

COW CREEK GROUNDWATER CONSERVATION DISTRICT

Physical Address: 9 Toepperwein Road, Boerne, Texas 78006

Mailing Address: P.O. Box 1557, Boerne, Texas 78006

(830) 816-2504 Fax (830) 816-2607

Application for an Operating Permit for a New Permitted Low Production Well (any use other than Domestic or Livestock) Tier 3

An application for an operating permit shall be submitted on this form and shall be signed and sworn to by the well owner as required by Texas Water Code Section 36.113(b). The operating permit application must be granted by the District prior to the proposed production of water in accordance with the provisions of District Rules.

A. Well Owner Information (Any person who has the right to produce groundwater from the land, either by ownership, contract, lease, easement, or any other estate in the land.)

The applicant must provide evidence that they have the legal authority to produce the groundwater associated with the land surface and the permit application. The applicant must also provide any documents that transfers that right to own, control, or produce the groundwater rights to another person/entity that are associated with the land surface and the permit application. A permit may be amended or revoked if the groundwater rights or right to produce are legally transferred to another person/entity. **The applicant shall attest to the information required in this rule by a District-provided affidavit form and submit the affidavit with the permit application;**

Name _____

Mailing Address _____

Street _____

City _____

State _____

Zip Code _____

Daytime Phone Number: _____

Alternate number: _____

Email Address: _____

fax: _____

If the applicant is not the owner of the property, documentation establishing the applicable authority to construct and operate a well on the owner's property for the proposed use shall be provided with this application.

B. Well Location/Information

Well Number or Reference: _____

Well Location Address: _____

Gate Combo: _____

Legal description of the well location: _____

Name of the project, if any: _____

Other names that identify the tract, if any: _____

Anticipated start date of the proposed project: _____

Identify the well owner's/operator's total number of acres of land and/or water rights contiguous in ownership with the land where the well is to be located, as required by Rule 10.2:

Total contiguous acreage: _____

Proposed conditions

Casing Size: _____ Estimated Well Depth: _____

Pump Size: _____ Target aquifer: _____

Estimated rate water will be withdrawn from the well (gpm): _____

Requested maximum production capability (gpm): _____

Quantity of water to be produced by this well annually: _____

Will the water be exported out of the District (Kendall County)? Yes or No

C. PURPOSE OF WELL

For what purpose will the water well be used ?

Please attach a statement of the nature and purpose of the proposed use and the amount of water to be used for each purpose and any evidence supporting the authenticity of the intended beneficial use, including but not limited to a detailed water balance for the permitted water that describes the flow of water in and out of the system and identifies water loss. Please attach any documentation/evidence in support

(check all that apply)

- ☐ **Agricultural** The use of groundwater for: (1) Cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers; (2) Practicing floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media, by a nursery grower; (3) Raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value; (4) Planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure; (5) Engaging in wildlife management as defined in Texas Tax Code Section 23.51(7); and, (6) Raising or keeping equine animals.
- ☐ **Commercial** The use of groundwater to supply water to properties or establishments that are in business to build, supply or sell products, or provide goods, services or repairs and that use water in those processes, or to supply water to the business establishment primarily for employee and customer conveniences (i.e. flushing of toilets, sanitary purposes, or limited landscape watering).
- ☐ **Industrial** The use of groundwater primarily in the building, production, manufacturing, or alteration of a product or goods, or to wash, cleanse, cool, or heat such goods or products.
- ☐ **Irrigation** The use of groundwater to supply water for application to plants or land in order to promote growth of plants, turf, or trees, other than for domestic use or purpose.

- ☐ **Livestock** The use of groundwater to provide water to domesticated horses, cattle, goats, sheep, swine, poultry, ostriches, emus, rheas, exotic deer and antelope, and other similar animals involved in farming or ranching operations. Dogs, cats, birds, fish, reptiles, small mammals, potbellied pigs, and other animals typically kept as pets are not considered livestock. Livestock type animals kept as pets or in a pet-like environment are not considered livestock although providing water to such pets may be considered domestic use when associated with a residence.
- ☐ **Public Water System** a system as defined in 30 Texas Administrative Code Chapter 290 for providing water for human consumption to the public.
- ☐ **Retail Water Utility** as defined by Texas Water Code Section 13.002 and 30 Texas Administrative Code Section 291.3, any person, corporation, public utility, water supply corporation, municipality, political subdivision or agency operating, maintaining, or controlling within the District facilities for providing potable water service for compensation.
- ☐ **Other** (If the purpose of the well is other than described above, determine use based on definitions in District Rule 2.)
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D. Water Well Driller & Pump Installer Information

Company contracted to drill the water well:

Phone Number:

TDLR License Number:

Company contracted to install the pump:

(If different than the water well driller)

Phone Number:

TDLR License Number:

E. Well Spacing

Attach a copy of a location map or property survey drawn on a scale that adequately details the well site, the property lines, the location of existing wells on the subject tract, the location of the existing use(s), the limits of any designated FEMA flood hazards, the location of any existing or proposed on-site wastewater system, the location of any other potential source of contamination within 150 feet of the existing wells or new well, the location of the proposed production monitoring device(s),

Please provide the distance in feet from the water well to the following:

Closest property line:

Closest existing well:

Nearest on-site sewage facilities:

Concentrated Sources of Potential Contamination, such as livestock or poultry facilities:

Is the proposed well located within 50 feet of or within the service area of a retail public water utility or public water system?

Yes or No

If you answered "yes," attach a document from the retail public water utility or public water supply system stating that it is unable or unwilling to provide service, or does not object to the well.

Will water from this well be transported out of the District for use? Yes or No

F. Additional required documentation to be attached to application

The following items must be submitted with the application:

- ☐ If the water is to be resold, provide a description of:
 - the service area, the metering and leak detection and repair program,
 - the drought or emergency water management plan, and
 - information on each customer's water demands, including population and customer data, water use data, water supply system data, wastewater data, water conservation measures and goals, and the means for implementation and enforcement.
- ☐ Identify well(s) producing from the same formation on land adjacent to the property where the well is to be located.
- ☐ Include a description of the location and use of existing wells on the property where the well is to be located.
- ☐ a well closure plan or a declaration that the applicant will comply with well plugging guidelines and report closure to the applicable authorities, including the District.
- ☐ A copy of the well registration, if applicable.
- ☐ A water conservation plan or an acknowledgement that the permittee will follow the District's adopted Year-Round Best Management Practices _____ (initial here if you agree to follow the District's Best Management Policies, District Rule 11.3.A.).
- ☐ A drought contingency plan or an acknowledgement that the permittee will follow the District's adopted Drought Management Rules _____ (initial here if you agree to follow the District's Drought Management Rules).
- ☐ A demonstration of other sources of water available for the requested production amount and use.

G. Application Fee

New Permitted Low Production Wells attach the \$500 (five hundred dollar) application fee per well.

H. Signature

By signing this form, I declare that the information provided in this form is true and correct, to the best of my knowledge and belief. Furthermore, I am familiar with all pertinent requirements contained in the Cow Creek Groundwater Conservation District Rules. I agree to allow District representatives to enter the well site property to inspect during drilling and upon well completion. I agree and acknowledge that if the information I have provided changes in the future, it is my responsibility and the responsibility of the well owner to provide the new information to the District. I understand that a change in this information may result in additional fees and requirements. I agree to abide by the terms of the Cow Creek Groundwater Conservation District Rules, the District Management Plan, and orders of the Board of Directors. I agree to report to the District. I agree that I have the legal authority to produce the groundwater associated with the land surface and that this permit may be amended or revoked, based on the legal transfer of the associated groundwater rights or right to produce groundwater to another person/entity. I agree that the permit may be amended in the future due to enforcement of the adopted desired future conditions of the aquifer and the District's rules. I understand that failure to abide by the terms of this permit will result in civil penalties and/or revocation of this permit.

Signature of Well Owner or Authorized Agent

Printed Name _____ Date _____

Contact Information (if different from Section A):

Street _____ City _____ State _____ Zip Code _____

Daytime Phone Number: _____ Alternate number: _____

Email Address: _____

NOTARY PUBLIC'S CERTIFICATE

Subscribed and sworn to before me, by the said _____, this _____ day of _____, 20____, to certify which witness my hand and seal of office.

Notary Public Signature

Notary Public Printed Name

Notary Public in and for _____ County, Texas

My Commission Expires _____

FOR DISTRICT USE ONLY

☐ Collected \$500 Application Fee Cash or Check # _____

District Well Number: _____

Date Received: _____

Application Expiration Date (180 days after receipt): _____

Date of First NOD: _____ Revised Expiration Date: _____

Date of Second NOD: _____ Revised Expiration Date: _____

Date of Third NOD: _____ Revised Expiration Date: _____

Date Administratively Complete: _____

Deadline for setting date for preliminary hearing on BOD agenda (within 60 days from date administratively complete): _____

Notice to Applicant of Hearing Date (at least 10 days before hearing): _____

Decision Date (within 35 days of hearing): _____

AFFIDAVIT OF LEGAL RIGHT TO PRODUCE GROUNDWATER

BEFORE ME, the undersigned authority, on this day personally appeared

_____, who being duly sworn on his oath, says and deposes as follows:

"My name is _____. I am of sound mind, over eighteen (18) years of age, and have never been convicted of a felony or of a crime involving moral turpitude. My address is:

_____, _____, _____.
I have personal knowledge of the facts stated herein, and they are true and correct.

1. I am submitting to the Cow Creek Groundwater Conservation District ("District") an application for a drilling and/or operating permit for water well located at _____.
2. I have the legal authority to produce the groundwater associated with the land surface and the permit application for the well listed in #1 above.
3. **Exhibit A** is the map that identifies the water rights to be legally controlled by the applicant for the well listed in #1 above.
4. I have provided to the District any and all documents that evidence my right to own, control, or produce the groundwater rights associated with the permit application for the well listed in #1 above).
5. I have provided to the District any and all documents that transfers that right to own, control, or produce the groundwater rights to another person/entity that are associated with the land surface and the permit application. And I understand that I am required to provide such transfer documents as they occur in the future.
6. I understand that a permit may be amended or revoked if the groundwater rights or right to produce, related to a permit are legally transferred to another person/entity.

FURTHER AFFIANT SAYETH NOT."

SWORN AND SUBSCRIBED to before me on this the ____ day of _____, 20__.

Notary Public, in and for the State of Texas

My Commission Expires: _____