



Texas Commission on Environmental Quality

PO Box 13087, MC-160, Austin, Texas 78711-3087

Telephone (512) 239-4691, FAX (512) 239-4770

APPLICATION FOR AMENDMENT TO A 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.

Customer Reference Number (if issued): CN 600342257

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

1. **Name:** City of Seguin
Address: P.O. Box 591, Seguin, TX 78156
Phone Number: 830-379-3212 **Fax Number:** _____
Email Address: egallagher@seguintexas.gov

2. Applicant owes fees or penalties?
 Yes No
 If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

3. Permit No. _____ Certificate of Adjudication No. 18-3839B C
Stream: Guadalupe River **Watershed:** Guadalupe River Basin
Reservoir (present condition, if one exists): Lake Seguin
County: Guadalupe

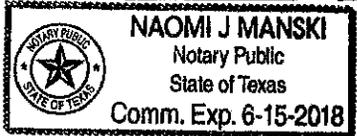
4. **Proposed Changes To Water Right Authorizations:**
Bed and banks authorization for indirect reuse of groundwater-based effluent (30 TAC 295.112).
See attached Supplemental Information, and aerial photo and USGS map (Figures 1 and 2).
 (Attach additional page as necessary, attach map/plot depicting project location, diversion point, place of use, and other pertinent data).

5. I understand the Agency may require additional information in regard to the requested amendment before considering this application.

Douglas G. Faseler _____
 Name (sign) Name (sign)

Douglas G. Faseler, City Manager _____
 Name (print) Name (print)

Subscribed and sworn to me as being true and correct before me this 7th day of March, 2016.



Naomi J. Manski
 Notary Public, State of Texas

ELECTRONIC FILING

NOT APPLICABLE

Supplemental Diversion Point Information Sheet

Diversion Point No. _____.

1) Watercourse: _____

Location of point of diversion at Latitude _____°N, Longitude _____°W, also, bearing _____°, _____ feet (distance) from the _____ corner of the _____ Original Survey No. _____, Abstract No. _____, in

_____ County, Texas. (Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places. Indicate the method used to calculate the diversion point location).

3) Location from County Seat: _____ miles in a _____ direction from _____, _____ County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____ direction from _____, a nearby town shown on county highway map.

4) Zip Code: _____

5) The diversion will be (check (√) all appropriate boxes and if applicable, indicate whether existing or proposed):

	Existing	Proposed
Directly from stream		
From an on-channel reservoir		
From a stream to an off-channel reservoir		
From a stream to an on-channel reservoir		
From an off-channel reservoir		
Other method (explain fully, use additional sheets if necessary)		

6) Rate of Diversion (Check (√) applicable provision):

___ 1. Diversion Facility:

A. _____ Maximum gpm (gallons per minute)

1) _____ Number of pumps

2) _____ Type of pump

3) _____ gpm, Pump capacity of each pump

4) Portable pump _____ Yes or _____ No

___ 2. If by gravity:

A. _____ Headgate _____ Diversion Dam _____ Maximum gpm

B. _____ Other method (explain fully - use additional sheets if necessary)

7) The drainage area above the diversion point is _____ acres or _____ square miles.

NOT APPLICABLE

Supplemental Dam/Reservoir Information Sheet

Dam (structure), Reservoir and Watercourse Data

A. Type of Storage Reservoir (indicate by checking (✓) all applicable)

on-channel off-channel existing structure proposed structure* exempt structure**

*Applicant shall provide a copy of the notice that was mailed to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir, will be located as well as copies of the certified mailing cards.

**TWC Section 11.143 for uses of water for other than domestic, livestock, or fish and wildlife from an existing, exempt reservoir with a capacity of 200 acre-feet or less. Please complete Paragraph 6 below if proceeding under TWC 11.143.

Date of Construction _____

B. Location of Structure No. _____.

1) Watercourse: _____

2) Location from County Seat: _____ miles in a _____ direction from _____,
_____ County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____ direction from
_____, a nearby town shown on county highway map.

3) Zip Code: _____

4) The dam will be/is located in the _____ Original Survey
No. _____, Abstract No. _____ in _____ County, Texas.

5) Station _____ on the centerline of the dam is _____° _____ (bearing), _____ feet
(distance) from the _____ corner of _____ Original
Survey No. _____, Abstract No. _____, in _____ County, Texas, also
being at Latitude _____°N, Longitude _____°W. (Provide the latitude and longitude
coordinates in decimal degrees, to at least six decimal places. Indicate the method used to calculate the diversion point location).

C. Reservoir:

1) Acre-feet of water impounded by structure at normal maximum operating level: _____

2) Surface area in acres of reservoir at normal maximum operating level: _____

D. The drainage area above the dam is _____ acres or _____ square miles.

E. Other:

1) If this is a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure, provide the Site No. _____ and watershed project name _____

2) Do you request authorization to close the "ports" or "windows" in the service spillway?

Yes No

Supplemental Discharge Point Information Sheet 1/2

Discharge Point No. or Name: Walnut Branch WWTP

1) Select the appropriate box for the source of water being discharged:

Treated effluent

Groundwater

Other _____

2) Location of discharge point will be/is at Latitude 29.558628 ° N, Longitude 97.961741 ° W, also bearing N28 ° 33'26", 1228.384 feet from the SW corner of the lot: 5 BLK 115/54 addn: river 0.1076 ACA

Original Survey No. _____, Abstract No. _____, in Guadalupe _____ County, Texas.

Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location. (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

Existing Diversion Pt: Lat: 29.551325 N, Long: -97.971134 W. Source: Google Earth—see attached Figures 1 and 2.

3) Location from County Seat: 0.7 miles in a SSE direction from Seguin, Guadalupe County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____ direction from _____, a nearby town shown on county highway map.

4) Zip Code: 78155

5) Water will be discharged into Guadalupe River stream/reservoir, (tributaries) _____, Guadalupe Basin.

6) Water will be discharged at a maximum rate of 7.58 cfs (3403 gpm) (= 4.9 MGD = permitted flow).

7) The amount of water that will be discharged is 5492 acre-feet per year. (Permitted flow)

8) The purpose of use for the water being discharged will be municipal water supply.

9) Additional information required:

For groundwater NOT APPLICABLE

1. Provide water quality analysis and 24 hour pump test for the well if one has been conducted.
2. Locate and label the groundwater well(s) on a USGS 7.5 Minute Topographic Map
3. Provide a copy of the groundwater well permit if it is located in a Groundwater Conservation District.
4. What aquifer the water is being pumped from?

For treated effluent

1. What is the TPDES Permit Number? Provide a copy of the permit. Permit # WQ0010277001 attached.
2. Provide the monthly discharge data for the past 5 years. See attached Table 1.
3. What % of treated water was groundwater, surface water? 54% of effluent is groundwater (Table 3).
4. If any original water is surface water, provide the base water right number. 18-3839B

Supplemental Discharge Point Information Sheet 2/2

Discharge Point No. or Name: Geronimo Creek WWTP

1) Select the appropriate box for the source of water being discharged:

Treated effluent

Groundwater

Other _____

2) Location of discharge point will be/is at Latitude 29.541699 ° N, Longitude 97.913673 ° W, also bearing S05 ° 58.407'E, 157.69 feet from the NE property corner of the _____

Original Survey No. John Sowell 11.93 AC, Abstract No. 35, in Guadalupe _____ County, Texas.

Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location. (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

Existing Diversion Pt: Lat: 29.551325 N, Long: -97.971134 W. Source: Google Earth—see attached Figures 1 and 2.

3) Location from County Seat: 3.5 miles in a SE direction from Seguin, Guadalupe County, Texas.

Location from nearby town (if other than County Seat): _____ miles in a _____ direction from _____, a nearby town shown on county highway map.

4) Zip Code: 78155

5) Water will be discharged into Geronimo Creek stream/reservoir, (tributaries) thence to Guadalupe River, Guadalupe Basin.

6) Water will be discharged at a maximum rate of 3.30 cfs (1479 gpm) (= 2.13 MGD = permitted flow).

7) The amount of water that will be discharged is 2388 acre-feet per year. (Permitted flow)

8) The purpose of use for the water being discharged will be municipal water supply.

9) Additional information required:

For groundwater NOT APPLICABLE

1. Provide water quality analysis and 24 hour pump test for the well if one has been conducted.
2. Locate and label the groundwater well(s) on a USGS 7.5 Minute Topographic Map
3. Provide a copy of the groundwater well permit if it is located in a Groundwater Conservation District.
4. What aquifer the water is being pumped from?

For treated effluent

1. What is the TPDES Permit Number? Provide a copy of the permit. Permit #WQ0010277003 attached.
2. Provide the monthly discharge data for the past 5 years. See attached Table 2.
3. What % of treated water was groundwater, surface water? 54% of effluent is groundwater (Table 3).
4. If any original water is surface water, provide the base water right number. 18-3839B



CITY OF SEGUIN

Office of the Mayor
Post Office Box 591
Seguin, Texas 78156-0591
(830) 401-2307
1-888-4SEGUIN
FAX (830) 401-2499
www.seguintexas.gov

March 1, 2016

Ms. Iliana Delgado
Water Rights Permitting Team Leader, TCEQ
P. O. Box 13087
Austin, Texas 78711-3087

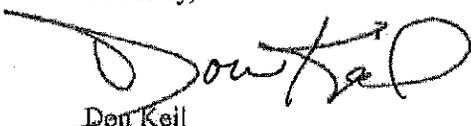
Re: Delegating Signatory Authority for Water Right Amendment

Dear Ms. Delgado:

Please be advised that the City of Seguin would like to delegate the signatory authority for the Water Right Amendment application to Mr. Douglas G. Faseler, City Manager, as Primary Signatory Authority and Mr. Rick Cortes, Assistant City Manager, as Alternate Signatory Authority.

Please contact Douglas Faseler at (830) 401-2302 with any questions or concerns.

Sincerely,


Don Keil
Mayor

cc: Douglas G. Faseler, City Manager
Rick Cortes, Assistant City Manager
Emery Gallagher, Director of Utilities
Craig Bell, P.E., TRC
File

SEGUIN SUPPLEMENTAL INFORMATION (30 TAC 295.112 subsections indicated where appropriate)

An accounting plan will be prepared upon request from TCEQ. It is anticipated that the accounting plan will document on a daily basis the percent of groundwater used and subsequently the amount of groundwater-based effluent discharged from each WWTP. This is the amount that will be available to divert at the City's water treatment plant intake ("diversion point").

The Walnut Branch WWTP outfall is 0.78 river miles downstream of the water treatment plant diversion point. Geronimo Creek, which receives the effluent from the Geronimo Creek WWTP a short distance above the mouth, joins the Guadalupe River 7.66 miles downstream of the diversion point. There is one water right downstream of Walnut Branch and upstream of Geronimo Creek: GBRA TP-5 (water right 18-5488), which is at Nolte Island 4.81 miles downstream of the diversion point and is a hydropower right. It is recognized that this is an uncommon request, but is akin to requesting an alternate diversion point for a water right.

(b)(3): Based on 2010-2014 data, for its municipal supply, Seguin has used 52-56% groundwater on an annual basis, with an average of 54% (Table 3). Flows discharged to the Guadalupe River from Walnut Branch (does not include reuse) have averaged 1.51 MGD or 1,689 ac-ft/yr (Table 1). Flows discharged from Geronimo Creek have averaged 1.22 MGD or 1,324 ac-ft/yr (Table 2). Therefore, the total average discharge is 3,013 ac-ft/yr. Based on 54% of that being groundwater based, the average expected to be eligible for diversion in the near future is 1,627 ac-ft/yr. At this time, the plants are operating at roughly 50% of their permitted hydraulic capacity.

(b)(4): The quality of water of the discharges from the two WWTPs is regulated by the TPDES permits. Relevant permit limitations are:

- Walnut Branch: 10/15/3 (CBOD/TSS/NH3-N, mg/L)
- Geronimo Creek: 20/20 (CBOD/TSS, mg/L)

(b)(5): The Walnut Branch WWTP came on line around 1951. The Geronimo Creek WWTP came on line in 1989. The City has always used groundwater as part of its water supply, so groundwater discharges have always been a component of the wastewater discharges.

(b)(6): It is assumed that channel losses over this short reach will be negligible. There is only one intervening water right in this reach (GBRA). If it is determined that there are significant channel losses between the diversion point and the GBRA water right location, the volume attributable to Geronimo Creek will be reduced accordingly. Since the Walnut Branch outfall is a short distance downstream of the diversion point and there are no intervening water rights, an adjustment should not be necessary for Walnut Branch.

(b)(7): USGS gage 08169792 Guadalupe Rv at FM 1117 nr Seguin, TX has an annual average flow of 712.24 cfs, or about 516,000 ac-ft/yr. The expected average annual diversion of 1,627 ac-ft/yr represents 0.3% of the average flow. Also note that any increase in diversions will likely result in an increase in return flows, which would reduce this small impact further. Instream uses and bay and estuary freshwater inflow needs are unlikely to be impacted.

Melissa Carugati

From: Iliana Delgado
Sent: Tuesday, March 15, 2016 8:50 AM
To: Melissa Carugati
Cc: 'jmachin@trcsolutions.com'; Iliana Delgado
Subject: FW: amendment application
Attachments: SEGUIN SUPPLEMENTAL INFORMATION-revised.docx

Thank you James, it will be added to the file

From: Machin, James [mailto:JMachin@trcsolutions.com]
Sent: Wednesday, March 09, 2016 3:03 PM
To: Iliana Delgado <iliana.delgado@tceq.texas.gov>
Subject: RE: amendment application

Iliana,
I dropped it off at 11:29. However, I discovered that the wrong version of the Supplemental Information page was included (Page 7). I apologize for that. Could you please remove and replace that page with the attached version?

James L. Machin, P.E., CPESC
Senior Engineer
jmachin@trcsolutions.com



505 E. Huntland Dr., Suite 250, Austin, TX 78752
Off: 512.329.6080 ext. 11189 | Dir: 512.684.3189 | Fax: 512.329.8750
TBPE Firm F-3775
[LinkedIn](#) | [Twitter](#) | [Blog](#) | www.trcsolutions.com

From: Machin, James
Sent: Wednesday, March 09, 2016 8:51 AM
To: 'Iliana Delgado' <iliana.delgado@tceq.texas.gov>
Subject: RE: amendment application

Iliana,
I am coming to TCEQ late morning for a meeting. The application package is ready, so I will hand deliver it at that time. Third floor?

James L. Machin, P.E., CPESC
Senior Engineer
jmachin@trcsolutions.com



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From: Iliana Delgado [<mailto:iliana.delgado@tceq.texas.gov>]
Sent: Wednesday, March 02, 2016 2:51 PM
To: Machin, James <JMachin@trcsolutions.com>
Subject: RE: amendment application

James,

Fees are detailed in Title 30 Texas Administrative Code 295, Subchapter B.
You can either calculate the fees and submit them with the application, or staff will calculate the fees upon receipt of the application and request them in an RFI.

From: Machin, James [<mailto:JMachin@trcsolutions.com>]
Sent: Thursday, February 25, 2016 3:09 PM
To: Iliana Delgado <iliana.delgado@tceq.texas.gov>
Subject: amendment application

Iliana,

We are almost ready with the Seguin indirect reuse application. Does any fee have to be submitted with the application?

James L. Machin, P.E., CPESC
Senior Engineer
jmachin@trcsolutions.com



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SEGUIN SUPPLEMENTAL INFORMATION (30 TAC 295.112 subsections indicated where appropriate)

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(b)(3): Based on 2010-2014 data, for its municipal supply, Seguin has used 52-56% groundwater on an annual basis, with an average of 54% (Table 3). Flows discharged to the Guadalupe River from Walnut Branch (does not include reuse) have averaged 1.51 MGD or 1,689 ac-ft/yr (Table 1). Flows discharged from Geronimo Creek have averaged 1.22 MGD or 1,324 ac-ft/yr (Table 2). Therefore, the total average discharge is 3,013 ac-ft/yr. Based on 54% of that being groundwater based, the average expected to be eligible for diversion in the near future is 1,627 ac-ft/yr. At this time, the plants are operating at roughly 50% of their permitted hydraulic capacity.

(b)(4): The quality of water of the discharges from the two WWTPs is regulated by the TPDES permits. Relevant permit limitations are:

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- Geronimo Creek: 20/20 (CBOD/TSS, mg/L)

(b)(5): The Walnut Branch WWTP came on line around 1951. The Geronimo Creek WWTP came on line in 1989. The City has always used groundwater as part of its water supply, so groundwater discharges have always been a component of the wastewater discharges.

(b)(6): It is assumed that channel losses over this short reach will be negligible. There is only one intervening water right in this reach (GBRA). It is anticipated that diversions attributable to Geronimo Creek will only be allowed if there is instream flow in excess of GBRA's water right amount. If it is determined that there are significant channel losses between the diversion point and the GBRA water right location, the volume attributable to Geronimo Creek will be reduced accordingly. Since the Walnut Branch outfall is a short distance downstream of the diversion point and there are no intervening water rights, an adjustment should not be necessary for Walnut Branch.

(b)(7): USGS gage 08169792 Guadalupe Rv at FM 1117 nr Seguin, TX has an annual average flow of 712.24 cfs, or about 516,000 ac-ft/yr. The expected average annual diversion of 1,627 ac-ft/yr represents 0.3% of the average flow. Also note that any increase in diversions will likely result in an increase in return flows, which would reduce this small impact further. Instream uses and bay and estuary freshwater inflow needs are unlikely to be impacted

RECEIVED

MAR 09 2016

WATER RIGHTS PERMITTING