

April 3, 2023

TCEQ OCC
7APR '23 10:06

VIA USPS Mail or online at:
<https://www14.tceq.texas.gov/epic/eComment/>

Ms. Laurie Gharis
Office of Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

REVIEWED

APR 07 2023

By Gau

WH
WC

Re: Withdrawal of Hearing Request and Comments
City of Lubbock Permit Application Associated with Lake 7
Water Use Permit Application No. 5921

Dear Ms. Gharis,

Please accept this letter as notice that I unconditionally withdraw my comments, request for a contented case hearing, and protest of the above-referenced application.

Sincerely,

Bill Cammery



RECEIVED

APR 07 2023

TCEQ MAIL CENTER
AJ

LUBBOCK TX 794

4 APR 2023 PM 2 L



TCEQ OCC

7APR 23 10:06

Ms. Laurie Chavez
Office of Chief Clerk
Texas Commission on Environmental Quality

P.O. Box 13087

Austin TX 78711-3087

78711-308787



William R. Carmony
11609 PR 3530
Slaton, Texas 79364
806-828-6867

Chief Clerk
MC 105
TCEQ
P.O. Box 13087
Austin, Texas 78711

August 8, 2006

Dear Chief Clerk:

We would like to request a contested case hearing for the Public Notice App No 5921 which was posted July 28.

Lisa & Bill Carmony
11609 PR 3530
Slaton, Texas 79364
806-828-6867

We live in the canyon at the above address which is off of County Road 7300 which is located in the Yellow House Canyon. We are very concerned about our home and if we will have access to get to our home once the dam is built. You may contact us at the above address and phone number. Please notify us of any public hearing or mailing information for the Yellow House Canyon area.

Sincerely,

Lisa & Bill Carmony

Lisa Carmony
William (Bill) Carmony

OPA

H AUG 11 2006

BY MC

52434
206

CHIEF CLERKS OFFICE

2006 AUG 11 AM 9:46

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

[Handwritten mark]

William R. Carmony
11609 PR 3530
Slaton, Texas 79364
806-828-6867

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 AUG 11 AM 9:46
CHIEF CLERKS OFFICE

LUBBOCK TX 794
09 AUG 2006 PM 1 L



Chief Clerk
MC 105
TCEQ
P.O. Box 13087
Austin, Texas 78711

RECEIVED

AUG 11 2006

TCEQ MAIL CENTER
RB

78711+3087 Lubbock, TX 79409

4/3, 2023

CIS # 52634
WRPERM 5921

REVIEWED

APR 06 2023

BY GCW

WH
WC

VIA USPS Mail or online at:

<https://www14.tceq.texas.gov/epic/eComment/>

Ms. Laurie Gharis
Office of Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

TCEQ 000

Re: Withdrawal of Hearing Request and Comments
City of Lubbock Permit Application Associated with Lake 7
Water Use Permit Application No. 5921

APR 23 2023

Dear Ms. Gharis,

Please accept this letter as notice that I ~~unconditionally~~ withdraw my ~~comments~~, request for a contented case hearing, and protest of the above-referenced application.

Sincerely,



Enquest
Box 53188
Lubbock, TX
79453

97:6 02. 0009
000 0001

105

78711-308787

Office of Chief Clerk
Texas Comm. on Environmental Quality
P.O. Box 13087
Austin, Texas
78711-3087

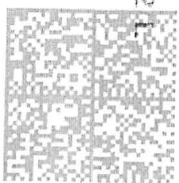
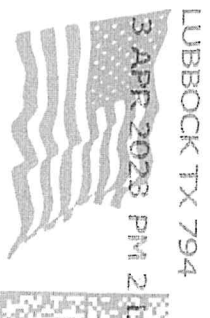


DA

TOEQ MAIL CENTER

APR 06 2023

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FIRST-CLASS MAIL
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04/03/2023 ZIP 79424
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US POSTAGE



**NAMAN HOWELL
SMITH & LEE**

A REGISTERED LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW

CHIEF CLERK'S OFFICE
2006 AUG 24 10:15 AM
TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY
900 Washington Avenue
P.O. Box 1470
Waco, Texas 76703
(254) 755-4100
Fax (254) 754-6331

OPA

H AUG 25 2006

BY KY

Offices in:

- Austin
- Temple
- Waco

www.namanhowell.com

August 23, 2006

VIA FEDERAL EXPRESS OVERNIGHT MAIL

Office of the Chief Clerk
MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

WPC
52634

Re: Request for Contested Case Hearing:
Application No. 5921, City of Lubbock

Dear Sir or Madam:

This firm represents Terry Crofoot, John O. Long, Michael Damron, Justin Damron and Lynn Forrest. On behalf of each of them, we request a contested case hearing on Application No. 5921 submitted by the City of Lubbock (the Applicant). You can contact me at the address, phone number and fax number listed for our Waco office in the letterhead.

Terry Crofoot's address is P.O. Box 53188, Lubbock, Texas 79423. His property is located on each side of the Double Mountain Fork, between Lake Ransom Canyon and proposed dam number 8, and his property is approximately 1.9 miles from proposed dam number 8.

John O. Long's address is 8603 FM 400, Slaton, Texas 79364. His property is located on each side of the Double Mountain Fork, between Lake Ransom Canyon and proposed dam number 8, and is approximately 1.5 miles from proposed dam number 8.

Michael and Justin Damron's address is 8602 FM 400, Slaton, Texas 79364. Their property is located on each side of the Double Mountain Fork, between Lake Ransom Canyon and proposed dam number 8, and is approximately half a mile from proposed dam number 8.

Lynn Forrest's address is 12019 E. County Road 7300, Slaton, Texas 79364. Proposed dam number 8 would be located on his property, with significant portions of

[Handwritten signature]

his property located on each side of the proposed dam number 8. The proposed diversion point for the reservoir created by proposed dam number 8 would also be located on Mr. Forrest's property, along with the necessary transmission pipeline.

If granted, the proposed permit would adversely affect each of these individuals. Each of these individuals has, historically, used the water in the river for domestic and livestock use. Each of them continues to have the right to do so, and those rights would be superior to those of the Applicant. Currently, there is insufficient water available for additional diversions, and the granting of a permit would adversely effect current users. The proposed impoundment will also result in permanent flooding of significant portions of their property. The proposed permit would also adversely affect Mr. Forrest by depriving him of the normal flow of the Double Mountain Fork, adversely affecting his domestic and livestock use, and by subjecting those same portions of his land to rapid flooding in the event of discharges from proposed dam number 8.

We request a contested case hearing.

Very truly yours,

NAMAN HOWELL SMITH & LEE, L.L.P.

By:



Kerry L. Haliburton

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 AUG 24 PM 2:55
CHIEF CLERKS OFFICE

KLH/kwp

Cc: Mr. Martin Rochelle
Lloyd Gosselink Blevins Rochelle & Townsend, P.C.
816 Congress Avenue
Suite 1900
Austin, Texas 78701

TCEQ Region 2 – Lubbock
Regional Director Randy Ammons
3113 34th Street
Lubbock, TX 79410-3227

express

EXPRESS

PRIORITY OVERNIGHT

THU

TRK# 8472 3223 4689

FORM 0215

Deliver By: 24AUG06

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AUS

A1



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Express

8472 3223 4689

Form ID No.

0215

Recipients Copy

RECIPIENT: PEEL HERE

1 From This portion can be removed for Recipient's records.

Date 8/23/06 FedEx Tracking Number

847232234689

Sender's Name Kerry Halldorton

Phone 254 755-4100

Company NAMAN HOWELL SMITH & LEE LLP

Address 900 WASHINGTON AVE FL 7

City WACO

State TX

ZIP 76701-1200

2 Your Internal Billing Reference

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3 To Recipient's Name

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Phone

Company TCEC

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State TX

ZIP 78753

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☐ Next business morning

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☐ Third business day

4b Express Freight Service

☐ FedEx 1Day Freight

☐ Next business day

☐ Second business day

5 Packaging

☐ FedEx Envelope

☐ FedEx Pak

☐ FedEx Box

6 Special Handling

☐ SATURDAY Delivery

☐ HOLD Weekday

☐ HOLD Saturday

Does this shipment contain dangerous goods?

☐ No ☐ Yes

Shipper's Declaration

17100 TCEC MAIL CENTER

7 Payment Bill to:

☐ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

Total Packages

Total Weight

Total Charges

8 Sign to Authorize Delivery Without a Signature

By signing you authorize us to deliver this shipment without obtaining a signature

1111

REVIEWED

MAY 05 2023

By Gow

WC
WH

TCEQ OCC

5MAY '23 10:00

April 30, 2023

VIA USPS Mail or online at:

<https://www14.tceq.texas.gov/epic/eComment/>

Ms. Laurie Gharis
Office of Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Withdrawal of Hearing Request and Comments
City of Lubbock Permit Application Associated with Lake 7
Water Use Permit Application No. 5921

Dear Ms. Gharis,

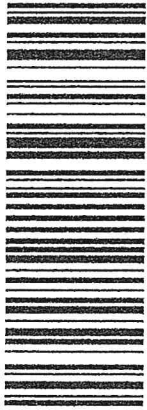
Please accept this letter as notice that I unconditionally withdraw my comments, request for a contented case hearing, and protest of the above-referenced application.

Sincerely,

Amber Forrest Davis
Forrest Ranch
Ind. Executor Lynn Forrest Estate
12019 ECR 7300
81aton TX 79364
806-842-3515

Forrest
17019 ECR 7300
Slaton TX 79364

CERTIFIED MAIL



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RDC 99



78711

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2023 MAY -5 AM 9:51

CHIEF CLERKS OFFICE

Office of Chief Clerk
TCEQ
PO Box 13087
Austin, TX 78711-3087
RECEIVED
MAY 05 2023
TCEQ MAIL CENTER
WT

Attn: Laurie Gharis

7871133087 B012



April 30, 2023

MAY 02 2023 WH
Gow WC

VIA USPS Mail or online at:

<https://www.tceq.texas.gov/epic/eComment/>

Ms. Laurie Gharis
Office of Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Withdrawal of Hearing Request and Comments
City of Lubbock Permit Application Associated with Lake 7
Water Use Permit Application No. 5921

Dear Ms. Gharis,

Please accept this letter as notice that I unconditionally withdraw my comments, request for a contented case hearing, and protest of the above-referenced application.

Sincerely,

Amber Forrest Davis
Forrest Ranch
And. Executor Lynn Forrest Estate
12019 ECR 7300
Slaton TX 79364
806-842-3575

Fax *sent via hellofax.com*

From

Amber Forrest Davis

To

Ms. Laurie Gharis

Number of pages

2

Message

Laurie Gharis

From: eFax Corporate <message@inbound.efax.com>
Sent: Monday, May 1, 2023 6:44 AM
To: Fax3311
Subject: Corporate eFax message from "14154847068" - 2 page(s)
Attachments: FAX_20230501_1682941412_949.pdf

Login

Service Notification

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* The reference number for this fax is use1a.prod.afc1_did8-1682941366-15122335236-949. Please [click here](#) if you have any questions regarding this message or your service. You may also contact Corporate Support:

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Email: corporatesupport@mail.efax.com
Phone: 1 (323) 817-3202 or 1 (800) 810-2641

EU

Email: corporatesupporteu@mail.efax.com
Phones:
+44 2030055252
+33 171025330
+49 800 0003164
+35 314380713

Customer Service

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Email:

corporatesupport@mail.efax.com

Phone:

1(323) 817-3202
1(800) 810-2641 (toll-free)

Thank you for using the eFax Corporate service!





**NAMAN HOWELL
SMITH & LEE**

A REGISTERED LIMITED LIABILITY PARTNERSHIP
ATTORNEYS AT LAW

CHIEF CLERK'S OFFICE
2006 AUG 2 4 10 PM
TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY
900 Washington Avenue
P.O. Box 1470
Waco, Texas 76703
(254) 755-4100
Fax (254) 754-6331

OPA

H AUG 25 2006

BY KY

Offices in:

- Austin
- Temple
- Waco

www.namanhowell.com

August 23, 2006

VIA FEDERAL EXPRESS OVERNIGHT MAIL

Office of the Chief Clerk
MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

WPC
52634

Re: Request for Contested Case Hearing:
Application No. 5921, City of Lubbock

Dear Sir or Madam:

This firm represents Terry Crofoot, John O. Long, Michael Damron, Justin Damron and Lynn Forrest. On behalf of each of them, we request a contested case hearing on Application No. 5921 submitted by the City of Lubbock (the Applicant). You can contact me at the address, phone number and fax number listed for our Waco office in the letterhead.

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[Handwritten signature]

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We request a contested case hearing.

Very truly yours,

NAMAN HOWELL SMITH & LEE, L.L.P.

By:



Kerry L. Haliburton

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 AUG 24 PM 2:55
CHIEF CLERKS OFFICE

KLH/kwp

Cc: Mr. Martin Rochelle
Lloyd Gosselink Blevins Rochelle & Townsend, P.C.
816 Congress Avenue
Suite 1900
Austin, Texas 78701

TCEQ Region 2 – Lubbock
Regional Director Randy Ammons
3113 34th Street
Lubbock, TX 79410-3227

express

EXPRESS
emp# 550811 23AUG06

PRIORITY OVERNIGHT

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FORM 0215

Deliver By: 24AUG06

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-US

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A1



44 MPR

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802
FedEx[®] US Airbill
Express
8472 3223 4689

RECIPIENT: PEEL HERE

1 From This portion can be removed for Recipient's records.

Date 8/23/06 FedEx Tracking Number 847232234689

Sender's Name Kerry Halldorton Phone 254 755-4100

Company NAMAN HOWELL SMITH & LEE LLP

Address 900 WASHINGTON AVE FL 7

City WACO State TX ZIP 76701-1200

2 Your Internal Billing Reference

DENNON (NEW FILE)

3 To Recipient's Name OFFICE OF THE CHIEF CLERK

Company TCEC

Address mc 105

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address 18100 PARK 35 CIRCLE

City Austin State TX ZIP 78753

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Recipients Copy

4a Express Package Service

☒ FedEx Priority Overnight ☐ Next business morning

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☐ FedEx 2Day ☐ Second business day

☐ FedEx Express Saver ☐ Third business day

4b Express Freight Service

☐ FedEx 1Day Freight* ☐ Next business day

☐ FedEx 2Day Freight ☐ Second business day

5 Packaging

☐ FedEx Pak ☐ FedEx Box

☐ FedEx Tube ☐ Other

6 Special Handling

☐ SATURDAY Delivery ☐ HOLD Weekday

☐ AUG 24 2006 Location ☐ at FedEx Location

Does this shipment contain dangerous goods?
YES ☐ NO ☒

Shipper's Declaration ☐ Shipper's Declaration ☐

7 Payment Bill to:

☐ Sender ☐ Recipient ☐ Third Party ☐ Credit Card ☐ Cash/Check

☐ Other ☐ Other

Total Packages

Total Weight

Total Charges

8 Sign to Authorize Delivery Without a Signature



By signing you authorize us to deliver this shipment without obtaining a signature

WK Perm
52634

Debbie Zachary

From: PUBCOMMENT-OCC
Sent: Wednesday, August 24, 2022 2:56 PM
To: PUBCOMMENT-OCC2; PUBCOMMENT-OPIC; PUBCOMMENT-ELD; PUBCOMMENT-WWW-WRAS
Cc: Mehgan Taack
Subject: FW: Public comment on Permit Number WRPERM 5921
Attachments: TDCC Request to Withdraw Protest 08-24-221.pdf

WH

From: cmoreno3@dow.com <cmoreno3@dow.com>
Sent: Wednesday, August 24, 2022 1:45 PM
To: PUBCOMMENT-OCC <PUBCOMMENT-OCC@tceq.texas.gov>
Subject: Public comment on Permit Number WRPERM 5921

REGULATED ENTY NAME WRPERM 5921

RN NUMBER: RN104918107

PERMIT NUMBER: WRPERM 5921

DOCKET NUMBER:

COUNTY: LUBBOCK, LYNN

PRINCIPAL NAME: CITY OF LUBBOCK

CN NUMBER: CN600130736

FROM

NAME: Carlos Moreno

EMAIL: cmoreno3@dow.com

COMPANY: The Dow Chemical Company

ADDRESS: 332 SH 332E APB Building, 4A016
Lake Jackson TX 77566

PHONE: 9792380407

FAX:

COMMENTS: The Dow Chemical Company ("TDCC") hereby submits its request to withdraw the previously filed Notice of Protest and Request for Contested Hearing regarding City of Lubbock's ("Applicant") Water Right Application No. 5921. If you have any questions or require additional information, please contact me at cmoreno3@dow.com.



August 24, 2022

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
MC 105
PO Box 13087
Austin, TX 78711

Via Electronic Filing

RE: WRPERM 5921
TDCC's Request to Withdraw Notice of Protest and Request for Contested Case
Hearing Regarding Application No. 5921

Dear Ms. Gharis:

The Dow Chemical Company ("TDCC") hereby submits its request to withdraw the previously filed Notice of Protest and Request for Contested Hearing regarding City of Lubbock's ("Applicant") Water Right Application No. 5921.

If you have any questions or require additional information, please contact me at cmoreno3@dow.com.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carlos Moreno".

Carlos Moreno
Senior Counsel
The Dow Chemical Company
Corporation
332 SH 332E, 4A016
Lake Jackson, TX 77566

cc: Submitted electronically at <https://www.tceq.texas.gov/epic/eComment/> (WRPERM 5921)

Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

401 CONGRESS AVENUE
SUITE 2500
AUSTIN, TX 78701-3799

(512) 499-3800
FACSIMILE (512) 499-3810

www.jenkins.com

Steve Morton
(512) 499-3856
smorton@jenkins.com

CHICAGO, ILLINOIS
(312) 425-3900

DALLAS, TEXAS
(214) 855-4500

HOUSTON, TEXAS
(713) 951-3300

LOS ANGELES, CALIFORNIA
(310) 820-8800

PASADENA, CALIFORNIA
(626) 578-7400

SAN ANTONIO, TEXAS
(210) 246-5000

WASHINGTON, D.C.
(202) 326-1500

August 18, 2006

Texas Commission on Environmental Quality
Office of the Chief Clerk
Building F
12100 Park 35 Circle
Austin, TX 78753

Handwritten: N
Stamp: AUG 21 2006
Handwritten: BY [Signature]
Via Hand Delivery

Re: Request for a Contested Case Hearing on Water Right Application No. 5921

Dear Ms. LaDonna Castañuela:

Pursuant to 30 Tex. Admin. Code § 55.251, The Dow Chemical Company ("Dow") hereby requests a contested case hearing on the Water Use Permit Application No. 5921 filed by the City of Lubbock ("Application"). The contact information for Dow is through the attorney of record indicated on this letterhead and:

Rina W. Chang
The Dow Chemical Company
2301 N. Brazosport Blvd.
APB Bldg. #2029
Freeport, TX 77541
ph 979/238-4183
fax 979/238-3587
rwchang@dow.com

Request for a Contested Case Hearing

The Application seeks a permit to: (1) construct two dams and reservoirs on the North Fork, Double Mountain Fork, a tributary of the Brazos River (Brazos River Basin), (2) divert water from those reservoirs, and (3) use the bed and banks of the River and certain tributaries to convey water for ultimate use in Lubbock and Lynn Counties. The Application states that its request to impound and divert additional water via use of the bed and banks is based on the

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Texas Commission on Environmental Quality
August 18, 2006
Page 2

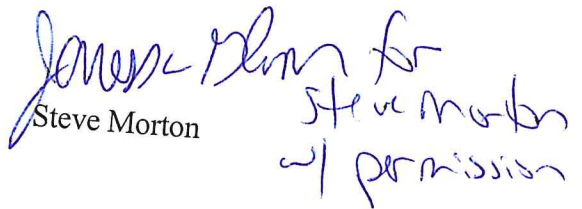
City's claim to certain stormwater discharges, unappropriated state water, and return flows from both the City of Lubbock and the Town of Ransom Canyon.

Dow holds Certificate of Adjudication No. 12-5328 authorizing diversion of water from the Brazos River Basin at locations in and around Freeport, Texas near the mouth of the Brazos River for use at its Texas Operations facility in Freeport, Texas. Based on information available regarding the water supply in the Brazos River, Dow is concerned that the Application will negatively impact the availability of water in the lower Brazos River Basin to meet Dow's more senior water rights. Of particular concern to Dow is the priority date this Application and resulting permit may be given, together with the manner in which the permit will be conditioned to protect Dow's senior water rights.

The granting of the Application without clear safeguards to protect Dow's senior water rights would directly affect the legal rights, privileges, and economic interests of Dow. As a downstream senior water rights holder, Dow is clearly an affected person with a personal justiciable interest in the Application not shared by members of the general public. Specifically, Dow has a personal justiciable interest in insuring that its current water rights in the Brazos River Basin are protected and are not negatively affected by the granting of permits that would reduce the water legally available to Dow from the Brazos River.

Please let me know if you need additional information, and please contact me with the date that a hearing will be scheduled.

Sincerely,


Steve Morton
w/ permission.

SM/jmg