

RESOLUTION AND ORDER NO. RES-20260616-01

OF THE TEXANA GROUNDWATER CONSERVATION DISTRICT
DECLARING A TEMPORARY MORATORIUM ON PROCESSING
APPLICATIONS FOR AND CONSIDERATION OF HIGH-
CAPACITY AND DEEP-SALINE PRODUCTION PERMITS

WHEREAS, the Texana Groundwater Conservation District ("District") was created by the State of Texas and the voters of Jackson County as codified in Texas Special District Local Laws Code Chapter 8857, pursuant to Article 16, Section 59, of the Texas Constitution, and Chapter 36, Texas Water Code:

WHEREAS, the District was created by the Texas Legislature and confirmed by the voters to provide for the conservation, preservation, protection, recharging, and prevention of waste of groundwater within the boundaries of the District;

WHEREAS, the District is required to protect property rights, balance the conservation and development of groundwater to meet the needs of this State, and use the best available science in the conservation and development of groundwater through rules developed, adopted, and promulgated by the District;

WHEREAS, pursuant to rulemaking authority granted to the District in Texas Water Code Section 36.101 and other legal authority, the District's Board of Directors ("Board") has adopted rules ("Rules") and orders designed to regulate the use of groundwater within the District's boundaries;

WHEREAS, pursuant to Texas Water Code § 36.1071, the District is mandated to adopt a comprehensive management plan that includes the District's desired future conditions ("DFCs") for the aquifers in the District and the Texas Water Development Board's ("TWDB") modeled available groundwater ("MAG") based on those DFCs and to adopt rules necessary to implement its management plan;

WHEREAS, newly developed information and studies concerning the potential effects of high-capacity pumping and the use of saline groundwater require amendments to the Rules; and

WHEREAS, the Board seeks a reasonable timeframe to allow the District to evaluate the Rules and propose amendments to the Rules to comply with Chapter 36, Texas Water Code and to make other amendments as necessary or appropriate to the regulations and procedures embodied in the Rules in order to accomplish the purposes of the District to manage groundwater within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that, effective immediately upon adoption of this resolution through January 31, 2027, or until final adoption of amendments to the Rules are approved by the Board, whichever occurs earlier, and in order to fulfill its

obligations to regulate groundwater in the District, the Board hereby:

(1) directs the District, through its general manager, to cease all activities related to accepting and processing new applications for any high-capacity or deep-saline production permits; and

(2) directs the District, through its general manager, to suspend and postpone all deadlines and requirements related to new applications for high-capacity or deep-saline production permits during this temporary moratorium; and

(3) directs the general manager to update the Board quarterly regarding proposed revisions to the Rules concerning high-capacity and deep-saline production permits, and any Texas Water Development Board and legislative directives or updates relevant to the District; and

BE IT FURTHER RESOLVED, it is the intention of the Board that this temporary moratorium only applies to new applications for high-capacity and deep-saline production permits.

PASSED, APPROVED, AND EFFECTIVE on June 16, 2026.

Alton S. Tupa
_____, President

ATTEST:

Charles Mann
_____, Secretary