

## Kellie Martinec

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**From:** rrcwebcontact@gmail.com  
**Sent:** Sunday, December 06, 2015 7:50 PM  
**To:** rulescoordinator  
**Subject:** Comment Form for Proposed Rulemakings



## Comments Form for Proposed Rulemakings

### Date Submitted

Sunday, December 06, 2015 8:49:31 PM

### Submitted By

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## Amend §3.86 and other rules re: UFT fields

### Amend §3.86 and other rules re: UFT fields

There are rules published by the Board of Land Surveying that may/will now come into play when you require an RPLS certification. If the Board of Land Surveying chooses to "enforce" the rules of Boundary surveying onto Well Locations and RRC plats, then the RPLS will be required to add numerous pieces of information to the current RRC plat requirements that will clutter the plats and create confusion, most of which will have no bearing on the information needed by the RRC, just to meet the license requirements of the Board. I have attached some pertinent parts of those rules.

General Rules of Procedures and Practices Revised May, 2015

The Board

### §663.18. Certification.

(a) The Registered Professional Land Surveyor shall personally apply his/her seal and signature to final documents released to the public representing professional land surveying as defined in the Act. The professional land surveyor shall maintain control and possession over his/her seal at all times.

(b) If the land surveyor certifies, or otherwise indicates, that his/her product or service meets a standard of practice in addition to that promulgated by the Texas Board of Professional Land Surveying, then the failure to so meet both standards may be considered by the Board, for disciplinary purposes, to be misleading the public.

(c) Preliminary documents released from a land surveyor's control shall identify the purpose of the document, the land surveyor of record and the land surveyor's registration number, and the release date. Such preliminary documents shall not be signed or sealed and shall bear the following statement in the signature space or upon the face of the document: "Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document". Preliminary documents released from the land surveyor's control which include this text in place of the land surveyor's signature need not comply with the other minimum standards promulgated in this chapter.

(d) A land surveyor shall certify only to factual information that the land surveyor has knowledge of or to information within his professional expertise as a land surveyor unless otherwise qualified.

(e) Registered professional land surveyors may certify, using the registrant's signature and official seal, services which are not within the definition of professional land surveying as defined in the Act, provided that such certification does not violate any Texas or federal law.

#### §663.19. Survey Drawing/Written /Description/Report.

(a) All reports shall delineate the relationship between record monuments and the location of the boundaries surveyed; such relationship shall be shown on the survey drawing, if a drawing is prepared, and/or separate report and recited in the description with the appropriate record references recited thereon and therein.

(b) Every description prepared for the purpose of defining boundaries shall provide a definite and unambiguous identification of the location of such boundaries and shall describe all monuments found or placed.

(c) Courses shall be referenced by notation upon the survey drawing to an identifiable and monumented line or an established geodetic system for directional control.

(d) The survey drawing shall bear the Firm name and Firm Registration Number, the land surveyor's name, address, and phone number who is responsible for the land survey, his/her official seal, his/her original signature (see §661.46 of this title (relating to Seal and Oath), and date surveyed.

(e) Boundary monuments found or placed by the land surveyor shall be described upon the survey drawing. The land surveyor shall note upon the survey drawing, which monuments were found, which monuments were placed as a result of his/her survey, and other monuments of record dignity relied upon to establish the corners of the property surveyed.

(f) A reference shall be cited on the drawing and prepared description to the record instrument that defines the location of adjoining boundaries.

(g) If any report consists of more than one part, each part shall note the existence of the other part or parts.

(h) If a land surveyor provides a written narrative in lieu of a drawing/sketch to report the results of a survey, the written narrative shall contain sufficient information to demonstrate the survey was conducted in compliance with the Act and rules of the Board.

These rules could force the RPLS to prepare a plat that meets the Board of Land Surveying needs, but creates a conflict with the RRC the would hold up the permit and forces an impasse between the operator and the RRC, since the RPLS must meet the License requirements of the Board, above all else.

I request that the RRC remove the requirement that a plat must be signed by an RPLS, or, at least delay the rule change until the RRC and the Board of Land Surveying has developed specific rules for RRC plats.

Thank you , Dennis W. Hughes, President, Horizon Survey, Inc.

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