer Conservation District (BSEACD) and the Hays Trinity Groundwater Conservation District (HTGCD) to request that the entire ranch be transferred into the jurisdiction of HTGCD. This move is significant because currently, Needmore Ranch is seeking a groundwater production permit for a well on the ranch that is within the jurisdiction of BSEACD. BSEACD has issued a proposed permit, and Needmore has stated that it disagrees with the special conditions in BSEACD's proposed permit that require Needmore to reduce pumping if there are unreasonable impacts to existing wells. Under Senate Bill 1814 and House Bill 4122, Needmore could request to be moved entirely in to HTGCD, where its agricultural well would be exempt from regulation (HTGCD considers agricultural wells to be exempt wells).

Please see our website for more information about Needmore Ranch. www.tespatexas.org.