

- (9) “Cement” means a neat Portland or construction cement mixture of not more than 7 gallons of water per 94 pound sack of dry cement, creating a cement slurry in which bentonite, gypsum, or other additives may be included.
- (10) “Chapter 36” means Chapter 36, Texas Water Code.
- (11) “Contiguous Controlled Acre” means a surface acre of land upon which a well that is the subject of an Operating Permit or permit application is located, and each additional acre of land that is:
 - (A) for which the applicant has a legal right to produce groundwater;
 - (B) believed to be located over the same aquifer as the aquifer from which the well will be producing groundwater, and
 - (C) either:
 - (i) located within the perimeter of the same surface estate plat, deed, or other legally recognized surface estate property description filed in the deed records of Burnet County as the acre on which the well is located;
 - (ii) located within the perimeter of an area of land on which the well is located that is under the same right to produce and use groundwater, as established by deed, lease, or otherwise as the surface acre of land upon which the well is located, although the property may be described in separate plats or deeds; or
 - (iii) contiguous to acreage described under (A) or (B), but on a different tract of land that does not meet the description of acreage under ~~(AC)(i)~~ or ~~(BC)(ii)~~.

Acreage on separate tracts of land that would otherwise be contiguous under this definition but for the need to cross over to the other side of a strip or easement for roads, railroads, pipelines, or utilities or similar long, but narrow, strips shall be considered contiguous for the purposes of this definition. Separate tracts of land must share a common boundary of at least one-eighth of the length of the total tract perimeter of the tract without the well in order for the acreage on the separate tracts to be considered contiguous to the well. The acreage of the strip or easement for roads, railroads, pipelines, or utilities or similar long, but narrow, strips itself shall not be included for purposes of calculating the amount of total contiguous acreage unless the permit applicant has the right to produce groundwater from the strip or easement for roads, railroads, pipelines, or utilities or similar long, but narrow, strips. However, acreage on two otherwise non-contiguous tracts of land shall not be considered contiguous simply because they are joined by the length of a strip or easement for roads, railroads, pipelines, or utilities or similar long, but narrow, strips.

- (12) “Current Permitted Production” means the total volume of groundwater, expressed in terms of acre-feet per year, that the District has authorized through Operating Permits and Grandfathered Use Permits to be withdrawn from a single formation, or formation subdivision, within the management zone.
- (13) “Desired future condition” means the desired condition of groundwater resources, developed for a specific aquifer or aquifers, at a specified time in the future, as defined by the groundwater conservation districts participating in Groundwater Management Area No. 8, including the District, as part of the joint planning process described under Chapter 36.