

## 9.4 Penalty Schedule

(1) The District may assess penalties against well drillers, pump installers, well owners, property owners, or any combination thereof for non-compliance with Texas Water Code, District rules, or order. The District will calculate penalties per day, per violation and per person or Company. Each day of a continuing violation constitutes a separate violation. If the District is required to file suit to enjoin any violation that same suit will seek civil penalties of up to \$10,000 per day per violation, and each day of a continuing violation, along with court costs, expert witness fees, and attorney's fees as authorized by statute. Penalties will be assessed in accordance with the following schedule:

### Schedule of Penalties for Non-Compliance

Non-Compliant Action	Maximum Penalty
Failure to notify District of drilling activity or pump installation of greater than 25,000 gpd as required by District Rules, Chapter 5.	\$1000.00
Failure to notify District of any activity, including but not limited to; production capability, location, date or any other information, as required by District Rule Chapter 5 not listed above or Any Violation of District Rule or permit requirement.	\$250.00
Drilling a well without District authorization, first violation.	\$1,000.00
Drilling a well without District authorization, subsequent violation	\$5000.00
Failure to submit State of Texas Well Report to the District, and other information, as required by Chapter 6.	\$250.00
Additional Fee for subsequent violation of same Rule by the same person or company.	\$1000.00

## 11.2 Application Fees

(1) A fee shall be paid to the District when submitting an application as described under District Rules, Chapter 5.

(2) Any fee required by District Rules, Chapter 11.2(1) is a non-refundable minimum and no portion of the fee shall be returned to the applicant. The application fee is charged each time an application as described in District Rules, Chapter 5 is submitted. The District may assess an additional fee if the District incurs non-routine expenses relating to the investigation of the application, a protest to the application requiring a hearing, or recurring inspections caused by the applicant or the applicant's agent failing to comply with District Rules and requirements.

(3) The drilling ~~authorization~~ application and other applicable fees are set at the following rates:

- a) Drilling of new exempt domestic and livestock wells - \$400.00

- b) Drilling of a new well that does not meet the exemption under District Rules, Chapter 11.3 and incapable of producing greater than 25,000 gallons per day - \$400.00
- c) Drilling of a new well that does not meet the exemption under District Rules, Chapter 11.3 and with a production capacity of greater than 25,000 gallons per day - \$1500.00
- d) Plugging of an existing well - \$0.00 Prior to the plugging, the submittal of an authorization form and an approval from the District will be required.
- e) Drilling of a test bore - \$300.00
- f) Completion of test bore, recondition, rework, or altering a well incapable of producing greater than 25,000 gallons per day - \$300.00
- g) Completion of test bore, recondition, rework, or altering a well capable of producing greater than 25,000 gallons per day - \$1200.00
- h) Variance to Rules Request - \$300.00

(4) The amount of the application fee assessed under District Rule Chapter 11.3 is based on the information provided in the application. If the District later determines that the information was incorrect, and a higher application fee should have been paid, all work on the well shall cease until the higher fee is paid.

*Adopted March 19, 2018 by Board Order; effective January 1, 2019*

### **5.3 Drilling Application for a Well Equipped so it is Incapable of Producing 25,000 Gallons Per Day**

(2) Once the completed application for a Well Equipped so it is incapable of Producing 25,000 Gallons Per Day has been submitted to the District, the application fee has been paid in full, and a variance, if required has been obtained, the District shall issue a drilling authorization.

### **5.4 Drilling Application for a Well Equipped so it is Capable of Producing 25,000 Gallons Per Day**