

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
APPLICATION FOR PERMIT TO APPROPRIATE STATE WATER
(SECTION 11.121, 11.042, 11.085 OR 11.143, TEXAS WATER CODE)
TAC CHAPTERS 30, 50, 281, 287, 288, 295, 297 AND 299
Water Supply Division, Water Rights Permitting MC-160

P.O. Box 13087
Austin, Texas 78711-3087
Telephone (512) 239-4691, FAX (512) 239-4770
(if including a check, mail directly to P.O. Box 13088, Austin, TX 78711-3088)

RECEIVED
TCEQ
WATER SUPPLY DIV.
2015 SEP 3 2 53

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.

1. Applicant Information.

A. Applicant Name(s): **Ronnie Borders**

Mailing Address: **P.O. Box 548 Center, TX 75935**

Telephone Number: **936-590-1888** Fax Number:

Email Address: **ronnieborders@msn.com**

B. Customer Reference Number (if issued): **CN**

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.

C. Fees and Penalties

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:

D. Lienholder Information

Provide this information on the holder of any liens on any land to which the water right would be appurtenant):

N/A

2. 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: **September 2015** (would like to begin as soon as possible)

B. Location of Structure No. Location 1

- 1) Watercourse: **Big Iron Ore Creek**
- 2) Location from County Seat: **11.9** miles in a **NW** direction from **San Augustine, San Augustine County, Texas**.
Location from nearby town (if other than County Seat): N/A miles in a N/A direction from N/A, a nearby town shown on county highway map.
- 3) Zip Code: **75935**
- 4) The dam will be/is located in the N/A Original Survey No. N/A, Abstract No. N/A in N/A County, Texas.
- 5) Station N/A on the centerline of the dam is N/A° N/A (bearing), N/A feet (distance) from the N/A corner of N/A Original Survey No. N/A, Abstract No. N/A, in N/A County, Texas, also being at Latitude N/A°N, Longitude N/A°W.
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.

C. Reservoir:

- 1) Acre-feet of water impounded by structure at normal maximum operating level: **90 acre-feet**
- 2) Surface area in acres of reservoir at normal maximum operating level: **10.29 acres**

D. Drainage Area

The drainage area above the dam is N/A acres or N/A 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. N/A and watershed project name N/A.
- 2) Do you request authorization to close the "ports" or "windows" in the service spillway?
 Yes No

3. Appropriation/ Request (total amount of water needed, including maximum projected uses and accounting for evaporative losses for off-channel storage, if applicable).

A. Appropriated water will be used as follows:

	Purpose*	Place of Use	Acre-feet per year
1)	Oil & Gas Activity	San Augustine County & Surrounding Counties	400 acre-feet per year
2)			
3)			

*If agricultural use, list crops(s) to be irrigated:

B. Lands to be irrigated (if applicable):

- 1) Applicant proposes to irrigate a total of N/A acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of N/A acres in N/A County, Texas.

A copy of the deed(s) describing the overall tract(s) with the recording information from the county records are attached in Appendix E and Appendix H.

- 2) Location of land to be irrigated: In the N/A
Original Survey No. N/A, Abstract No. N/A.

C. Diversion Point No. Location 1.

- 1) Watercourse: **Big Iron Ore Creek.**
- 2) Location of point of diversion at Latitude **31.620423°N**, Longitude **-94.250263°W**,
Provide Latitude and Longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location.

Deed & Survey Attached

also bearing ___° ___feet

(distance) from the ___ corner of the ___ Original
Survey No. ___, Abstract No. _____, County, Texas.

- 3) Location from County Seat: **11.9** miles in a **NW** direction from
San Augustine, San Augustine County, Texas.

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

- 4) Zip Code: 75935

- 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 stream to an off-channel reservoir		X
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):

X 1. Diversion Facility:

- A. **2,000** Maximum gpm (gallons per minute)
- B. **1** - Number of pumps
- C. **Portable** - Type of pump
- D. **2,000 gpm**, Pump capacity of each pump
- E. Portable pump X Yes or ___ No.

___2. If by gravity:

- A. N/A Headgate N/A Diversion Dam N/A Maximum gpm
B. N/A Other method (explain fully - use additional sheets if necessary)
-
-

7) The drainage area above the diversion point is 3,111 acres or square miles.

D. Return Water or Return Flow (location and quantity information, provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and indicate the method used to calculate the diversion point location):

Water which is diverted but not consumed as a result of the above stated use, will be returned to

N/A, tributary of N/A

N/A, tributary of N/A,

N/A Basin, at a point which is at Latitude N/A

N/A°N, Longitude N/A°W, also, bearing

N/A, N/A (direction), N/A feet (distance) from the

N/A corner of the N/A Original Survey

No. N/A, Abstract No. N/A, in N/A County, Texas.

Zip Code: N/A

Estimated annual amount of return flow to said stream will be N/A acre-feet.

E. Surplus Water (provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and indicate the method used to calculate the diversion point location):

Water which is diverted but not used beneficially will be returned to N/A,

tributary of N/A, N/A Basin at a point

which is at Latitude N/A°N, Longitude N/A°W, also

bearing N/A°N/A (direction), N/A feet

(distance) from the N/A corner of the N/A Original Survey

No. N/A, Abstract No. N/A, in N/A County, Texas.

Zip Code: N/A

4. Discharge Point Information (if applicable, provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and indicate the method used to calculate the diversion point location).

Discharge Point No. or Name: N/A

A. Select the appropriate box for the source of water being discharged:

Treated effluent

Groundwater

Other

B. Location of discharge point will be/is at Latitude N/A° N, Longitude N/A°W,

also bearing °, N/A feet from the N/A corner of the N/A

Original Survey No. N/A, Abstract No., in

N/A County, Texas.

What method was used to determine the Latitude and Longitude for the discharge point? (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

N/A

- C. Location from County Seat: **N/A** miles in a **N/A** direction from **N/A**,
N/A County, Texas.
Location from nearby town (if other than County Seat): **N/A** miles in a **N/A**
direction from **N/A**, a nearby town shown on county highway map.
- D. Zip Code: **N/A**

- E. Water will be discharged into **N/A** stream/reservoir,
(tributaries) **N/A** Basin.
- F. Water will be discharged at a maximum rate of **N/A** cfs (**N/A** gpm).
- G. The amount of water that will be discharged is **N/A** acre-feet per year.
- H. The purpose of use for the water being discharged will be **N/A**.
- I. Additional information required:

For groundwater

- 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.
- 2) Provide the monthly discharge data for the past 5 years.
- 3) What % of treated water was groundwater, surface water?
- 4) If any original water is surface water, provide the base water right number.

5. General Information.

- A. The proposed or existing works will be (are) located on the land of **Ronnie Borders**, whose mailing address is **P.O. Box 548 Center, TX 75935.**
- B. If an application for the appropriation is granted, either in whole or in part, construction works will begin within **one week** after such permit is issued. The proposed work will be completed within **2 months** from the date the permit is issued.
- C. A Water Conservation Plan is attached? Yes No.
- D. **N/A** Interbasin transfer is not requested.
N/A Applicant requests authorization to transfer **N/A** acre-feet of water per year from the **N/A** Basin to the **N/A** Basin of which
N/A acre-feet of water will be used for **N/A** purposes and

N/A acre-feet of water will be used for N/A purposes.

E. N/A Bed and Banks request to transfer N/A acre-feet of water per year within the bed and banks of N/A , tributary of N/A, N/A Basin.

F. Is this project located within 200 river miles of the coast? _ Yes No ___ Unknown

5. Maps, plats, plans, and drawings accompany this application as required by applicable TAC Sections.

Yes _ No. Attach additional sheets.

6. _____ The dam(s) and reservoir(s) shown on the attached application was (were) constructed for domestic and livestock purposes and I/we elect to seek a permit under Section 11.143 of the Texas Water Code.

7. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement.

Water appropriated for these proposed reservoir projects will supply oil & gas drilling company's water required for drilling activities.

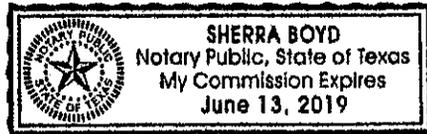
Roy Borders
Applicant Name (Sign)

Applicant Name (Sign)

Roy Borders
Applicant Name (Printed)

Applicant Name (Printed)

SWORN TO AND SUBSCRIBED before me this 27th day of August, 2015.



Sherra Jean Boyd
Notary Public for the State of Texas

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: **2013**

B. Location of Structure No. **Location 2**.

1) Watercourse: **N/A**

2) Location from County Seat: **10** miles in a **NW** direction from **San Augustine**,
San Augustine County, Texas.

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

3) Zip Code: **75935**

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

5) Station **N/A** on the centerline of the dam is **N/A°N/A** (bearing), **N/A** feet
(distance) from the **N/A** corner of **N/A** Original
Survey No. **N/A**, Abstract No. **N/A**, in **N/A** County, Texas, also
being at Latitude **N/A°N**, Longitude **N/A°W**.

Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places and 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: **190 acre-feet**

2) Surface area in acres of reservoir at normal maximum operating level: **13 acres**

D. The drainage area above the dam is **N/A** acres or **N/A** 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. **N/A** and watershed project name **N/A**

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

Yes No

Supplemental Dam/Reservoir Information Sheet

Dam (structure), Reservoir and Watercourse Data

B. 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 **Proposed Reservoir. Notice of Transfer Attached in Appendix H**

B. Location of Structure No. **Location 3.**

1) Watercourse: **Intermittent Tributary of Price Creek**

2) Location from County Seat: **8** miles in a **NW** direction from **San Augustine**,
San Augustine County, Texas.

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

3) Zip Code: **75935**

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 **31.557138°N**, Longitude **-94.240539°W**.

Provide Latitude and Longitude coordinates in decimal degrees, to at least six decimal places, and 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: **409 acre/feet**

2) Surface area in acres of reservoir at normal maximum operating level: **61 acres**

D. The drainage area above the dam is **442** 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. **N/A** and watershed project name **N/A**

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

Yes No

Supplemental Diversion Point Information Sheet

Diversion Point No. Location 2. (Provide a completed *Supplemental Diversion Point Information Sheet* for additional diversions)

- 1) Watercourse: Little Iron Ore Creek
- 2) Location of point of diversion at Latitude 31.615285 °N, Longitude -94.260358 °W, also, bearing _____° _____, _____ feet (distance) from the _____ corner of the _____ Original Survey No. _____, Abstract No. _____, in _____ County, Texas. Provide Latitude and Longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location.
- 3) Location from County Seat: 10.8 miles in a NW direction from San Augustine, San Augustine County, Texas.
Location from nearby town (if other than County Seat): N/A miles in a N/A direction from N/A, a nearby town shown on county highway map.
- 4) Zip Code: 75935
- 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 stream to an off-channel reservoir	X	
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. 2000 Maximum gpm (gallons per minute)
 - 1) 1 Number of pumps
 - 2) Portable Type of pump
 - 3) 2000 gpm, Pump capacity of each pump
 - 4) Portable pump X Yes or ___ No
 - ___ 2. If by gravity:
 - A. N/A Headgate N/A Diversion Dam N/A Maximum gpm
 - B. N/A Other method (explain fully - use additional sheets if necessary)
- 7) The drainage area above the diversion point is 1,443 acres or _____ square miles.

Supplemental Diversion Point Information Sheet

Diversion Point No. **3**

- 1) Watercourse: **Big Iron Ore Creek**
- 2) Location of point of diversion at Latitude **31.559830°N**, Longitude **-94.291635°W**, also, bearing _____° _____, _____ feet (distance) from the _____ corner of the _____ Original Survey No. _____, Abstract No. _____, in _____ County, Texas. Provide Latitude and Longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location.
- 3) Location from County Seat: **11.1** miles in a **NW** direction from **San Augustine**, **San Augustine** County, Texas.
Location from nearby town (if other than County Seat): **N/A** miles in a **N/A** direction from **N/A**, a nearby town shown on county highway map.
- 4) Zip Code: **75935**
- 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 stream to an off-channel reservoir		
From a stream to an on-channel reservoir		X
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. **2000** Maximum gpm (gallons per minute)
 - 1) **1** Number of pumps
 - 2) **Portable** Type of pump
 - 3) **2000** gpm, Pump capacity of each pump
 - 4) Portable pump **X** Yes or ___ No
 - ___ 2. If by gravity:
 - A. **N/A** Headgate **N/A** Diversion Dam **N/A** Maximum gpm
 - B. **N/A** Other method (explain fully - use additional sheets if necessary)
- 7) The drainage area above the diversion point is **2,645** acres or _____ square miles.

Supplemental Discharge Point Information Sheet

Discharge Point No. or Name: N/A

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 N/A° N, Longitude N/A°W, also bearing N/A°N/A,N/A feet from the N/A corner of the N/A

Original Survey No. N/A, Abstract No. N/A, in N/A County, Texas.

Provide Latitude and Longitude coordinates in decimal degrees, to at least six decimal places and indicate the method was used to determine the Latitude and Longitude for the discharge point? (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

3) Location from County Seat: N/A miles in a N/A direction from N/A, N/A County, Texas.

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

4) Zip Code: N/A

5) Water will be discharged into N/A stream/reservoir, (tributaries) N/A, N/A Basin.

6) Water will be discharged at a maximum rate of N/A cfs (N/A gpm).

7) The amount of water that will be discharged is N/A acre-feet per year.

8) The purpose of use for the water being discharged will be N/A.

9) Additional information required:

For groundwater

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.
2. Provide the monthly discharge data for the past 5 years.
3. What % of treated water was groundwater, surface water?
4. If any original water is surface water, provide the base water right number.