

The Rules of the Brazoria County Groundwater Conservation District are amended as follows:

1) Rule 2.2 (80) is amended to read as follows:

- (80) **“Well owner or well operator”** means the person who owns the land upon which a well is located or is to be located or the person who operates a well or a water distribution system supplied by a well. The term “well operator” does not include a person performing services under a contract to the well owner unless that contract includes treating and distributing water.

2) Rule 3.10 is amended to read as follows:

§3.10 PREPARATION OF AN APPLICATION.

- (a) **Form of Application.** Application for a well registration, permit, permit amendment, or permit renewal shall be made on forms provided by the District. Applications shall be in writing and sworn to.
- (b) **Proper Registrant, Applicant, or Declarant.** The application must be submitted and signed by the well owner or well operator, or an authorized agent of the well owner or well operator. The agent may be required to provide the District with a notarized authorization from the landowner.
- (c) **Completeness of an Application.** An application shall be considered administratively complete if it includes all information required to be included in the application; is properly completed, and signed; is accompanied by payment of all applicable fees, including any penalties or past due fees; and includes any maps, documents, or supplementary information necessary to support the information provided in the application. A determination of administrative completeness will be made by the General Manager.
- (d) **Action on Incomplete Applications.** The District will not take action on an application that is not administratively complete or has not proceeded in a manner consistent with District Rules. An application may be rejected as not administratively complete if the District finds that substantive information required by the application or District staff is missing, false, or incorrect. Applicants submitting incomplete applications will be notified by the District in writing.

3) Rule 3.11 is amended to read as follows:

§3.11 REQUIREMENTS FOR APPLICATIONS.

- (a) A separate application is required for each well.

(b) **Content Requirements.** An application must contain the following information in sufficient detail to be acceptable to the District:

(1) **Minimum Requirements.** All applications shall include the following:

- (A) the name, mailing address, and phone number of the applicant and the owner of the property on which the well is or will be located;
- (B) if the applicant is other than the owner of the property or authorized agent for the owner of the property, documentation establishing the applicable authority to construct and operate a well for the proposed use;
- (C) a detailed statement of the nature and purpose of the various proposed uses and the amount of groundwater proposed to be used for each purpose, including the anticipated pumpage volumes for each year of the permit term and any alternative water sources being used by the applicant;
- (D) the location of the well and the estimated maximum instantaneous rate at which water will be withdrawn from the well, and for a proposed aggregate system, a description of the system and the estimated annual pumpage for the system;
- (E) the proposed location(s) of use of the water from the well;
- (F) the proposed casing size and pump capacity;
- (G) a statement by the applicant that the water withdrawn under the permit will be put to a beneficial, non-wasteful use at all times and that the applicant will comply with all District Rules, orders, and permit provisions;
- (H) a water well closure plan or a declaration that the applicant will comply with well plugging and capping guidelines set forth in these Rules and will report well closures to the District;
- (I) a water conservation plan or a declaration that the applicant will comply with the district's management plan;

- (J) a drought contingency plan, if the applicant is required by law to have a drought contingency plan.

(2) **Additional Requirements for Export Permit Applications.** An application for an Export Permit shall include the following additional information:

- (A) the location of the proposed receiving area for the water to be transferred and the availability of water in the district and in the proposed receiving area during the period for which the water supply is requested;
- (B) a detailed statement of the nature and purpose of the various proposed uses in the proposed receiving area and the amount of groundwater to be used for each purpose;
- (C) information describing the projected effect of the proposed exportation of water on aquifer conditions, depletion, subsidence, and existing permit holders or other groundwater users within the District;
- (D) evidence that the project is included in the current approved regional water plan or State Water Plan; and
- (E) a technical description of the facilities to be used for transportation of the groundwater and a time schedule for construction thereof.