**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

# REQUEST FOR CONTESTED CASE HEARING

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

**Instructions:** A contested case hearing may be requested only on an application for a groundwater exportation permit for more than 1,000 acre-feet per year or an operating permit for more than 1,000 acre-feet per year (§ 9.303(a)). The applicant or any other affected person may file a request (§ 9.302). The request must be in writing and filed by U.S. mail or hand delivery so that it is received by the District no later than five business days before the hearing date stated in the notice under § 9.209. An applicant may also file a request within 20 days after the Board grants the application in the limited circumstances described in § 9.303(b). File a separate request for each application. A person other than the applicant must serve a copy on the applicant at or before filing (§ 9.303(d)–(e)).

## Part I. Application

Applicant name: _____

Application No.: _____ Hearing date stated in notice: _____

## Part II. Person Requesting Hearing (§ 9.303(c)(1))

Name: _____

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

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

Daytime Telephone: _____ Email: _____

*If the request is made by an entity, group, or association, identify the entity above and name one person who will receive all documents on its behalf.*

Entity / group (if applicable) and designated representative's name, physical and mailing address, email, and daytime telephone: _____

**I am (check one):**

☐ The applicant ☐ An affected person

## Part III. Grounds for Hearing (§ 9.303(c)(2))

State the grounds for a contested case hearing and the basis for your contention that you will be injured and have a personal justiciable interest in the matter, and identify each justiciable issue related to the application that you raise; the Board will determine both whether you have a personal justiciable interest and whether you have raised a justiciable issue (§ 9.304(d)) (for example, the location of your property and wells and their distance from the proposed well):

_____

_____

_____

_____

_____

## Part IV. Request

☐ I request a contested case hearing on the application identified above.

**Are you requesting that the hearing be conducted by SOAH?**

If a hearing by SOAH is requested, the Board shall refer the hearing to SOAH, and the requesting party shall pay the costs as provided by § 36.416(c), Texas Water Code. A party may also request a SOAH hearing by written request filed with the District not later than the 14th day before the evidentiary hearing is scheduled to begin (§ 9.305(b)).

☐ Yes ☐ No

Other information requested in the notice of hearing: _____

_____

## Part V. Certificate of Service (§ 9.303(d))

I certify that on _____, 20____, a copy of this request was served on the applicant at the following address by ☐ U.S. mail ☐ hand delivery ☐ email:

Name and address of each person served: _____

If served by email, the original was also served by ☐ U.S. mail ☐ hand delivery ☐ carrier-receipted delivery on _____, 20____ (within three days) (§ 9.002(b)).

_____

## Attestation and Signature (Required — § 9.303(c)(6))

**STATE OF TEXAS §**

**COUNTY OF _____ §**

I certify that the information provided in this request 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 true and correct.

Signed: _____ Date: _____

Printed Name: _____ Title: _____

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

_____ Notary Public, State of Texas (SEAL)