

SECTION 1 - ADOPTION OF RULES

RULE 1.1 - The Rules of the Lipan-Kickapoo Water Conservation District as amended are hereby published as of the 4th day of August, 2004 and as amended November 1, 2006 and September 5, 2007.

In accordance with Section 59 of Article XVI of the Texas Constitution and with Acts of the 70th Legislature (1987), p.2010, Ch. 439, S.B. 1525, and Acts of the 77th Legislature (2001), H. B. 1909, Chapter 36, and Subchapters H & I, Chapter 49, or is contrary to the Texas Water Code, the following rules are hereby ratified and adopted as the rules of the District by its Board. All rules or parts of rules in conflict with these rules are hereby repealed. Each rule as worded herein has been in effect since the date of passage and may be hereafter amended.

RULE 1.2 - USE AND EFFECT OF RULES.

The rules, regulations, and modes of procedure herein contained are and have been adopted for the purpose of simplifying procedure, avoiding delays, saving expense, and facilitating the administration of the water laws of the State and the rules of the District. To the end that these objectives be attained, these rules shall be so construed.

RULE 1.3 - AMENDING OF RULES.

The Board may, following proper notice and hearing, amend these Rules or adopt new rules from time to time.

RULE 1.4 - SUSPENSION OF, OR EXCEPTION TO, RULES.

Except for the Rules governing Transportation Permits, the Board may suspend, or grant an exception to any rule, in whole or in part, upon the showing of good cause or when, in the sole discretion of the Board, the particular facts or circumstances render such suspension of, or exception to the Rule appropriate in a given instance.

[Rule amended by Board Action - September 5, 2007]

RULE 1.5 - SEVERABILITY.

If any provision of any Rule or its application to any person or circumstance is held invalid, illegal, or unenforceable, the invalidity does not effect other provisions or applications of the Rule which can be given effect without the invalid provision or application, and to this end, the provisions of the Rule are severable.

RULE 1.6 - HEADING AND CAPTIONS.

The section and other headings and captions contained in these rules are for reference purposes only and do not affect in any way the meaning or interpretation of these Rules.