

For District Use Only

Production Permit Application No.: _____

Application Rec'd _____

Fee Rec'd _____

**Brewster County Groundwater Conservation District
Application for Production Permit**

Instructions: This application is to be used to apply for a Production Permit and must be **completed, with all required supporting documents, signed, notarized and returned to the District.** Please keep a copy of this application for your records. **Please print or type legibly. Incomplete applications will be returned. Brewster County Groundwater District is not responsible for incorrect information.**

Part 1 – Applicant Information

1.1 Individual Partnership Corporation
 Governmental Entity Estate/Trust/Guardianship

Name: _____

Telephone No.: Cell (____) _____ Business (____) _____ Fax (____) _____

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

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

E-mail Address: _____

1.2 Authorized Representative's Name, if any: _____

Describe relationship (agent, officer, attorney, etc.): _____

Telephone No.: Cell (____) _____ Business (____) _____ Fax (____) _____

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

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

E-mail Address: _____

1.3 Term: Indicate whether a perpetual or temporary term is sought, indicating the length of time, if temporary: _____

Part 2 - Use and Production Information

2.1 The Source of Supply: A Statement Identifying each aquifer that is a source of groundwater from the well. _____

2.2 The amount of groundwater that you propose as your Maximum Annual Groundwater Withdrawal Amount: _____ acre-feet per year

2.3 Purpose of Use. The purpose(s) for which the groundwater is proposed to be used without waste for a beneficial purpose (example: Irrigation/Municipal/Industrial/Other (if other, describe Specifically): _____

2.4 For irrigation applications: Provide the crop type and number of acres proposed to be irrigated, and the location of the irrigated fields. _____

2.5 If the property has any non-irrigated acres or structures other than the well, provide a detailed description of these areas: _____

2.6 Completely describe the place of use of groundwater withdrawn from the well: _____

2.7 Describe the existence of any circumstances or conditions under which the proposed production of groundwater at the Maximum Annual Groundwater Withdrawal Amount requested above will unreasonably affect existing groundwater or surface water resources or existing holders of permits issued by the District: _____

2.8 Describe whether the operation of the well at the Maximum Annual Groundwater Withdrawal Amount claimed above will cause unreasonable interference between existing wells: _____

2.9 In addition to information submitted in response to Part 3 below, please provide information regarding availability, access to, and cost to obtain water from a source other than the aquifer(s) identified above. Information regarding such other sources shall at a minimum include the availability of, access to, and cost to obtain surface water or reclaimed water (additional responsive information may be attached). _____

Part 3 – Reports and Deeds

3.1 For Applicants for Qualified Land Yes No **If Yes, provide information in 3.1.1 only**

3.1.1 All applicants for a production permit based on Qualified Land owned by the applicant shall include documentation identifying the contiguous acres of Qualified Land owned by the applicant for which a permit is sought, along with a recorded deed showing the applicant owns the land and legal description or survey showing the location of such acres.

3.2 For Applicants for Municipal Use, including Public Water Supply, not based on ownership of Qualified Land owned by the applicant: Yes No **If Yes, provide engineering report and information in 3.2.1 through 3.2.9 only**

All applicants for municipal use must include with this application an Engineering Report prepared by an engineer licensed in the State of Texas that provides the following information, outlining the details and methods used to determine this information:

- 3.2.1 the monthly and annual water use on a per meter and per capita basis for the previous 10 years;
- 3.2.2 the estimated future water needs of the applicant;
- 3.2.3 the applicant's billing amounts, rate structure, and billing efficiency;
- 3.2.4 the estimate of water lost through leaks, unmetered connections, and any other loss;
- 3.2.5 the water conservation methods implemented during the previous 10 years and those methods planned for implementation in the next 5 years;
- 3.2.6 the economic analysis of using surface water or conservation methods to avoid the need for increased groundwater use;
- 3.2.7 the economic analysis of using groundwater from other aquifers outside the District to avoid the need for increased groundwater use from aquifers located within the District; and
- 3.2.8 a description of whether the operation of the well at the maximum annual groundwater withdrawal amount claimed above will cause unreasonable interference between any wells.
- 3.2.9 Information documenting the place of use of groundwater withdrawn from each well, including, as applicable, a copy of the deed and legal description for the place of use or a copy of the map identifying the boundaries of the applicant's Certificate of Convenience and Necessity issued by TCEQ.

3.3 For Applicants for Industrial Use or another beneficial purpose of use not based on the ownership of Qualified Land owned by the applicant shall also include: Yes No If Yes, provide engineering report and information in 3.3.1 through 3.3.8

All applicants for industrial use must include with this application an Engineering Report prepared by an engineer licensed in the State of Texas that provides the following information, outlining the details and methods used to determine this information:

- 3.3.1 the applicant's monthly and annual water use for the previous 10 years;
- 3.3.2 the estimated future water needs of the applicant;
- 3.3.3 the amount of water used per unit of production and referenced to the typical amount of water used in the industry per unit of production (gallons per lb gallons per item, gallons per unit processed, etc.);
- 3.3.4 the estimate of water lost through leaks, unmetered uses, and any other loss
- 3.3.5 the water conservation methods implemented during the previous 5 years and those methods planned for implementation in the next 5 years;
- 3.3.6 the economic analysis of using groundwater from other aquifers outside the District to avoid the need for increased groundwater use from aquifers located within the District;
- 3.3.7 the economic analysis of using groundwater from other groundwater sources to avoid the need for increased groundwater; and
- 3.3.8 a description of whether the operation of the well at the maximum annual groundwater withdrawal amount claimed above will cause unreasonable interference between any wells.

Part 4 – Well Information

Submit a Part 4 of this form for each individual well

4.1 Well Identifier or Well Name for well to be used for distribution of this water along with maximum rate at which water can be withdrawn from well: (If multiple wells, attach a separate page)

Well Name _____ GPM _____

4.2 Production Permit Number No. for which you are seeking additional groundwater withdrawal rights in this application, if any:

4.3 Source of Supply - Which aquifer(s) is/are the source of groundwater from the well:

4.4 Provide the following information for the well from which withdrawals are proposed that are not identified in a Production Permit, or for which any of the information below has changed:

4.4.1 Well Identifier or Well Name: _____

4.4.2 Physical address of the property upon which the well is located: _____

4.4.3 Location of the well by latitude and longitude:

Latitude: _____

Longitude: _____

4.4.4 Wellhead is located within the boundaries of the District (circle): Yes No

4.4.5 Identify any surface water, including springs within 1,000 feet of the well: _____

4.4.6 Year well drilled or proposed to be drilled: _____

4.4.7 Year well completed and operational or proposed to be completed and operational: _____

4.4.8 Pump Type and Size: _____

4.4.9 Pump power sources _____

4.4.10 Size of well casing: _____

4.4.11 Inside diameter of column pipe: _____

4.4.12 Maximum rate at which water can be withdrawn from the well: _____ gpm

4.4.13 Proposed meter type and model number: _____

Part 5 - Supporting documentation

Please ensure that your application includes the following supporting documents, as applicable, and please note that the District may request additional information once the initial application has been submitted:

- 5.1** Supporting information regarding availability, access to, and cost to obtain water from a source other than the aquifer(s) located within the District.
- 5.2** Completed engineering and/or USDA NRCS report as specified in Part 3 of this application;
- 5.3** For all well(s) from which withdrawals are proposed that are not identified in a Production Permit, or for which any of the information below has changed, the following documents, if applicable:
 - a) completed well registration form(s);
 - b) completed meter registration form(s);
 - c) a copy of: State Well Report(s);
 - d) any geophysical logs for the well(s);
 - e) a photograph of the well(s) taken approximately 100 feet from the wellhead;
 - f) a recorded deed or other legal document verifying the applicant's ownership of the well(s) for which this application is filed; and
 - g) the water conservation plan and drought contingency plan prepared for TCEQ, if applicable.
 - h) a copy of: a deed and legal description of the place of use of groundwater withdrawn from the well;
 - i) a map identifying the boundaries of the applicant's Certificate of Convenience and Necessity (CCN).
- 5.4** Copies of a contracts to purchase the groundwater from a third party who holds a permit or other authorization to produce groundwater within the District;
- 5.5** Documentation that demonstrates using accepted engineering and scientific practices that:
 - a) there is insufficient water available in the proposed receiving area to substantially meet the actual or projected demand during the proposed term of the groundwater exportation permit;
 - b) there is sufficient water available within the District to substantially meet the actual or projected demand during the proposed term of the groundwater exportation permit;
 - c) the proposed exportation will not have an unreasonably adverse effect on aquifer conditions, depletion, or water quality within the District;
 - d) the proposed exportation will not have an unreasonably adverse effect on existing permittees or other groundwater users within the District; and
 - e) the proposed exportation is consistent with the applicable Regional Water Plans approved by the Texas Water Development Board.

**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER MANAGEMENT PLAN,
DISTRICT RULES, AND COMMITMENT TO WATER CONSERVATION AND WATER QUALITY
PROTECTION**

Initial all that apply:

- Applicant will comply with the District's Groundwater Management Plan.
- Applicant is in compliance with all applicable District rules in effect and will comply with the District's rules.
- Applicant agrees to avoid waste and achieve water conservation.
- Applicant agrees to use reasonable diligence to protect groundwater quality.
- Applicant affirms that activities constituting the purpose of use for which the groundwater will be beneficially used will be managed to preserve, protect, prevent the pollution, degradation, or harmful alteration of, control and prevent the waste of, prevent the escape of groundwater from, and achieve the conservation of groundwater in and produced from, the aquifer.

STATE OF TEXAS

§

§

COUNTY OF BREWSTER

§

CERTIFICATION†

I, the undersigned applicant, subscribe and affirm that the information provided herein is true and correct. I also understand that it shall be considered to be a fraud upon the District for any applicant to knowingly give erroneous information in this application.

Signed: _____

Date: _____

Printed Name: _____

Title: _____

SIGNED AND SWORN TO before me on this the _____ day of _____, 20 .

NOTARY PUBLIC, State of Texas

My Commission expires: _____

† *If the applicant is an individual*, the application shall be signed by the applicant or a duly appointed agent. An agent shall provide written evidence of his or her authority to represent the applicant. If the applicant is an individual doing business under an assumed name, the applicant shall attach to the application an assumed name certificate filed with the county clerk of the county in which the principal place of business is located or with the Texas Secretary of State.

A joint application shall be signed by each applicant or each applicant's duly authorized agent with written evidence of such agency submitted with the application. If a well or proposed well is owned by both husband and wife, each person shall sign the application. Joint applicants shall select one among them to act for and represent the others in pursuing the application with the District with written evidence of such representation to be submitted with the application.

If the application is by a partnership, the application shall be signed by one of the general partners. If the applicant is a partnership doing business under an assumed name, the applicant shall attach to the application an assumed name certificate filed with the county clerk of the county in which the principal place of business is located or with the Texas Secretary of State. The name of the partnership must be followed by the words "a partnership."

If the applicant is an estate or guardianship, the application shall be signed by the duly appointed guardian or representative of the estate and a current copy of the letters testamentary issued by the court shall be attached.

If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions specifying the authority of the official to take such action shall be submitted along with the application. A corporation may file a corporate affidavit as evidence of a corporate official's authority to sign.

If the applicant is acting as trustee for another, the applicant shall sign as trustee and in the application shall disclose the nature of the trust agreement and give the name and current address of each trust beneficiary. The application must designate the trustee's name followed by the word "trustee," and the name of the trust for which the trustee is acting.