NECHES & TRINITY VALLEYS
GROUNDWATER CONSERVATION DISTRICT

Permit and Registration Requirements

Under the District Rules as Amended October 15, 2026

A summary of what each application or registration must contain to be administratively complete and eligible for approval.

This document summarizes the submission requirements for each type of permit and registration established under the District Rules as amended October 15, 2026. Section references (e.g., § 5.208) are to the District Rules. Every applicant and registrant must also satisfy the general requirements in § 9.104, which apply to all filings.

1. General Requirements for All Applications and Registrations (§ 9.104)

These requirements apply to every application, registration, and notice of transfer of ownership filed with the District. They are in addition to the requirements specific to each permit or registration type.

- Filing must be typewritten or printed legibly in ink.
- Full legal name, physical and mailing addresses, email, and telephone number of the applicant, registrant, or transferee. Partnerships, trustees, and agents must be identified as such. A person signing on behalf of the applicant, registrant, or transferee must provide their name, position, physical and mailing addresses, email, and telephone (§ 9.104(a)).
- Signature of the applicant, registrant, or transferee (or duly authorized agent with written evidence of authority). Joint filers and spouses must each sign and designate one representative in writing. Attach as applicable: agent's written authority; assumed name certificate; partnership type (general, limited, or limited liability); letters testamentary or order appointing guardian; bylaws, charter, resolution, or corporate affidavit; and, for a trust, the trust name, nature of the trust agreement, and name and address of each beneficiary (§§ 9.103, 9.104(b)).
- Notarized attestation: the filer must subscribe and swear or affirm under oath, before a person authorized to administer oaths, that the facts stated are accurate.
- Payment of all applicable fees at the time of filing (§§ 7.001–7.002), except that no fee of any type is assessed on a well described by § 7.009. The District may refuse to accept a filing that is not accompanied by the required fee.

2. Non-Historic Operating Permit (§ 5.208)

Required to authorize production of groundwater from a non-exempt well. Must be filed on the District's prescribed form and include all of the following.

Core application contents — § 5.208(a)

- Name and address of owner and operator, plus documentation establishing authority to construct/operate the well and use water at the place of use.
- Source of supply — a statement identifying the aquifer that is the sole source of groundwater for the well.
- Rate of withdrawal — maximum rate the well is capable of producing (gallons per minute), determined by a District-approved method.
- Method of withdrawal — description of the method used to withdraw groundwater.
- Ownership or rights to land — the deed and legal description for the tract(s) on which the well is or will be located.
- Place of use of the groundwater to be withdrawn.

- Purpose of use — nature and purpose of the proposed use and amount for each purpose, including information showing a real and current need and that the amount requested is economically reasonable.
- Term — the permit term sought.
- Well address and location — physical address and legal description: county, section, block and survey; GPS latitude/longitude accurate to within 10 feet; and the number of feet to the two nearest property lines.
- Maps — a county appraisal district map showing the well, the place of use, and adjacent owners' addresses; and a map of all existing wells within a one-half (1/2) mile radius of the well and within the § 6.101 minimum spacing distances.
- Declaration that the applicant will comply with the District's groundwater management plan and the state and regional water plans.
- Declaration that the applicant is in and will remain in compliance with all applicable rules.
- Waste and conservation statement, plus a copy of the most recent water loss audit submitted to the TWDB, if applicable.
- Statement that the applicant agrees to use reasonable diligence to protect groundwater quality.
- Well closure — a water well closure plan, or a statement that the applicant will comply with District plugging/capping guidelines and report closure to the District and TDLR.
- Water sales contracts — if any groundwater will be sold or otherwise provided to another person, a copy of each signed contract or other agreement to sell or provide the groundwater, including any option or letter of intent (§ 5.208(a)(17)).
- Hydrogeological study and impacts — information showing water availability and the projected effect of pumping on the aquifer. For applications to withdraw 300 acre-feet annually or more, this must include a hydrogeological study prepared by a Texas-licensed professional geoscientist or engineer with a District-approved test well, modeling 1-year impacts using the Theis drawdown equation and 10-, 30-, and 50-year impacts using the TWDB GAM approved for GMA 11 (or another District-approved model), with a quantitative assessment of the percentage of drawdown projected within 3 miles of the well. The test well must be geophysically logged and the log submitted to the District within 30 days of well completion.
- Any other information determined necessary by the District.

Ownership and acreage documentation — § 5.208(b)

- A recorded deed, lease, or other real property instrument showing the applicant’s ownership of, or right to produce groundwater from, the tract on which the well is or will be located.
- If aggregation is requested under § 5.209(b), a legal description or survey of the contiguous acreage on which the aggregated wells are or will be located.

Additional report — Municipal / public water supply use over 100 acre-feet/year — § 5.208(c)

- Engineer's report covering 10-year monthly and annual water use (per meter and per capita), estimated future needs, estimated water losses, conservation methods (past 5 years and next 5 years), and economic analyses of using surface water/conservation and alternative groundwater sources.
- Place-of-use documentation, including per-capita annual use, conservation measures, deed/legal description or CCN boundary map (or service-area map if no CCN); for a wholesale water provider, this information for each retail public utility or other customer served.
- For political subdivisions and retail public utilities, a map and information identifying the location of the utility’s retail water service area where the well is or will be located.
- Notice of any application to the PUC to obtain or modify a CCN tied to the requested permit.

Additional report — Agricultural / irrigation / recreational / wildlife use over 100 acre-feet/year — § 5.208(d)

A report by a Texas-licensed engineer or the USDA NRCS addressing future water needs, water used per unit of production, evaporation/seepage/runoff losses, usable on-site surface water/rainfall, groundwater needed in average and drought-of-record years, other losses, conservation methods (past and next 10 years), and economic analyses of surface water/conservation and alternative groundwater sources.

Additional report — Industrial or other use over 100 acre-feet/year — § 5.208(e)

A report addressing 10-year water use, future needs, water used per unit of production benchmarked to the industry, estimated losses, conservation methods (past and next 5 years), and economic analyses of surface water/conservation and alternative groundwater sources.

Basis for approval — § 5.209

The General Manager may grant Non-Historic Operating Permits of up to 28 acre-feet (approximately 9,125,000 gallons) per year; the Board acts on permits over 28 acre-feet. Approval requires a complete application, rule compliance, paid fees, proof of well ownership or the legal right to produce the groundwater, a well located in the District, beneficial non-wasteful use, sufficient available water under § 5.101, no unreasonable impact on other users or the DFC, demonstrated non-speculative need, and consistency with the District's management plan and the state/regional water plans.

3. Operating Permit Amendment and Renewal (§ 5.214 – § 5.215)

Amendments — § 5.214(a)–(c)

Filed on the District's prescribed amendment form. An operating permit may be amended only to change: the total volume authorized (a decrease for a HOP; the volume for a NOP); the rate of production (gpm); the point of withdrawal; or ownership (per § 5.213). The General Manager may approve an amendment if the total authorized amount after the amendment does not exceed 28 acre-feet (approximately 9,125,000 gallons); the Board acts on all other amendments. No amendment is effective until approved (§§ 5.214(c), 5.215).

An amendment that changes volume, rate, or point of withdrawal must also satisfy the applicable § 5.208 contents and the § 5.209 approval criteria. Approval additionally requires a positive compliance history during the permit term (§ 5.215).

Renewals — § 5.214(d)–(f)

The District shall renew an operating permit without a hearing if: a renewal application is filed before the permit's expiration date; all required fees are paid; the applicant is not subject to a pending enforcement action for a substantive violation; the applicant has not failed to pay a civil penalty or comply with a final order; and no change requiring an amendment is requested. A Historic Operating Permit remains a HOP when it is renewed (§ 5.203(a)). If the permittee requests a change requiring an amendment, the permit as it existed remains in effect until the amendment or renewal process concludes; if the amendment is denied, the permit is renewed without penalty unless the fee, enforcement, or penalty condition is not met. A new operating permit application must be filed before expiration only if renewal is withheld for unpaid fees or an unpaid civil penalty or unsatisfied final order; if renewal is withheld solely because of a pending enforcement action, the permit remains in effect until that matter is resolved (§ 5.214(d)–(e)). A timely renewal or amendment application automatically extends the permit term until final action.

4. Groundwater Exportation Permit (§ 5.303)

Required to export groundwater produced within the District to a place of use outside the District. The applicant must hold (or simultaneously apply for/amend) an operating permit authorizing the withdrawals, and must obtain the export permit before constructing transfer facilities. Filed on the District's form and, in addition to § 9.104, must include:

- Legal basis of right to withdraw groundwater — identification of all operating permits/applications relied upon, with documentation of ownership of those rights.
- Place of use — deed and legal description or CCN boundary map (or service-area map if no CCN), and notice of any PUC application to obtain/modify a CCN.
- Purpose of use — nature and purpose of the use and amount for each purpose, with evidence of real and current need and economic reasonableness.
- Term sought.
- A groundwater conservation plan, a waste/conservation statement, and the most recent water loss audit submitted to TCEQ or TWDB for the place of use.
- A drought contingency plan and the most recent drought contingency plan submitted to TCEQ/TWDB for the place of use.
- Technical report on effects on water availability in the District and the receiving area, aquifer conditions/depletion/subsidence, effects on other users, and consistency with the regional water plan and District management plan.
- Analysis of alternate sources of supply available to the applicant, including availability, access, and cost.

- Construction and operation plans for the proposed facility, including a technical description of transportation facilities.
- A copy of each signed contract or other agreement to sell or provide the groundwater to any other person, including the user(s) and any option or letter of intent, and any contract to purchase the groundwater under § 5.304(h) (§ 5.303(j)).
- Declaration of compliance with the District's groundwater management plan and the state/regional water plans.
- Information explaining any change to information previously submitted for related well construction or operating permits.
- Declaration of compliance with the rules, plus any other information the District determines necessary.

Export fee: in addition to production fees, exported water is subject to a monthly export fee (negotiated, or 20 cents per thousand gallons escalating 3% annually) reported on the District's monthly exportation report (§ 7.008).

5. Well Construction (Drilling) Permit (§ 6.203)

Required before drilling, equipping, completing, closing, or plugging any well, substantially altering the size of a well or well pump, or converting an oil and gas well to a water well. Open-loop geothermal wells are prohibited. Filed on the District's form and, in addition to § 9.104, must include:

- Name, address, email, and telephone of the well owner (and documentation of authority if the applicant is not the property owner).
- Name, address, email, and telephone of the operator, if different from the owner.
- Description of the proposed activity (e.g., drilling, altering, installing a larger pump, closing or plugging).
- Well address — physical address of the property.
- Well location — county; section, block and survey; the number of feet to the two nearest non-parallel property lines (legal survey lines); and GPS latitude/longitude accurate to within 50 feet.
- Maps — a county appraisal district map showing the well, subject property, and adjacent owners' addresses; and a map of all existing wells within a one-half (1/2) mile radius.
- Purpose of use stated in definite terms.
- Amount of annual withdrawal — total groundwater to be withdrawn and beneficially used annually (acre-feet or gallons).
- Rate of withdrawal — maximum rate the well will be capable of (gpm).
- Proposed depth of the well and proposed depth of cement casing.
- Proposed depth of cemented casing and cementing methodology.
- Predicted depth to the top of the targeted water-bearing strata.
- Size of the proposed pump and pumping method.
- Approximate date construction operations are proposed to begin.
- Identity of the well driller — name, address, email, telephone, and driller's license number.
- Water source — intended source(s) and name of aquifer(s) in which the well is screened.
- Legal basis of right to withdraw groundwater (operating permit or exemption) which the applicant owns or is seeking.
- Well closure — a closure plan for plugging activities, or a statement of compliance with District plugging/capping guidelines and closure reporting to TDLR and the District.
- Closed-loop geothermal wells — system design information provided by a licensed installer.
- If an exception to the spacing requirements is sought, the site-specific geological or hydrogeological information supporting an alternative distance (§ 6.101(b)), waivers signed by the owners of all wells within the spacing-required circumference (§ 6.101(c)), or, to locate the well closer to a property line than required, a waiver signed by the owner of each adjoining tract within that distance (§ 6.101(f)).
- Any other information required by the District.

Wells exempt from a well construction permit — § 6.202

Certain wells (e.g., domestic, livestock, or wildlife wells incapable of more than 25,000 gallons/day on a tract of 10 acres or more, or incapable of more than 10,000 gallons/day on a tract smaller than 10 acres if they meet spacing requirements; metered wells exempt under § 5.401(a)(3); certain rig-supply and Railroad Commission wells; short-term rig wells (up to 180 days, which the District may extend until the well is complete); previously-registered exempt wells; wells meeting § 36.121, Texas Water Code; and wells used for dewatering or monitoring in the production of coal or lignite) are exempt from the well construction permit for drilling activities but must still meet spacing requirements (except a well exempt under § 5.401(a)(5), § 6.101(a)), provide notice of intent to perform well construction activities under § 6.212, and are not exempt from plugging requirements.

6. Exempt Well and Well Registration (§ 5.401, § 5.501)

No person may operate a well in the District without first registering it on a District-approved form and obtaining written District approval. Registration applies to all wells, including those claimed as exempt.

Exemption criteria — § 5.401

- A well drilled and operated solely for domestic use or to provide water for livestock, poultry, or wildlife, that is incapable of producing more than 25,000 gallons per day and is located on a tract of 10 acres or more; a well for those uses incapable of producing more than 10,000 gallons per day that meets the spacing requirements and is located on a tract smaller than 10 acres; or a well that qualified as exempt prior to October 15, 2026, and has not since been altered, equipped, or used for a purpose or in a manner that is not exempt (§ 5.401(a)(9)).
- A well that does not produce more than 9,125,000 gallons per year, located on a tract of 10 acres or more, that is metered, reports production quarterly and annually, and pays groundwater production fees on the 9,125,000 gallons per year authorized by its limited production permit — District approval of the registration constitutes a limited production permit (no fee if the water is used only for domestic, agricultural, or wildlife purposes within the District) (§ 5.401(a)(3)).
- A water well used solely to supply a rig actively engaged in drilling or exploration for an oil or gas well permitted by the Railroad Commission, where the permit holder is responsible for the water well and it is located on the same lease or field as the rig.
- A temporary well (up to 180 days, which the District may extend until the well is complete) used solely to supply a rig actively engaged in drilling a groundwater well authorized by a District well construction permit.
- A well authorized under a Railroad Commission permit issued under Chapter 134, Texas Natural Resources Code, or for production required for mining activities, regardless of any subsequent use of the water; the permit holder must file monthly reports under § 8.005.
- A well used for dewatering or monitoring in the production of coal or lignite (§ 5.401(a)(10); § 8863.102, Special District Local Laws Code).
- A well meeting the requirements of § 36.121, Texas Water Code.
- A monitoring well or a remediation well.
- A well drilled into an aquifer not identified in § 5.101.
- A previously registered well that the District determined is exempt and that has not been altered, equipped, or used in a non-exempt manner.
- Note: an exemption does not apply where the District invokes § 36.117(d), Texas Water Code, or where groundwater supplies a subdivision requiring plat approval under Chapter 232, Local Government Code. Exempt wells must still be registered, kept accessible for inspection, and pay applicable production/export fees on water transported outside the District.

Registration contents — § 5.501(b)

- Name, address, and phone of the registrant and of the landowner where the well is or will be located.
- If the registrant is not the landowner, documentation establishing authority to construct and operate the well for the proposed use.
- Nature and purpose of the existing or proposed use and the annual amount of water for each purpose.
- Location of the well and the estimated withdrawal rate.
- Physical (911) address of the property on which the well is located.
- Location where the water will be used.

- Pump information — size, source of power, estimated production rate (gpm), and maximum rated pump capacity, which is used to calculate spacing for a well without an operating permit (§ 6.101(e)).
- Depth (or proposed depth) of the well and depth of the casing.
- Internal diameter of the well casing.
- Approximate date the well was or will be constructed.
- Name, address, email, and telephone of the well driller, and related information.
- A copy of any well drilling/completion report, driller's logs, geophysical logs, or well equipping report for the well.
- Size of the tract on which the well site is located, including total acreage owned by the registrant.
- Legal description of the well location — county, section, block and survey, and feet to the two nearest public streets or highways.
- If requested by the District, a city/county map with the property highlighted and well pinpointed, and a scaled plat (not greater than 1" = 1000') showing the pinpoint well location.
- Maximum amount of groundwater the well is or will be capable of withdrawing per day (gallons).
- Where applicable, a copy of any Railroad Commission permit relevant to the well.
- Any other information the Board deems necessary to determine exempt status or whether an operating permit is required.

7. Emergency Authorization to Drill and/or Operate a Well (§ 5.601)

Temporary authorization to drill and/or operate a well without a well construction or operating permit. Granted by the General Manager but validated at the next Board meeting; the Board holds a hearing and may issue or deny the authorization. Before granting, all of the following must be met:

- An application on the District's prescribed form and all fees are submitted.
- All owners of property adjoining the well site are given written notice and an opportunity to submit concerns to the District.
- The applicant has received any required authorization from federal, state, or local agencies to drill/operate the well.
- The applicant demonstrates an emergency presenting an imminent threat to public health and safety.
- The application has not been previously denied by the District.
- The application includes any other information requested by the District.

8. Reporting and Records Obligations

Driller's well report and logs — § 6.217

The driller of any well (exempt or not) must keep an accurate State of Texas Well Report and Plugging Report for at least three years. Within 60 days of well completion, the driller must file with the District a copy of the State of Texas Well Report, a report on the drilling/equipping/completing of the well, and any electric or geophysical log, pump test results, water quality sampling results, and well video surveys, plus copies of all well information submitted to any State of Texas agency. Within 30 days of capping or plugging, the driller must submit the State of Texas Plugging Report.

Pump installation — § 6.002, § 6.209(m)

Wells and pumps must be installed, equipped, and maintained per Texas Occupations Code Chapters 1901–1902 and 16 TAC Chapter 76 (TDLR). The pump installer submits a pump installation report to the District (with the State report) as required by the well construction permit (§ 6.209(m)) or as requested by the District.

Plugging report — § 6.402

The person who plugs a well must submit a copy of the TDLR plugging report to the District within 30 days after plugging is complete.

Meters — § 8.001

Every non-exempt well, and every well exempt under § 5.401(a)(3), must be equipped with an approved mechanically driven, digital, totalizing, non-resettable water meter meeting AWWA accuracy standards (plus or

minus 5%). All bypasses must be metered. Exception: a well operated under a Historic Operating Permit that was not required to be metered under the rules in effect before October 15, 2026, need not be metered or report under § 8.004; its production fees are assessed on its authorized amount (§ 8.001(a)). The District may require periodic accuracy testing.

Annual and quarterly groundwater use reports — § 8.004

Meter readings and actual withdrawals must be recorded at least monthly. On or before January 31 each year (annual) and on or before April 30, July 31, and October 31 (quarterly), the owner/operator of every well required to be metered under § 8.001, including every well exempt under § 5.401(a)(3), must submit a groundwater use report on the District's form stating: (1) name of owner/operator; (2) well number; (3) total groundwater produced by the well or aggregate system in the prior calendar year; (4) total produced in each month; (5) purpose(s) of use; (6) if applicable, water losses from main breaks, leaks, storage tank overflows, and customer service line breaks; and (7) any other information requested.

Production fees and the 2026–2027 transition — § 7.003

- Beginning January 1, 2027, each permittee pays an annual production fee based on the maximum annual amount authorized under the permit as of January 1 (for a well exempt under § 5.401(a)(3), 9,125,000 gallons), due on or before January 31 (the Board may allow quarterly installments due at the end of January, April, July, and October).
- For calendar year 2026 (transition), production fees remain due in arrears based on actual production: January–June 2026 as billed; July–September due on or before October 31, 2026; and October–December due on or before January 31, 2027, in addition to the first annual payment due that day (§ 7.003(e)).
- No production fee applies to water used only for domestic, agricultural, or wildlife purposes within the District (§ 7.003(b)). Fees for a new permit, an amendment that increases the authorized amount, or a new § 5.401(a)(3) well are prorated for the months remaining in the year (§ 7.003(d)). Groundwater produced above the authorized amount is subject to production fees on the excess (§ 13.005(d)).
- Late payment penalty: not more than 30 days late — the greater of $50 or 10% of fees due; after 30 days delinquent — the greater of $100 or 50% of fees due, and continued production while delinquent is a major violation.

Export reporting — § 7.008

At the end of each month, a groundwater exportation permit holder submits the District's monthly exportation report (which serves as the export fee invoice) with payment, due by the 15th day after the end of the month; delinquent if not paid by the 30th day.

9. Fees (§ 7.001 – § 7.002)

- Registration fee: except as provided by § 7.009, a non-refundable fee per exempt well, due with the registration form at the time of filing.
- Application fee: except as provided by § 7.009, a non-refundable fee for each new, renewal, or amended operating permit; new, renewal, or amended groundwater exportation permit; well construction permit application; and any other application — due with the application at the time of filing.
- The District may require additional deposits to cover processing costs (notice, legal, expert, hearing, and similar costs), with periodic accountings and refund of unexpended amounts.