TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087, Austin, Texas 78711-3087
Telephone No. (512) 239-4691 FAX (512) 239-4770

ABANDONMENT OF WATER RIGHT

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

Please note that this action to voluntarily abandon, and the subsequent cancellation of, your water right may not be reversed and obtaining a water right in the future will require a new application for water. New applications require application/notice fees and may or may not be granted, subject to water availability. Additionally, water rights in the State of Texas may add value to the property they are associated with and/or may have a monetary value of their own. Please consider all of this in determining whether you wish to proceed with abandoning your water right.

BEFORE ME, the undersigned authority, on this day personally appeared Michael A. Montgomery known to me to be the person whose signature appears below, who being sworn by me did state that the following facts are true and correct in his/her personal knowledge:

1. My name is Michael A. Montgomery
2. My address is 645 Pausano Terrace
   Belton, TX 76513
3. I owe fees or penalties to the TCEQ: ☐ Yes ☑ No

   If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

   _____

4. I own the following described water right:
   ☐ Permit No. ☑ Certificate of Adjudication No.

   County: Bell River Basin: Brazos
   Authorized Use: _____
   Portion to be Abandoned: 1.09 Acre foot portion
5. It is my intent, by signing and filing this instrument, to voluntarily and intentionally waive and relinquish the above described portion of Permit/Certificate No. 12-2951 and to tender it to the Texas Commission on Environmental Quality for cancellation. It is also my intent to waive notice of public hearing, as well as the public hearing itself, to consider this matter at any future date.
6. I understand that the Texas Commission on Environmental Quality will cancel the above described portion of Permit/Certificate No. as enclosed. I also understand that any outstanding indebtedness to the commission is not waived by this form.

Michael A. M
Name (Sign)

_____
Name (Sign)

Michael A. Montgomery
Name (Printed)

_____
Name (Printed)

Subscribed and sworn to as being true and correct before me this 5 day of December, 2016

NOTARY PUBLIC STATE OF TEXAS
MONICA HAUDEK
Notary ID # 128161424
My Commission Expires
February 19, 2018

Monica Haudek
Notary Public for the State of Texas

Form TCEQ-10200 (revised 11/23/15)

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Neirmann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 17th, 2016

Michael Montgomery
645 Paisano Trace
Belton, TX 76513-7641

Re: Abandonment of Water Right
Certificate of Adjudication No. 12-2951 authorizes diversion of a maximum of 35 acre-feet from the Leon River, Brazos River Basin to irrigate a maximum of 40 acres out of a 97.01 acre tract located in the E. P. Pullium Survey, Abstract 676, Bell County, Texas.

Dear Mr. Montgomery:

As per our phone conversation on November 10th, 2016, enclosed is an *Application to Abandon a Water Right.*

If you want to cancel your water right, you may do so by completing the enclosed *Abandonment Form* and returning it to us. Please fill out the form stating that you wish to abandon the 1.09 acre-foot portion of the water right belonging to the Road Maintenance Association of Three Forks Bluff. However, you may wish to retain the water right for the future owner of the property; a water right is a valuable addition to your property.

Please be aware that abandonment is not the only option you have. It can be sold to others in the watershed, and with Commission approval, be used on other lands or even for other purposes. You may market your water right by running an advertisement in your local newspapers.

If you have any questions concerning this matter please contact **Zach Chapin** via email at zach.chapin@tceq.texas.gov or by telephone at (512) 239-4739.

Sincerely,

Travis Brice, Water Rights Ownership and Reporting Specialist, MC 160
Water Rights Compliance Assurance Team
Permit Support, Compliance & Groundwater Section
Water Availability Division

TB/zc
Enclosure