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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087 MC-160, Austin, Texas 78711-3087

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

APPLICATION FOR A TEMPORARY WATER USE PERMIT FOR MORE THAN 10 ACRE-FEET OF WATER, AND/OR FOR A DIVERSION PERIOD LONGER THAN ONE CALENDAR YEAR

This form is for an application for a temporary permit to divert water under Section 11.138, Texas Water Code. Any permit granted from this application may be suspended at any time by the applicable TCEQ Office if it is determined that surplus water is no longer available.

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. Data on Applicant and Project: Social Security or Federal ID No. EIN 45-2405292

A. Name: Battleground Oil Specialty Terminal Company, LLC

B. Mailing Address: 1836 Miller Cut Off Road

C. Telephone Number: 281-946-1841 Fax Number: E-mail Address:

D. 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:

E. Describe Use of Water: Water will be used to periodically test the terminal's fire suppression systems which submitted permit application to appropriate State water is reviewed by TCEQ (WRNo. 13231)

F. Description of Project (TDH Project No. if applicable):

G. Highway Designation No. County Harris

2. Type of Diversion (check one):

From Stream From Reservoir

3. Rate of Diversion:

A. Maximum 9000 gpm (capacity of pump)

4. Amount and Source of Water:

58 acre-feet of water within a period of two (2) years (specify term period not to exceed a three year term). The water is to be obtained from Houston Ship Channel, tributary of Trinity Bay, tributary of San Jacinto Basin.

5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location. Location calculated via Google Earth.

At Latitude 29.730048 N, Longitude -95.052882 W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) (R-O-W) (Highway), located in Zip Code 77571, located 19.8 miles in a easterly direction from Houston (County Seat), Harris County, and 4.7 miles in a northwesterly direction from La Porte, a nearby town shown on County road map. Note: Distance in straight line miles.

Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

6. Access to Diversion Point (check one):

- G Public right-of-way
G Private property (A letter of permission from landowner is attached)
G Other (Explain): Diversion point owned by BOSTCO

7. Fees Enclosed:

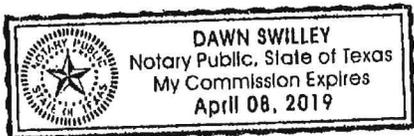
Table with 4 columns: Fee Type, Amount, 10 ac-ft or less, greater than 10 ac-ft. Rows include Filing, Recording, Use, and Total.

Upon completion of any project for which a temporary water permit is granted, the Permittee is required by law to report the amount of water used. This document must be properly signed and duly notarized before it can be accepted or considered by the Texas Commission on Environmental Quality.

Name (sign)

Name (print) Pete ALMARAZ

Subscribed and sworn to me as being true and correct before me this 1 day of December, 2016.



Signature of Dawn Swilley, Notary Public, State of Texas