NECHES & TRINITY VALLEYS
GROUNDWATER CONSERVATION DISTRICT
P.O. Box 1387 • 501 Devereaux St., Suite 201, Jacksonville, TX 75766
Phone: (903) 541-4845 • Fax: (903) 541-4869 • office@ntvgcd.org

APPLICATION TO AMEND OR RENEW OPERATING PERMIT

FOR DISTRICT USE ONLY	
State/District Well No.: _____	Date Application Received: _____
Fee Received: $ _____ Paid By: _____	Date Received: _____
Date Approved: _____	Approved By: _____

Instructions: Use this application to amend or renew an Operating Permit. Complete the applicable parts, sign, and return to the District with the non-refundable application fee (§ 7.002). No amendment is effective until approved — by the General Manager if the total authorized amount after the amendment does not exceed 28 acre-feet (approximately 9,125,000 gallons), otherwise by the Board (§§ 5.214(c), 5.215). Report a change in ownership or a lease on the Notice of Transfer of Ownership or Lease form (§ 5.213).

Part I. Permit and Request Type

Operating Permit No.: _____

This application is for (check all that apply):

☐ Amendment ☐ Renewal

Part II. Applicant Information

☐ Individual ☐ Partnership ☐ Corporation ☐ Governmental Entity ☐ Estate/Trust/Guardianship

Name: _____

Mailing Address (Street/PO Box, City, State, Zip): _____

Physical Address (Street, City, State, Zip): _____

Telephone: _____ Email: _____

If the applicant is other than the property owner, attach documentation establishing authority to operate the well (§ 5.208(a)(1)).

Part III. Property Owner / Permit Holder (if different from Applicant)

☐ Individual ☐ Partnership ☐ Corporation ☐ Governmental Entity ☐ Estate/Trust/Guardianship

Name: _____

Mailing Address (Street/PO Box, City, State, Zip): _____

Physical Address (Street, City, State, Zip): _____

Telephone: _____ Email: _____

Part IV. Authorized Representative (if any)

Relationship to Applicant: _____

Name: _____

Telephone: _____ Email: _____

Part V. Amendment Information (§ 5.214(a))

Type of amendment (check all that apply). A permit may be amended only as to:

☐ Total volume authorized (acre-feet/year)

☐ Rate of production (gpm)

☐ Point of withdrawal (well)

☐ Rework, re-equip, re-drill, or replace the well (§ 6.213)

Note: a Historic Operating Permit (HOP) may not be amended to increase its total authorized volume; any volume amendment to a HOP may only decrease it. A HOP reduction is permanent; once approved, the authorized amount may not later be increased (§ 5.203(b)). To increase its authorization, a HOP holder must apply for a Non-Historic Operating Permit (§ 5.202(b)).

Other (describe): _____

Amendment begins: _____ Amendment ends (or N/A): _____

Total amendment amount (acre-feet/year): _____

Requested amount for each purpose of use: _____

Reason for the amendment / nature and purpose of use: _____

_____

Most recent meter reading: _____ Date of reading: _____ Acre-feet used this year: _____

Replacement well (§ 6.213) — complete if applicable:

Replacement well GPS Latitude: _____ Longitude: _____ Distance from original well: _____ ft. (must be within 50 ft.)

Proposed depth: _____ ft. (equal to or greater than original) Pump size/capacity: _____ (may not increase authorized rate)

Disposition of original well within 90 days: ☐ Plugged ☐ Capped ☐ Re-equipped to meet District Rules

The replacement well must meet the minimum spacing requirements if such a location is available within the 50-foot radius (§ 6.213(a)(2)). Immediately upon operating the replacement well, all production from the original well must cease (§ 6.213(b)).

Part VI. Renewal Eligibility (complete for renewals — § 5.214(d))

The District shall renew the permit without a hearing if all of the following are met (§ 5.214(d)). If an amendment is requested with the renewal, the permit as it existed remains in effect until the amendment or renewal process concludes; if the amendment is denied, the permit will be renewed without penalty unless the fee, enforcement, or penalty condition below is not met (§ 5.214(e)). If renewal is withheld because fees were not paid or a civil penalty or final order was not satisfied, a new operating permit application must be filed before the permit expires. If renewal is withheld solely because of a pending enforcement action, the permit remains in effect until that matter is resolved (§ 5.214(e)). A Historic Operating Permit remains a HOP when it is renewed (§ 5.203(a)).

☐ The renewal application is filed before the permit's expiration date.

☐ All required fees have been timely paid.

☐ The applicant is not subject to a pending enforcement action for a substantive violation of a District permit, order, or rule.

☐ The applicant has not failed to pay a civil penalty or comply with a final order of the District.

☐ No change is requested that would require an amendment to be filed.

Part VII. Well Information

Well Number / Name: _____

Drilling Permit No.: _____

Location of Well Site (911 address): _____

City: _____ Zip: _____ County: _____

GPS Latitude: _____ Longitude: _____

In operation? ☐ Yes ☐ No Rate of production (gpm): _____ Annual production (acre-feet/yr): _____

Part VIII. Required Attachments

☐ **1.** Authority documentation if the applicant is not the property owner.

☐ **2.** Copy of any deed, transfer agreement, or other legal document supporting the application.

☐ **3.** Surveyed legal description of the place of use and a recorded survey, if available.

☐ **4.** County appraisal district map and a map of all existing wells within a one-half (1/2) mile radius of the well.

☐ **5.** For a change in volume, rate, or point of withdrawal: information satisfying the applicable § 5.208 contents (including the hydrogeological study at 300 acre-feet/year or more) and § 5.209 criteria.

☐ **6.** For municipal/public supply: CCN copy and notice of any PUC application (§ 5.208(c)).

☐ **7.** Most recent water conservation plan, drought contingency plan, and water loss audit submitted to TCEQ or TWDB.

☐ **8.** Signatory documents — attach each that applies:

- ☐ Written evidence of an agent's authority to sign for the applicant (§ 9.104(b)(1)).
- ☐ Assumed name certificate (individual or partnership doing business under an assumed name) (§ 9.104(b)(1), (3)).
- ☐ Joint applicants: written designation of the applicant selected to represent the others (§§ 9.103, 9.104(b)(2)).
- ☐ Estate or guardianship: current letters testamentary or order appointing guardian (§ 9.104(b)(4)).
- ☐ Corporation, district, county, city, or other entity: bylaws, charter, resolution, or corporate affidavit showing the signing official's authority (§ 9.104(b)(5)).
- ☐ Trust: name of the trust, nature of the trust agreement, and name and current address of each beneficiary (§ 9.104(b)(6)).

Part IX. Declarations (initial all that apply)

_____ Applicant is in compliance with all applicable District Rules and will comply with the Rules and all permits and plans promulgated under them.

_____ During the permit term, the applicant has a positive compliance history with the permit's terms and conditions and the Rules (§ 5.215).

_____ Applicant will comply with the District's Groundwater Management Plan and the state and regional water plans.

_____ Applicant agrees to avoid waste, achieve water conservation, and protect groundwater quality, and will comply with District plugging/capping guidelines and report closure to the District and TDLR.

Attestation and Signature (Required — § 9.104)

STATE OF TEXAS §

COUNTY OF _____ §

I certify that the information provided in this application is true and accurate to the best of my knowledge and belief, and I subscribe and swear or affirm under oath that the facts set out herein are accurate.

Signature requirements (§ 9.104): A partnership must state whether it is a general, limited, or limited liability partnership. A trustee must sign as "trustee." Each joint applicant must sign, and where spouses own the well or interest, each spouse must sign. A person signing on behalf of the applicant must provide the information below.

Signer's Position: _____ Telephone: _____ Email: _____

Signer's Physical and Mailing Address: _____

Signed: _____ Date: _____

Printed Name: _____ Title: _____

Joint Applicant / Spouse (if applicable):

Signed: _____ Date: _____

Printed Name: _____ Title: _____

Subscribed and sworn to before me on this _____ day of _____, 20_____.

_____ Notary Public, State of Texas (SEAL)