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

VARIANCE REQUEST

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

Instructions: Use this form for a retail public utility to request a variance from the well spacing requirements of § 6.101(a), to the extent necessary to comply with TCEQ minimum water system capacity requirements (§ 5.218). Submit it with the well construction or operating permit application. The burden of proof is on the applicant (§ 1.006). A variance does not relieve the applicant of any other requirement of the District Rules, including §§ 5.209 and 6.204, and may be limited or conditioned by the Board (§ 5.218(c)).

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: _____

Related Application No. (operating permit or well construction permit): _____

Retail Public Utility Spacing Variance (§ 5.218)

CCN No.: _____ Public Water System ID No.: _____ Active connections: _____

TCEQ minimum capacity requirement at issue (30 TAC Chapter 290): _____

Requested well capacity (gpm): _____

Describe how the utility demonstrates each of the following (attach a Texas-licensed engineer's analysis):

1. The requested well capacity is reasonably necessary to comply with the TCEQ requirements:

_____

_____

2. No other reasonably and economically available location within the utility's CCN, corporate boundaries, or retail service area, and no other reasonably and economically available source of supply, storage, interconnection, groundwater rights, or certificated service area, would allow the utility to satisfy both the TCEQ requirements and the District Rules:

_____

_____

A variance may not authorize production that would impair achievement of the applicable desired future condition (§ 5.218(c)).

☐ 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)).

Attestation and Signature (Required — § 9.104)

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 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)