



*Every drop counts!*

## **Summary of the Permit Application Process**

Refer to District Rules 6.9.1 & 6.9.2 — Complete Requirements for All Permit Applications

*N3 – Level I – Combination Drilling and Operating Permit [1 ac-ft or less]\**

*N3 – Level II – Combination Drilling and Operating Permit [Greater than 1 ac-ft but Less than 5 ac-ft]<sup>#</sup>*

*N3 – Level III – Drilling and Operating Permits [Greater than or Equal to 5 ac-ft but Less than 130 ac-ft]<sup>†</sup>*

*N3 – Level IV – Drilling and Operating Permits [Greater than or Equal to 130 ac-ft]<sup>‡</sup>*

### **1. Complete the Application Form and Pay the Applicable Fees:**

- Declare the Well Driller's / Pump Installer's name, address, phone number, and TDLR license number.
- If the proposed well is for public water use and lies within the City Limit of ANY City in Bell County, then the well owner must provide necessary approval, if required by said City's City Ordinances, before the application can go forward.
- Fees shown are for administrative review, technical review, and legal consultation on behalf of the Applicant and the District. The District requires full payment of all fees before a permit application is deemed administratively complete.

### **2. Include a cover letter stating the Applicant's needs based on the beneficial use of groundwater.**

- State what the beneficial use is and specifically identify anticipated needs.
- State proposed tract size, column pipe size and desired annual production from the well(s).
- If applicable, state **(1)** the consulting firm that is making the application and **(2)** who will operate the permit.
- If the application is for an existing well, then state the condition of the well, the well's production capacity, and whether the well is operational. Also provide documentation which demonstrates that a licensed well driller and/or pump installer assessed the well.
- If the application is for a replacement well, indicate **(1)** the location of the well being replaced and **(2)** its distance from the proposed new well.
  - Abandoned wells must be properly plugged in accordance with state law and the District Rules.
- If the land is leased from a property owner, then **(1)** state the land is being leased from a property owner, and **(2)** provide documentation showing **(i)** the landowner has a lease agreement for a specified purpose and **(ii)** the length of said lease.

- If the application is for a mining operation, then address the following:
  - Is the mining operation licensed and in good standing with TCEQ?
  - A surface storage water catchment pond **MUST** be in place.
    - Declare **(i)** storage pond surface area, **(ii)** pond depth, and **(iii)** the catchment area, in acres, draining into the pond.
  - Provide a declaration that the operator will capture and reuse groundwater in order to provide conservation efforts necessary to limit demands on groundwater.
  - If aggregate material is produced, declare **(i)** the amount, in tons, of gravel that will be produced annually and **(ii)** the anticipated amount of wash material produced annually under the TCEQ Aggregate Production Operation permit.
  - If rock is produced, declare **(i)** tons of rock to be produced annually, **(ii)** annual working hours of saws, **(iii)** gpm per saw, **(iv)** number of saws in operation, and **(v)** the volume of water needed to operate the rock saws daily **or** annually.
- If the application is for public water supply, then address the following:
  - Provide documentation of Certificate of Convenience and Necessity (CCN) authority.
  - Provide calculation of proposed per capita consumption needs.
  - Provide projected population.
  - If applicable, provide annual historical water loss for previous five years.
  - If applicable, provide projected need of transportation out of the district.
  - Common examples of “Public Water Supply” are/but not limited to: Cities, Municipalities, Water Supply Corporations, Water Control & Improvement Districts, Truck Spots and Recreational Vehicle Parks.

3. All Applicants must publish notice (1) in a newspaper of general circulation in the District’s jurisdiction, and **(2)** by certified mail, with return receipt requested, **(i)** to all property owners adjacent to the property on which the well will be located, and **(ii)** to all well owners of existing registered or permitted wells that are located within one-half (1/2) mile radius of the existing or proposed well that is the subject of the application.
  - District staff will provide **(1)** the wording for the notice, **(2)** a list of the property owners who are required to be contacted once the application is determined to be administratively complete, and **(3)** those property owner’s addresses.
  - The applicant must provide the District with **(1)** proof of publication of public notice and **(2)** proof that notice was sent by certified mail to the property owners and well owners to whom notice is required.

- Proof must be received by the District's staff at least 12 days prior to the anticipated date of the public hearing date.
- 4. A public hearing of the permit application will be held by the Board
  - The Board may take testimony on the merits of the application from the GM, District consultants, Applicants, Applicant's representatives, and others.
  - The Board will review the application's administrative requirements.
  - The Board will hear from the affected parties that have been deemed a party to the case.
  - The Board may then take action to approve in whole, approve in part, disapprove, or continue the hearing at a later date.
- 5. If approved, the applicant is:
  - Required to **(1)** install a meter and **(2)** provide monthly reporting on the amount of water used.
    - Monthly reporting is due to the District by the 10<sup>th</sup> day of the following month.
  - Required to, if applicable, follow N3 drilling and/or operating permits that have special provisions associated with:
    - Enhanced well construction requirements,
    - Installation of observation tubes and/or transducers for measurement of static water level measurements recorded and reported monthly, and/or
    - Annual Water Quality Testing.
  - Required, per District Rule 9.3 and State Law TDLR, to submit all *State of Texas Well Reports* to the District within 60 days of well completion.
  - Required to provide the complete driller's log and any mechanical log, or chemical analysis, within 60 days of completion of the well.
    - The well must be drilled within 30 feet of the location specified and not closer to any existing well or authorized well site than the District's minimum spacing rule requires, per District Rule 9.5
- 6. The permit is renewed annually at the end of each calendar year. No Board action is required unless the Applicant requests a permit increase. No annual fees are required for renewal.
- 7. Permit application levels:
  - Requesting 5 ac-ft/year or less may be processed as a combination drilling/operating permit and the well completion report per Rule 6.9.2(e)-(f) (See following District Fee Schedule).
  - Requesting more than 5 ac-ft/year, per Rule 6.9.2(e)-(f), a well completion report is required and the and is a two-step process . . . a drilling permit first and an operating permit second, submitted 30 days after the completion of the well.

- Per Rule 9.3.3 Water Quality Assessment is required for sampling, testing, and reporting will be made available by District Staff and District Field Technician.

**Remedies consisting of Waivers, Exceptions, and Encumbrances (Rule 9.5.5)**

- Exception to spacing or tract size requirements through a Shared Well Agreement or an Encumbrance Agreement (Rule 9.5.5(a)),
- Exception to the 75-foot setback from all property lines when the property line is adjacent to a public road (Rule 9.5.5(b)(d)),
- Exception to minimum well spacing, minimum tract size, and/or minimum property line setback (Rule 9.5.5(c)),
- Waiver of certain spacing requirements through waivers signed by landowners and well owners within the applicable minimum distance (Rule 9.5.5(e)),
- Exception to spacing requirement on Dewatering Well or Leachate Well (Rule 9.5.5(f)),
- Exception provided by Encumbrance Agreement for a Non-Exempt Well (Rule 9.5.5(g)),
- Exception provided by Encumbrance Agreement for an Exempt Well (Rule 9.5.5(h)),
- Exception for a Public Water Utility (Rule 9.5.5(i)).

**NON-Exempt Well Classifications:**

\*N3 – **Non-Exempt Well, Level I**, is a combination drilling and operating permit for a well that satisfies the following:

1. A water well put to a beneficial use, which includes domestic, livestock, or poultry
2. A water well that is permitted for 1 acre-foot or less per year
  - a. The application is accompanied by the required fee : \$150 flat fee

#N3 – **Non-Exempt Well, Level II**, is a combination drilling and operating permit for a well that satisfies the following:

1. A water well put to a beneficial use, which includes domestic, livestock, or poultry
2. A water well that is permitted for more than 1 acre-foot per year **BUT** less than 5 acre-feet per year.
  - a. The application is accompanied by the required fee: \$150 for the first acre-foot and \$210 for each additional acre-foot.
3. The District requires a Well Completion Report upon Completion of the well at or prior to the well inspection by the District Staff. (Rule 6.9.2(e)-(f))

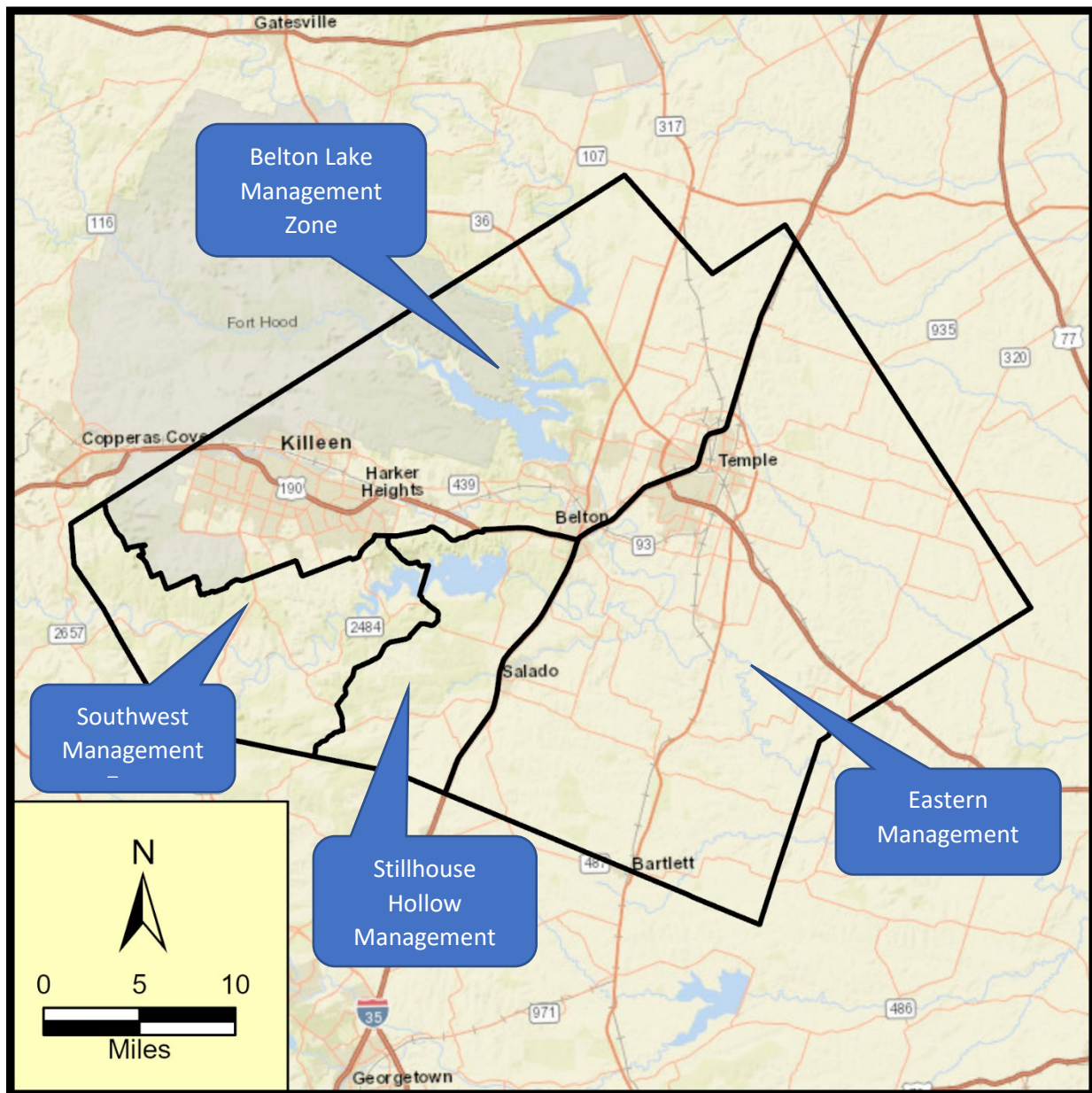
<sup>†</sup>N3 – **Non-Exempt Well, Level III**, is a two-part permitting system, which first requires a drilling permit and then requires an operating permit, that satisfies the following:

1. A water well put to a beneficial use, which include domestic, livestock, or poultry.
2. A water well that is permitted for 5 acre-feet per year up to, but not including, 130 acre-feet per year.
3. The Drilling permit application is accompanied by the required fee as follows:
  - a. A Drilling Permit costs \$400 for 5 acre-feet and \$15 for each additional acre-foot
  - b. An Operating Permit costs \$600 for 5 acre-feet and \$20 for each additional acre-foot.
    - i. The final Operating Permit Application must include a Well Completion Report (Rule 6.9.2(e)-(f)).

<sup>†</sup>N3 – **Non-Exempt Well, Level IV**, is a two-part permitting system, which first requires a drilling permit and then requires an operating permit, that satisfies the following:





1. A water well put to a beneficial use, which includes domestic, livestock, or poultry.
2. A water well is permitted for 130 acre-feet per year or more.
3. The application is accompanied by the required fee as follows:
  - a. A Drilling Permit costs \$2,200 for 130 acre-feet and \$7.50 for each additional acre-foot.
    - i. A drilling permit will not cost more than \$7,500
  - b. An Operating Permit costs \$3,300 for 130 acre-feet and \$10 for each additional acre-foot.
    - i. An operating permit will not cost more than \$10,000,
    - ii. final Operating Permit Application must include a Well Completion Report (Rule 6.9.2(e)-(f)).

## Trinity Aquifer Management Zones










**Figure A:** Clearwater Underground Water Conservation District Management Zone Map for: Southwest Management Zone; Stillhouse Hollow Management Zone; Belton Lake Management Zone; and Eastern Management Zone.

Figure 1: Upper & Middle Trinity Layers of the Trinity Aquifer

Management Zones	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size
Column Pipe **Size	1 ¼-inch	1 ½-inch	2-inch	>2-4 inch	>6-8 inch	>8 inch
Southwest	150 ft 2-acres	330 ft 5-acres				
Stillhouse Hollow	150 ft 2-acres	330 ft 5-acres	660 ft 10-acres			
Belton Lake	150 ft 2-acres	330 ft 5-acres	660 ft 10-acres			
Eastern IH35	150 ft 2-acres	330 ft 5-acres	660 ft 10-acres	1320 ft 20-acres		

Note: The above are exempted from the minimum tract size requirements: (1) a Retail Public Water Utility's Non-exempt New Well if the Well is located within the prescribed boundaries of the utility's retail water service area that is certificated by the Public Utility Commission of Texas by the issuance of a Certificate of Convenience and Necessity; and (2) Water Wells powered by windmills if Drilled and completed with sucker rod column pipe, which shall not exceed 2 inches in diameter.

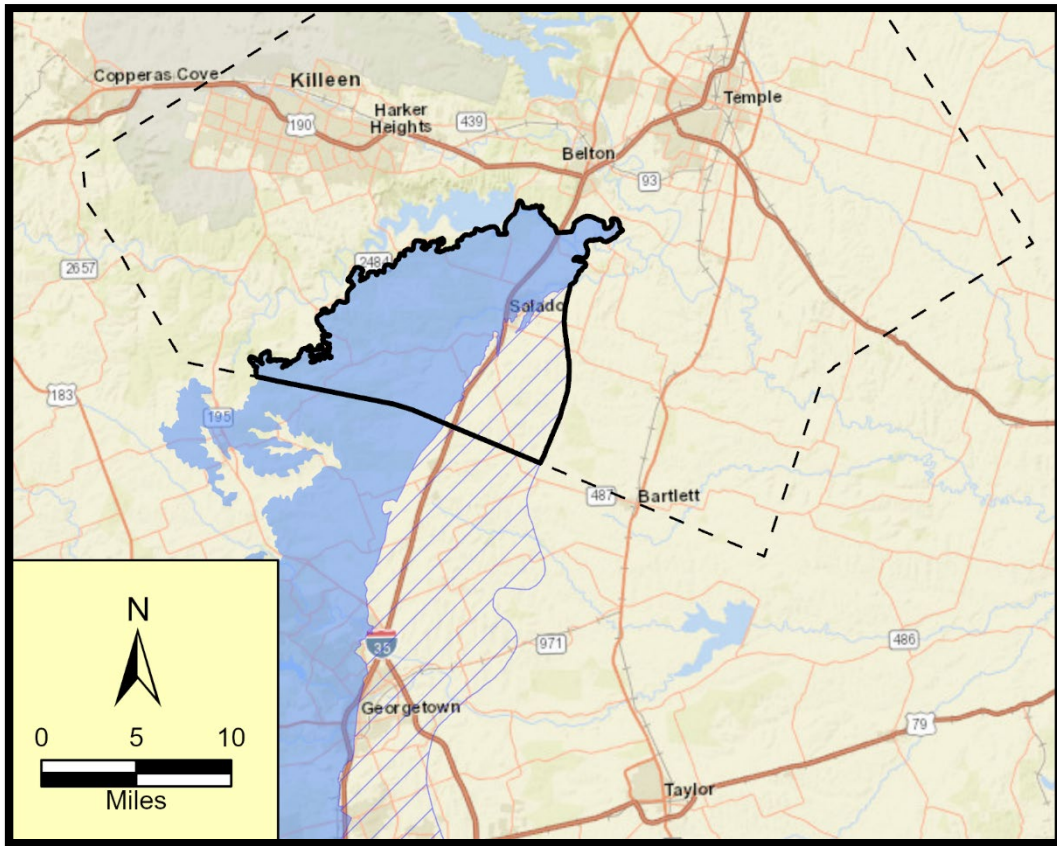
Figure 2: Lower Layer of the Trinity Aquifer

Management Zones ***	Min Well Spacing * Min Tract Size	Min Well Spacing * Min Tract Size	Min Well Spacing * Min Tract Size	Min Well Spacing * Min Tract Size	Min Well Spacing * Min Tract Size	Min Well Spacing * Min Tract Size	Min Well Spacing * Min Tract Size
Column Pipe **Size	1 ¼-inch	1 ½-inch	2-inch	>2-4 inch	>4-6 inch	>6-8 inch	>8 inch
Southwest	150 ft 2-acres	330 ft 5-acres					
Stillhouse Hollow	150 ft 2-acres	330 ft 5-acres	660 ft 10-acres	1320 ft 20-acres	1980 ft 30-acres		
Belton Lake	150 ft 2-acres	330 ft 5-acres	660 ft 10-acres	1320 ft 20-acres	1980 ft 30-acres	5280 ft 40-acres	5280 ft 50-acres
Eastern IH35	150 ft 2-acres	330 ft 5-acres	660 ft 10-acres	660 ft 20-acres	1320 ft 30-acres	2640 ft 40-acres	5280 ft 50-acres

Note: The above are exempted from the minimum tract size requirements: (1) a Retail Public Water Utility's Non-exempt New Well if the Well is located within the prescribed boundaries of the utility's retail water service area that is certificated by the Public Utility Commission of Texas by the issuance of a Certificate of Convenience and Necessity; and (2) Water Wells powered by windmills if Drilled and completed with sucker rod column pipe, which shall not exceed 2 inches in diameter.



## Edwards BFZ Management Zone



**Figure B: Clearwater Underground Water Conservation District Management Zone Map for Edwards BFZ Management Zone**

Figure 3: Edwards BFZ Aquifer

Management Zone	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size	Min Well Spacing Min Tract Size
Column Pipe Size	1 ¼ -inch	1 ½ -inch	2 -inch	>2-4 inch	>4-6 inch	>6-8 inch	>8 inch
Edwards BFZ	150 ft 2-acres	330 ft 5-acres	330 ft 10-acres	660 ft 20-acres	1320 ft 30 -acres	2640 ft 40-acres	5280 ft 50-acres

Note: The above are exempted from the minimum tract size requirements: (1) a Retail Public Water Utility's Non-exempt New Well if the Well is located within the prescribed boundaries of the utility's retail water service area that is certificated by the Public Utility Commission of Texas by the issuance of a Certificate of Convenience and Necessity; and (2) Water Wells powered by windmills if Drilled and completed with sucker rod column pipe, which shall not exceed 2 inches in diameter.