



208 Kimberly Drive | Cleburne, TX 76031 | Ph: 817-556-2299 | Fax: 817-556-2305 | www.prairielandsgcd.org

APPLICATION FOR EXCEPTION TO MINIMUM TRACT SIZE REQUIREMENTS

District Rule 4.4 includes minimum tract size requirements that must be met unless an applicant applies for and is granted an exception to minimum tract size requirements per Rule 4.6. Please carefully review Rules 4.4 and 4.6 prior to completing this form. An administrative fee must accompany this application; refer to <https://www.prairielandsgcd.org/well-registration/district-fees/>.

Application Date: _____

Part I. Applicant Information

Company Name (if entity): _____

First Name: _____ Last Name: _____

Mailing Address: _____

**Please include street number, street name, city, state, and zip)*

Email: _____ Phone: _____ Fax: _____

Provide the following information if the Well Owner and/or Property Owner where well will be located are different from Applicant.

Company Name (if entity): _____

First Name: _____ Last Name: _____

Mailing Address: _____

**Please include street number, street name, city, state, and zip)*

Email: _____ Phone: _____ Fax: _____

**If Applicant is someone other than the owner of the property where the well that is the subject of this exception to spacing application is proposed to be located, please attach all necessary documentation that demonstrates your authorization to submit this application on behalf of the proposed well owner (property owner).*

Part II. Property Information

Size (area) of the tract where the well is proposed to be located: _____ acres

Physical address of property (where the proposed well is to be located): () same as mailing address above

Well location address: _____

**Please include street number, street name, city, state, and zip)*

Legal description and/or Parcel ID of property where the proposed well is to be located:

Part III. Description of Request

The applicant must present evidence that no water from a public water system is available to the property (unless the applicant is a retail public utility), the drilling of a well is not inconsistent with any approved plat related to the property, and either A. or B. below apply. For more information regarding the requirement to demonstrate that no alternative water sources are available and that no water from a public water system is available to the property, see Rule 4.6(e).

Complete questions 1-6 if the applicant is not a retail public utility:

- 1. If there is an approved plat related to the property, does the plat call for water to be supplied to the property by a public water system? () Yes () No
- 2. Is water from a public water system currently being delivered to any part of the property? () Yes () No
- 3. If “no” to question 2, is the property located within the boundaries or service area of a city, special district, water supply corporation, or investor-owned utility that provides public water? () Yes () No
- 4. If “yes” on question 3, provide the name of the public water provider: _____
- 5. If “yes” on question 3, is there a water main of the public water supplier located on or adjacent to the property? () Yes () No If “no”, provide the distance from the property to the nearest water main of the public water supplier: _____
- 6. If “yes” on question 3, has the applicant requested that the public water provider connect or extend service to your property? () Yes () No If “yes”, date of your most recent request to the public water provider to connect or extend service to the property: _____. If “yes”, was the public water supplier willing to extend water service to your property? () Yes () No If “yes”, provide the date by which service could be extended to the property: _____.
- 7. Date when tract of land was platted or otherwise lawfully conveyed: _____

Please indicate your reason for requesting an exception to the District’s minimum tract size requirements by checking the appropriate box below (Check ONLY A. or B.):

() **A. TRACT OF LAND WAS SMALLER THAN TWO ACRES PRIOR TO MAY 15, 2017**

The well proposed to be located on a tract of land that was platted, meets an exception to platting, or was otherwise lawfully conveyed prior to May 15, 2017, as a tract that is too small to comply with the minimum tract size requirements set forth under District Rule 4.4, but only if:

- (1) The tract is not further subdivided into smaller tracts of land after May 15, 2017; and
- (2) You can provide a plat or other evidence of the date the tract of land was platted or was otherwise lawfully conveyed.

() **B. TRACT OF LAND WAS IN THE PLATTING PROCESS ON MAY 15, 2017**

You were in the process of platting or otherwise lawfully conveying a tract that is too small to comply with the minimum tract size requirements set forth under District Rule 4.4 as of May 15, 2017, but only if:

- (1) To require compliance with District Rule 4.4 would cause unreasonable economic hardship to you, and

- (2) The proposed well is not-exempt from the requirements under District Rule 2.1, no other economically feasible water source is available to you (An alternative water source is considered economically feasible and available (Rule 1.1(17)); and
- (3) You can provide evidence demonstrating each of these requirements.

Part IV. Additional Required Information and Attachments

Please include the following information as an attachment to this application and indicate that you have included the required information by checking all appropriate boxes.

- () I have attached to this application a completed application for a new well registration and, if applicable, a completed permit application (*not necessary for a platted subdivision developer who is seeking to sell the platted lots to third parties for future use*).
- () If the well is to be used for non-exempt use, Applicant must schedule a pre-application meeting with District Staff before submitting this application.
- () Because I am within a public service area, I have attached evidence to this application that no water from a public water system is available to the property (does not apply to applicants that are retail public utilities).
- () I checked Part III. A. as applying to me, and I have attached to this application other evidence of the date the tract of land was platted or was otherwise lawfully conveyed.
- () I checked Part III.B. as applying to me, and I have attached to this application evidence to demonstrate that (1) I was in the process on May 15, 2017, of platting or otherwise lawfully conveying the tract, and (2) that compliance with District Rule 4.4 (minimum tract size requirements) would cause unreasonable economic hardship to me.

(this space intentionally left blank)

Part V. Certification

I hereby swear or affirm that the facts stated in this application are within my personal knowledge and are true and correct to the best of my knowledge and belief. If this application is approved, I understand that the minimum spacing exception will be recorded in the real property records of the county in which the well will be located.

Signature

Print Name

Date

State of Texas

County of _____

Subscribed and sworn to me this _____ day of _____, 20 _____.

Notary Public's Signature

Date Commission Expires: _____

<u>DISTRICT TO COMPLETE THIS SECTION</u>	
Date Application and Fee Received: _____	
Reviewed by: _____	Admin. Completion Date: _____
Date Approved: _____	Approved by: () General Manager () Board
Signature: _____	