

TERRELL COUNTY GROUNDWATER CONSERVATION DISTRICT

Excerpt of **RULES**

Proposed Amendments to Rules
(Set for Public Hearing on August 9, 2017)

Proposed additions reflected in underlined text, and proposed deletions reflected in ~~strike out~~.

** FOR CONVENIENCE OF REVIEW, ONLY THOSE RULES THAT ARE PROPOSED TO BE AMENDED OR THAT ARE HELPFUL AND PROVIDE CONTEXT TO THE PROPOSED AMENDMENTS HAVE BEEN INCLUDED IN THIS EXCERPT.

Rule 3.3 General Registration Procedures

- (a) Each application for well registration must be certified in writing and sworn-to and must include the following on a form provided by the District:
- (1) The name, telephone number, fax number, and mailing address of the registrant and the owner of the land on which the well is or will be located;
 - (2) If the applicant is a person other than the owner of the property, documentation establishing the authority of the applicant to file the application for well registration, to serve as the registrant in lieu of the property owner, and to construct and operate the well for the proposed use;
 - (3) A statement of the nature and purpose of the existing or proposed use and the amount of water used or to be used for each purpose;
 - (4) The location of the well;
 - (5) A water well closure plan or a declaration that the applicant will comply with well plugging guidelines and report closure to the District;
 - (6) A statement that the water withdrawn from the well will be put to beneficial use at all times;
 - (7) The location of the use of the water from the well;
 - (8) The maximum production capacity of the well as equipped for a 24-hour period;
 - (9) The estimated rate at which water is or will be withdrawn from the well; and
 - ~~(10) Any other information deemed necessary by the Board;~~
 - ~~(i) included in a rule of the District in effect on the date the application is submitted that specifies what information must be included in an application for a determination of administrative completeness; and~~
 - ~~(ii) reasonably related to an issue that the District by law is authorized to consider.~~
- (b) Well registration applications meeting any of the criteria in Rule 3.17(a) shall submit a Hydrogeologic Report to the District that meets the requirements in Rule 3.17.
- (c) An administratively complete registration application contains the information set forth in Subsections (a) and (b), any applicable administrative fees for the processing of the registration application as provided in the District's schedule of fees described in Rule 14.5, and, if the registration is for a new well, is accompanied by a well report deposit.

- (d) For purposes of determining applicable well spacing and permitting requirements, the information included in a timely filed, administratively complete application for well registration may be used as evidence that the well existed before October 29, 2014 (the Effective Date of these Rules).
- (e) Upon receipt of the well report and well log required by Rule 3.4, a registration shall be perpetual in nature, subject to enforcement and/or cancellation for violation of these Rules.
- (f) Prior to recompleting, altering, or modifying a well that is registered with the District, whether an exempt or non-exempt well, the well owner must obtain a registration amendment on a form prescribed by the District before any changes can be made to recomplete, alter, or modify the well.
- (g) A determination of administrative completeness of a registration application shall be made by the District. If an application is not administratively complete, the District shall notify the applicant in writing and request the applicant to complete the pending application. The application will expire and be returned to the applicant if not completed within ninety (90) days of the date of the District's initial request to complete the pending application. An application will be considered administratively complete if it ~~substantially~~ complies with all requirements set forth in these Rules and Sections 36.113 and 36.1131 of the Texas Water Code, including all information required to be included in the application that may be obtained through reasonable diligence.
- (h) District staff shall review the registration application submitted under this Section and shall determine whether the proposed well must obtain an Operating Permit under these Rules or if the well must obtain a Grandfathered Use Permit under these Rules. District staff shall inform the applicant of this determination within ten (10) business days of the District's receipt of the completed registration form.
- (i) Registration forms may be submitted to the District in person or by mail, using the registration form provided by the District. The District registration form can be obtained at the District office or any location designated by the District.
- (j) An application pursuant to which a registration has been issued is incorporated in the registration, and the registration is valid contingent upon the accuracy of the information supplied in the application. A finding that false information has been supplied in the application may be grounds to deny approval of the registration or to revoke, suspend, or postpone the registration.
- (k) Submission of a registration application constitutes an acknowledgment by the registrant of notice and receipt of the Rules and regulations of the District and agreement that the registrant will comply with all District Rules and regulations, as they may be amended from time to time. The District may amend any registration, in accordance with these Rules, to accomplish the purposes of the District Rules, Management Plan, the District Act, or Chapter 36 of the Texas Water Code.