

TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Joshua Schauer, Project Manager
Water Rights Permitting Team

DATE: April 6, 2022

SUBJECT: Comanche A.S.H Three, LLC - Series 105
ADJ 1643
CN605922749, RN102825775
Application No. 14-1643A to Amend Certificate of Adjudication
No. 14-1643
Texas Water Code § 11.122, Limited Mailed Notice Required
Llano River, Colorado River Basin
Llano County

The application and fees were received on February 23, 2022. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on April 6, 2022. Mailed notice to the interjacent water right holders of record in the Colorado River Basin is required pursuant to Title 30 Texas Administrative Code § 295.158(c)(3)(D). However, there are no interjacent water right holders.

All fees have been paid and the application is sufficient for filing.

Joshua Schauer

Joshua Schauer, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required **YES** **NO**

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 6, 2022

Mr. Alan Sterling Howry, Manager
Comanche A.S.H. Three, LLC - Series 105
5450 Bee Cave Rd., Ste. 1B
West Lake Hills, Texas 78746

VIA E-MAIL

RE: Comanche A.S.H Three LLC - Series 105
ADJ 1643
CN605922749, RN102825775
Application No. 14-1643A to Amend Certificate of Adjudication No. 14-1643
Texas Water Code § 11.122, Limited Mailed Notice Required
Llano River, Colorado River Basin
Llano County

Dear Mr. Howry:

This acknowledges receipt, on February 23, 2022, of the application and fees in the amount of \$112.50 (Receipt No. M213066, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on April 6, 2022. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning the application, please contact me via email at joshua.schauer@tceq.texas.gov or at (512) 239-1371.

Sincerely,

A handwritten signature in cursive script that reads "Joshua Schauer".

Joshua Schauer, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

APPLICANT(S): Comanche A. S. H. Three, LLC – Series 105

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are not required for every application).

Y/N

- Administrative Information Report**
- Additional Co-Applicant Information
- Additional Co-Applicant Signature Pages
- Written Evidence of Signature Authority
- Technical Information Report**
- USGS Map (or equivalent)
- Map Showing Project Details
- Original Photographs
- Water Availability Analysis
- Worksheet 1.0**
- Recorded Deeds for Irrigated Land
- Consent For Irrigation Land
- Worksheet 1.1**
- Addendum to Worksheet 1.1
- Worksheet 1.2**
- Addendum to Worksheet 1.2
- Worksheet 2.0**
- Additional W.S 2.0 for Each Reservoir
- Dam Safety Documents
- Notice(s) to Governing Bodies
- Recorded Deeds for Inundated Land
- Consent For Inundation Land

Y/N

- Worksheet 3.0**
- Additional W.S 3.0 for each Point
- Recorded Deeds for Diversion Points
- Consent For Diversion Access
- Worksheet 4.0**
- TPDES Permit(s)
- WWTP Discharge Data
- 24-hour Pump Test
- Groundwater Well Permit
- Signed Water Supply Contract
- Worksheet 4.1**
- Worksheet 5.0**
- Addendum to Worksheet 5.0
- Worksheet 6.0**
- Water Conservation Plan(s)
- Drought Contingency Plan(s)
- Documentation of Adoption
- Worksheet 7.0**
- Accounting Plan
- Worksheet 8.0**
- Fees

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

ADMINISTRATIVE INFORMATION REPORT

The following information is required for all new applications and amendments.

***** Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4600.**

1. TYPE OF APPLICATION (Instructions, Page. 6)

Indicate, by marking X, next to the following authorizations you are seeking.

New Appropriation of State Water

Amendment to a Water Right *

Bed and Banks

****If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2, does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.***

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

For water right 14-1643, applicant is seeking to add a new diversion point for industrial use on the Llano River, located 4.3 river miles downstream of the existing authorized diversion point.

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 1
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

Comanche A. S. H. Three, LLC - Series 105

(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?
You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN : 605922749 (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: **Alan Sterling Howry**

Title: **Manager**

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? **Yes, see Exhibit 1**

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: **Alan Sterling Howry**

Mailing Address: **5450 Bee Cave Rd Ste 1B**

City: **West Lake Hills**

State: **Texas**

ZIP Code: **78746-5250**

Indicate an X next to the type of Applicant:

Individual

Sole Proprietorship-D.B.A.

Partnership

Corporation

Trust

Estate

Federal Government

State Government

County Government

City Government

Other Government

Other _____

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 32064713616 SOS Charter (filing) Number: 802803208

3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: Alan Sterling Howry

Title: Manager

Organization Name: Comanche A. S. H. Three, LLC – Series 105

Mailing Address: 5450 Bee Cave Rd Ste 1B

City: West Lake Hills State: Texas ZIP Code: 78746-5250

Phone No.: (512) 306-7900 Extension:

Fax No.: E-mail Address: [REDACTED]

4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION (Instructions, Page. 9)

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and all owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following:

First and Last Name:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

a. The application will not be processed unless 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 by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No No**

If **yes**, provide the following information:

Account number:

Amount past due:

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No No**

If **yes**, please provide the following information:

Enforcement order number:

Amount past due:

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No Yes**

c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5).

Applicant has submitted all required TWDB surveys of groundwater and surface water? **Yes / No Yes**

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Alan Sterling Howry
(Typed or printed name)

Manager
(Title)

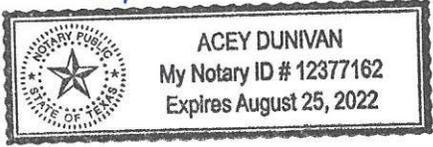
certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: [Handwritten Signature] Date: 2-8-21
(Use blue ink)

Subscribed and Sworn to before me by the said
on this 8TH day of FEBRUARY, 20 22.
My commission expires on the 28TH day of AUGUST, 20 22.

[Handwritten Signature]
Notary Public
County, Texas



[SEAL]

If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page

EXHIBIT 1 - WRITTEN EVIDENCE OF SIGNATURE AUTHORITY

Applicant Certificate of Formation

Assumed Name Certificate

Affidavit of Alan S. Howry

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709

Filing Fee: \$300



**Certificate of Formation
Limited Liability Company**

**Filed in the Office of the
Secretary of State of Texas
Filing #: 802803208 08/30/2017
Document #: 759356940002
Image Generated Electronically
for Web Filing**

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

COMANCHE A.S.H. THREE, LLC

Article 2 – Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Alan S. Howry

C. The business address of the registered agent and the registered office address is:

Street Address:

5450 Bee Cave Road, Ste.1-B Austin TX 78746

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Manager 1: **Alan S. Howry**

Title: **Manager**

Address: **5450 Bee Cave Road, Ste.1-B Austin TX, USA 78746**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Addendum to Certificate of Formation and Two Consents to Use Name.pdf

Organizer

The name and address of the organizer are set forth below.

Alan Sterling Howry 5450 Bee Cave Road, Ste.1-B, Austin, TX 78746

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Alan Sterling Howry

Signature of Organizer

FILING OFFICE COPY

**ADDENDUM TO CERTIFICATE OF FORMATION
FOR
COMANCHE A.S.H. THREE, LLC,
A Texas Series Limited Liability Company**

ARTICLES 5 AND 6 ARE ADDED AS FOLLOWS:

ARTICLE 5 - SERIES AUTHORIZED

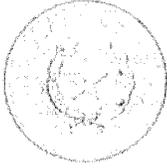
Pursuant to the provisions of the Texas Business Organizations Code, Subchapter M of Chapter 101, Sections 101.601 et seq., the limited liability company has the power and is authorized to establish one or more designated series of members, managers, membership interests, or assets that:

- (1) has separate rights, powers, or duties with respect to specified property or obligations of the Company or profits and losses associated with specified property or obligations; or/and
- (2) has a separate business purpose or investment objective.

ARTICLE 6 - NOTICE OF LIMITATION ON LIABILITIES OF SERIES

Pursuant to the provisions of the Texas Business Organizations Code, Section 101.602, notice is given that:

- (1) the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to a particular series shall be enforceable against the assets of that series only, and shall not be enforceable against the assets of the Company generally or any other series; and
- (2) none of the debts, liabilities, obligations, and expenses incurred, contracted for, or otherwise existing with respect to the company generally or any other series shall be enforced against the assets of a particular series or against the assets of the Company generally.

<p>Form 509 (Revised 06/15)</p> <p>Submit with relevant filing instrument.</p> <p>Filing Fee: None</p>	 <p>Consent to Use of Similar Name</p>	
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(1) COMANCHE A.S.H. ONE, LTD., File Number 801649324

Name and file number of the entity or individual who holds the existing name on file with the secretary of state

consents to the use of

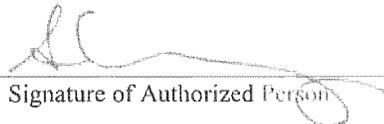
(2) COMANCHE A.S.H. THREE, LLC, a Texas series limited liability company

Proposed name

as the name of a filing entity or foreign filing entity in Texas for the purpose of submitting a filing instrument to the secretary of state.

(3) The undersigned certifies to being authorized by the holder of the existing name to give this consent. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 08.29.17


Signature of Authorized Person

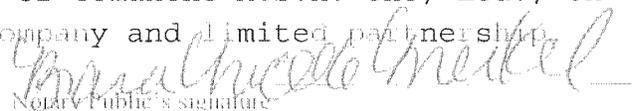
Alan-Grayson, LLC, General Partner
Name of Authorized Person (type or print)

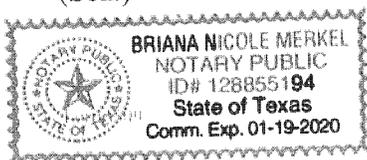
By: Alan Sterling Howry, Manager
Title of Authorized Person, if any (type or print)

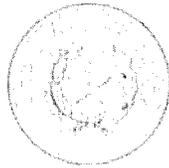
State of TEXAS

County of TRAVIS

This instrument was acknowledged before me on 8/29/2017 by Alan Grayson, LLC, General Partner of Comanche A.S.H. One, Ltd., in his capacity as a Manager of Alan Grayson, LLC, General Partner of Comanche A.S.H. One, Ltd., on behalf of said limited liability company and limited partnership.


Notary Public's signature



<p>Form 509 (Revised 06/15)</p> <p>Submit with relevant filing instrument.</p> <p>Filing Fee: None</p>	 <p>Consent to Use of Similar Name</p>	
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(1) COMANCHE A.S.H. TWO, LTD., File Number 801812298
Name and file number of the entity or individual who holds the existing name on file with the secretary of state

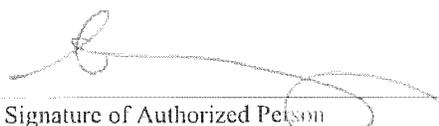
consents to the use of

(2) COMANCHE A.S.H. THREE, LLC, a Texas series limited liability company
Proposed name

as the name of a filing entity or foreign filing entity in Texas for the purpose of submitting a filing instrument to the secretary of state.

(3) The undersigned certifies to being authorized by the holder of the existing name to give this consent. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

Date: 08.29.17


 Signature of Authorized Person

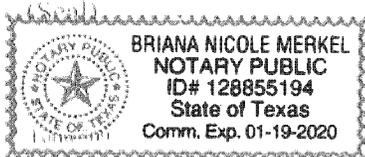
Alan-Grayson, LLC, General Partner
 Name of Authorized Person (type or print)

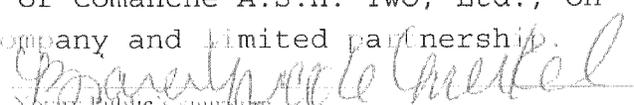
By: Alan Sterling Howry, Manager
 Title of Authorized Person, if any (type or print)

State of TEXAS

County of TRAVIS

This instrument was acknowledged before me on 8/29/2017 by Alan Sterling Howry, in
 (date) (name of authorized person)
Alan Grayson, LLC, General Partner of Comanche A.S.H. Two, Ltd., on
 behalf of said limited liability company and limited partnership.




 Notary Public's signature



Office of the Secretary of State
Corporations Section
P.O. Box 13697
Austin, Texas 78711-3697
(Form 503)

Filed in the Office of the
Secretary of State of Texas
Filing #: 802803208 7/26/2021
Document #: 1067898260006
Image Generated Electronically
for Web Filing

**ASSUMED NAME CERTIFICATE
FOR FILING WITH THE SECRETARY OF STATE**

1. The assumed name under which the business or professional service is or is to be conducted or rendered is:

Comanche A.S.H. Three, LLC-Series 105

2. The name of the entity as stated in its certificate of formation, application for registration, or comparable document is:

COMANCHE A.S.H. THREE, LLC

3. The state, country, or other jurisdiction under the laws of which it was incorporated, organized or associated is **TEXAS**

4. The period, not to exceed 10 years, during which the assumed name will be used is :

07/26/2031

5. The entity is a : **Domestic Limited Liability Company (LLC)**

6. The entity's principal office address is:

5450 Bee Cave Road, Ste. 1-B, Austin, TX, USA 78746

7. The county or counties where business or professional services are being or are to be conducted or rendered under such assumed name are:

ALL COUNTIES

8. The undersigned, if acting in the capacity of an attorney-in-fact of the entity, certifies that the entity has duly authorized the attorney-in-fact in writing to execute this document. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

COMANCHE A.S.H. THREE, LLC

Name of the entity

By: **Alan Sterling Howry, President**

**Signature of officer, general partner, manager,
representative or attorney-in-fact of the entity**

FILING OFFICE COPY

AFFIDAVIT OF ALAN S. HOWRY

STATE OF TEXAS
COUNTY OF TRAVIS

§
§

Before me, the undersigned notary public, upon this day personally appeared Alan S. Howry, a person whose identity has been verified by me, who, upon the administration of an oath, stated and deposed as follows:

1. My name is Alan S. Howry. I am over the age of 21, of a sound mind, and competent in all respects to make this affidavit. I have personal knowledge of all of the facts stated herein, and all of such facts are true and correct.

2. I am the sole Manager of Comanche A.S.H. Three, LLC, and I am charge of the management and operation of all assets owned Comanche A.S.H. Three, LLC.

3. Comanche A.S.H. Three, LLC has the assumed name Comanche A.S.H. Three, LLC—Series 105.

4. I am an authorized representative for executing documents on behalf of Comanche A.S.H. Three, LLC.

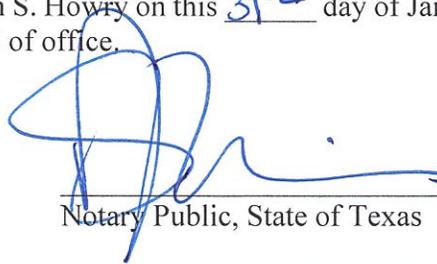
5. I am also a manager of Plata Grande GP, LLC, and I am an authorized representative for executing documents on behalf of Plata Grande GP, LLC.

Further affiant sayeth not.

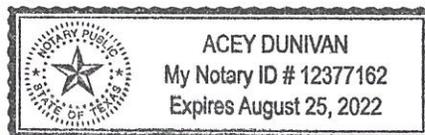


Alan S. Howry

Subscribed and sworn to by Alan S. Howry on this 31ST day of January, 2022, to certify which witness my hand and official seal of office.



Notary Public, State of Texas



TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, Applicant are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4600 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N^Y_____ (If yes, date : 1/27/2022_____).

1. New or Additional Appropriations of State Water. Texas Water Code (TWC) § 11.121 (Instructions, Page. 12)

State Water is: *The water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake, and of every bay or arm of the Gulf of Mexico, and the storm water, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watershed in the state. TWC § 11.021.*

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N^N_____
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N^N_____ (If yes, indicate the Certificate or Permit number:_____)

*If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? Y / N*_____

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N^N_____ (If yes, indicate the Term Certificate or Permit number:_____)

If Applicant answered yes to (a), (b) or (c), the following worksheets and documents are required:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir requested in the application)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point and/or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach requested in the application)
- **Worksheet 5.0 - Environmental Information Worksheet**
- **Worksheet 6.0 - Water Conservation Information Worksheet**
- **Worksheet 7.0 - Accounting Plan Information Worksheet**
- **Worksheet 8.0 - Calculation of Fees**
- **Fees calculated on Worksheet 8.0 - see instructions Page. 34.**
- **Maps - See instructions Page. 15.**
- **Photographs - See instructions Page. 30.**

Additionally, if Applicant wishes to submit an alternate source of water for the project/authorization, see Section 3, Page 3 for Bed and Banks Authorizations (Alternate sources may include groundwater, imported water, contract water or other sources).

Additional Documents and Worksheets may be required (see within).

2. Amendments to Water Rights. TWC § 11.122 (Instructions, Page. 12)

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 14-1643

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? **Y / N^N** _____ (if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right

a. Applicant requests an amendment to an existing water right to increase the amount of the appropriation of State Water (diversion and/or impoundment)? **Y / N^N** _____

If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? **Y / N^N**

If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? **Y / N^N** _____

If yes, submit:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 1.2 - Notice: "Marshall Criteria"**

d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? **Y / N^Y** _____

If yes, submit:

- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)
- **Worksheet 5.0 - Environmental Information** (Required for any new diversion points that are not already authorized in a water right)

e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? **Y / N^N** _____

If yes, submit: Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir)

- f. Other - Applicant requests to change any provision of an authorization not mentioned above? **Y / N^N**_____ *If yes, call the Water Availability Division at (512) 239-4600 to discuss.*

Additionally, all amendments require:

- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

3. Bed and Banks. TWC § 11.042 (Instructions, Page 13)

- a. Pursuant to contract, Applicant requests authorization to convey, stored or conserved water to the place of use or diversion point of purchaser(s) using the bed and banks of a watercourse? TWC § 11.042(a). **Y/N^N**_____

If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC §§ 295.101 and 297.101. Further, if the underlying Permit or Authorization upon which the Contract is based does not authorize Purchaser's requested Quantity, Purpose or Place of Use, or Purchaser's diversion point(s), then either:

- 1. Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or*
- 2. Seller must amend its underlying water right under Section 2.*

- b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). **Y / N^N**_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps and fees from the list below.

- c. Applicant requests to convey Applicant's own return flows derived from privately owned groundwater using the bed and banks of a watercourse? TWC § 11.042(b). **Y / N^N**_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

- d. Applicant requests to convey Applicant's own return flows derived from surface water using the bed and banks of a watercourse? TWC § 11.042(c). **Y / N^N**_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, Maps, and fees from the list below.

****Please note, if Applicant requests the reuse of return flows belonging to others, the Applicant will need to submit the worksheets and documents under Section 1 above, as the application will be treated as a new appropriation subject to termination upon direct or indirect reuse by the return flow discharger/owner.***

- e. Applicant requests to convey water from any other source, other than (a)-(d) above, using the bed and banks of a watercourse? TWC § 11.042(c). **Y / N^N**_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

Worksheets and information:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)
- **Worksheet 4.0 – Discharge Information Worksheet** (for each discharge point)

- **Worksheet 5.0 – Environmental Information Worksheet**
- **Worksheet 6.0 – Water Conservation Information Worksheet**
- **Worksheet 7.0 – Accounting Plan Information Worksheet**
- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

4. General Information, Response Required for all Water Right Applications (Instructions, Page 15)

- a. 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 (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled “Addendum Regarding the State and Regional Water Plans”:

The proposed amendment will allow the applicant to continue meeting industrial demands in Llano County and does not conflict with the 2021 Region K Water Plan, and does not conflict with the 2022 State Water Plan. For example, projected long-term manufacturing demand in Region K Llano County will increase from 3 acre-feet per year in 2020 to 4 acre-feet per year beginning in 2030.

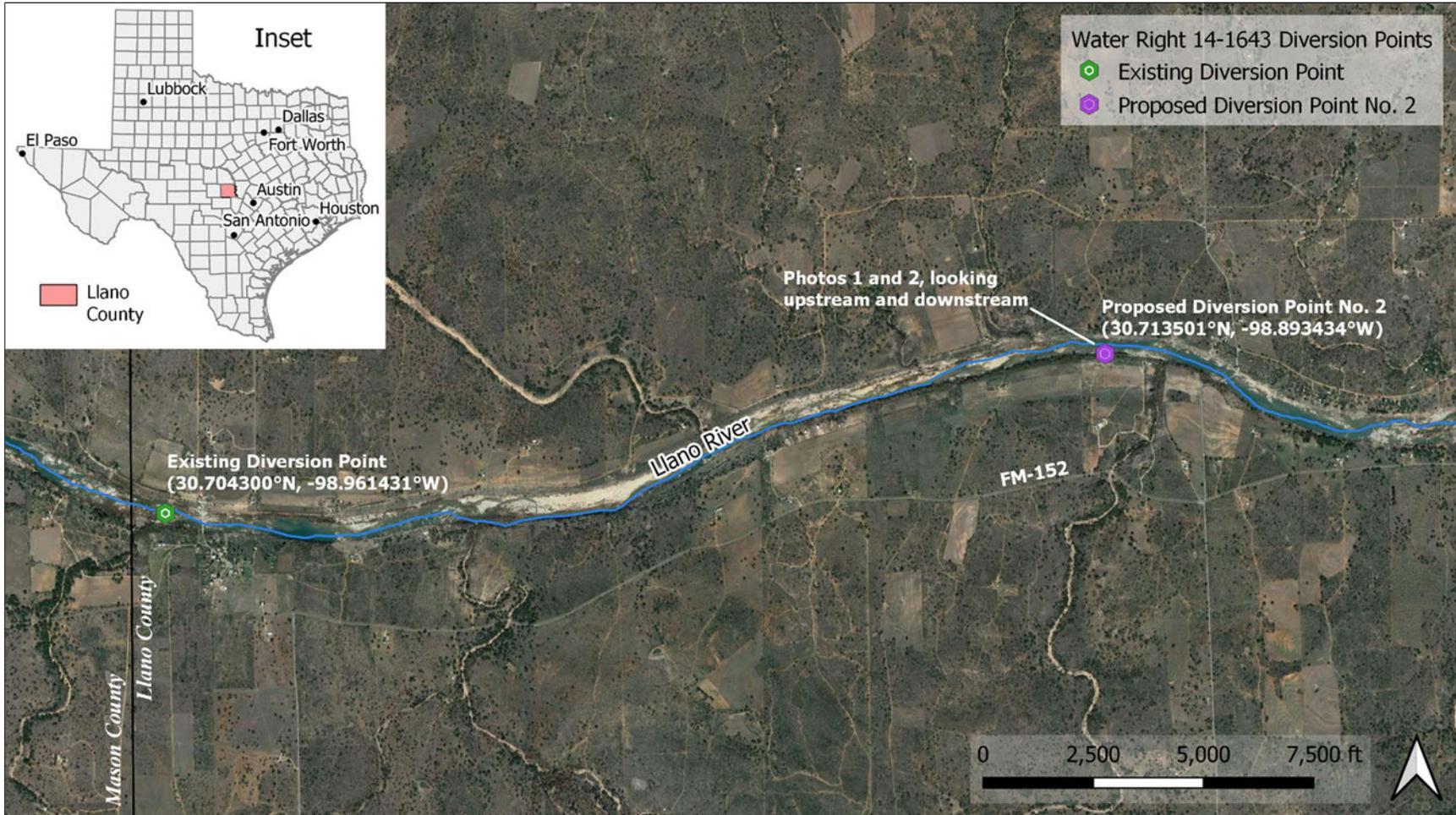
- b. Did the Applicant perform its own Water Availability Analysis? Y / N N

If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.

- c. Does the application include required Maps? (Instructions Page. 15) Y / N Y

EXHIBIT 2 – MAP SHOWING AMENDMENT DETAILS

Map – Overview of the existing diversion point, proposed diversion point no. 2, county boundaries, and the Llano River.



WORKSHEET 1.0

Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

Submit the following information regarding quantity, purpose and place of use for requests for new or additional appropriations of State Water or Bed and Banks authorizations:

Quantity (acre- feet) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source <i>*each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0</i>	Purpose(s) of Use	Place(s) of Use <i>*requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer</i>

_____ Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

If the Purpose of Use is Agricultural/Irrigation for any amount of water, provide:

a. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of _____ 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 _____ acres in _____ County, TX.

ii) Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.

A copy of the deed(s) or other acceptable instrument describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds.

If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

2. Amendments - Purpose or Place of Use (Instructions, Page. 12)

- a. Complete this section for each requested amendment changing, adding, or removing Purpose(s) or Place(s) of Use, complete the following:

Quantity (acre-feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
1	Industrial	Clarify purpose of use is "Industrial"	Llano County	Llano County

**If the request is to add additional purpose(s) of use, include the existing and new purposes of use under "Proposed Purpose(s) of Use."*

***If the request is to add additional place(s) of use, include the existing and new places of use under "Proposed Place(s) of Use."*

Changes to the purpose of use in the Rio Grande Basin may require conversion. 30 TAC § 303.43.

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
- i. Applicant proposes to irrigate a total of _____ 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 _____ acres in _____ County, TX.
 - ii. Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.
A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.
- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

N/A

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

Submit this worksheet for an application for a new or amended water right which requests to transfer State Water from its river basin of origin to use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC § 16.051.

Applicant requests to transfer State Water to another river basin within the State? Y / N N

1. Interbasin Transfer Request (Instructions, Page. 20)

- a. Provide the Basin of Origin. _____
- b. Provide the quantity of water to be transferred (acre-feet). _____
- c. Provide the Basin(s) and count(y/ies) where use will occur in the space below:

2. Exemptions (Instructions, Page. 20), TWC § 11.085(v)

Certain interbasin transfers are exempt from further requirements. Answer the following:

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N__
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N__
- c. The proposed transfer from the part of the geographic area of a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, that is within the basin of origin for use in that part of the geographic area of the county or municipality, or that contiguous part of the retail service area of the utility, not within the basin of origin? Y/N__
- d. The proposed transfer is for water that is imported from a source located wholly outside the boundaries of Texas, except water that is imported from a source located in the United Mexican States? Y/N__

3. Interbasin Transfer Requirements (Instructions, Page. 20)

For each Interbasin Transfer request that is not exempt under any of the exemptions listed above Section 2, provide the following information in a supplemental attachment titled "Addendum to Worksheet 1.1, Interbasin Transfer":

- a. the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- b. a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;
- c. the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example - expert plans and/or reports documents may be provided to show the cost);

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website: (<http://www.twdb.texas.gov/waterplanning/swp/index.asp>);
- e. address the factors identified in the applicable most recently approved regional water plans which address the following:
 - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
 - (ii) the amount and purposes of use in the receiving basin for which water is needed;
 - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
 - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
 - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
 - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
- f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
- g. the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.

N/A

WORKSHEET 1.2

NOTICE. “THE MARSHALL CRITERIA”

This worksheet assists the Commission in determining notice required for certain **amendments** that do not already have a specific notice requirement in a rule for that type of amendment, and *that do not change the amount of water to be taken or the diversion rate*. The worksheet provides information that Applicant **is required** to submit for such amendments which include changes in use, changes in place of use, or other non-substantive changes in a water right (such as certain amendments to special conditions or changes to off-channel storage). These criteria address whether the proposed amendment will impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

*This worksheet is **not required** for Applications in the Rio Grande Basin requesting changes in the purpose of use, rate of diversion, point of diversion, and place of use for water rights held in and transferred within and between the mainstems of the Lower Rio Grande, Middle Rio Grande, and Amistad Reservoir. See 30 TAC § 303.42.*

*This worksheet is **not required** for amendments which are only changing or adding diversion points, or request only a bed and banks authorization or an IBT authorization. However, Applicants may wish to submit the Marshall Criteria to ensure that the administrative record includes information supporting each of these criteria*

1. The “Marshall Criteria” (Instructions, Page. 21)

Submit responses on a supplemental attachment titled “Marshall Criteria” in a manner that conforms to the paragraphs (a) – (g) below:

- a. Administrative Requirements and Fees. Confirm whether application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Texas Administrative Code (TAC) Chapters 281, 295, and 297. An amendment application should include, but is not limited to, a sworn application, maps, completed conservation plan, fees, etc.
- b. Beneficial Use. Discuss how proposed amendment is a beneficial use of the water as defined in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. Public Welfare. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.

- e. State Water Plan. Describe how proposed amendment 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. The state and regional water plans are available for download at:
<http://www.twdb.texas.gov/waterplanning/swp/index.asp>.
- f. Waste Avoidance. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. Impacts on Water Rights or On-stream Environment. Explain how proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0

Impoundment/Dam Information

This worksheet is **required** for any impoundment, reservoir and/or dam. Submit an additional Worksheet 2.0 for each impoundment or reservoir requested in this application.

If there is more than one structure, the numbering/naming of structures should be consistent throughout the application and on any supplemental documents (e.g. maps).

1. Storage Information (Instructions, Page. 21)

a. Official USGS name of reservoir, if applicable: _____

b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level:_____.

c. The impoundment is on-channel_____or off-channel_____ (mark one)

- i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N_____
- ii. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N__

d. Is the impoundment structure already constructed? Y / N_____

i. For already constructed **on-channel** structures:

- 1. Date of Construction:_____
- 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N____
 - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N_____
 - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N_____
- 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N____
 - a. If yes, provide the Site No._____and watershed project name_____;
 - b. Authorization to close "ports" in the service spillway requested? Y / N_____

ii. For **any** proposed new structures or modifications to structures:

- 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N_____ Provide the date and the name of the Staff Person_____
- 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
 - a. No additional dam safety documents required with the Application. Y / N_____
 - b. Plans (with engineer's seal) for the structure required. Y / N_____
 - c. Engineer's signed and sealed hazard classification required. Y / N_____
 - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N_____

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N_____

iii. Additional information required for **on-channel** storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:_____.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N_____ If yes, the drainage area is _____sq. miles. (If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600).

2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name):_____
- b. Zip Code: _____
- c. In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.

**** A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.***

*****If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.***

- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude _____°N, Longitude _____°W.

****Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***

- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):_____
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N_____

WORKSHEET 3.0

DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This worksheet is **required** for each diversion point or diversion reach. Submit one Worksheet 3.0 for **each** diversion point and two Worksheets for **each** diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g. maps).

1. Diversion Information (Instructions, Page. 24)

a. This Worksheet is to add new (select 1 of 3 below):

1. 2 Diversion Point No.
2. Upstream Limit of Diversion Reach No.
3. Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** _____ cfs (cubic feet per second)
or ¹⁰ _____ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N Y
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* _____ cfs or ¹⁰ _____ gpm

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N N

*** An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
X	Directly from stream	Proposed
	From an on-channel reservoir	
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. Y / N N

If yes, the drainage area is _____ sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Llano River
- b. Zip Code: 78643
- c. Location of point: In the Gideon G Williams Original Survey No. _____, Abstract No. 822, Llano County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure.

For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 30.713501 °N, Longitude -98.893434 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GIS
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

EXHIBIT 3 – RECORDED DEED FOR DIVERSION POINT & CONSENT FOR DIVERSION ACCESS

Plata Grande GP, LLC - Certificate of Formation

Consent Letter for Diversion Access

Plata Grande GP, LLC - Recorded Land Deed (Attachment A)

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



**Certificate of Formation
Limited Liability Company**

Filed in the Office of the
Secretary of State of Texas
Filing #: 801294977 07/19/2010
Document #: 316144940002
Image Generated Electronically
for Web Filing

Filing Fee: \$300

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

PLATA GRANDE GP, LLC

Article 2 – Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Alan Sterling Howry

C. The business address of the registered agent and the registered office address is:

Street Address:

8717 Copano Drive Austin TX 78749

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Manager 1: **Ruth Puett**

Title: **Manager**

Address: **1718 West Anderson Lane Austin TX, USA 78757**

Manager 2: **Alan Sterling Howry**

Title: **Manager**

Address: **8717 Copano Drive Austin TX, USA 78749**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

Supplemental Provisions / Information

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Alan Sterling Howry **8717 Copano Drive, Austin, Texas 78749**

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Alan Sterling Howry

Signature of Organizer

FILING OFFICE COPY

February 9, 2022

Re: Water Use Permit No. 14-1643; Access to diversion point

Dear Comanche A.S.H. Three, LLC d/b/a Comanche A.S.H. Three, LLC-Series 105:

I understand Comanche A.S.H. Three, LLC d/b/a Comanche A.S.H. Three, LLC-Series 105 (“Comanche”) has applied with the Texas Commission on Environmental Quality (“TCEQ”) to amend Water Use Permit No. 14-1643 to add a diversion point downstream from the existing diversion point. The requested diversion point is located at the edge of property owned by Plata Grande GP, LLC (“Plata”) and described in more detail in the deed attached to this letter as Attachment A. By this letter, Plata consents and agrees to Comanche accessing to the new diversion for exercising its Water Use Permit No. 14-1643 once TCEQ approves the amendment application.

Plata Grande GP, LLC

By: _____

Alan S. Howry, Manager

ATTACHMENT A

GF# 2014081911L-LL

WARRANTY DEED
(Llano County, Texas)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: September 24, 2014

Grantor: LLANO FAMILY PARTNERSHIP, LTD, a Texas limited partnership

Grantor's Mailing Address: 10 Merrivale Place, San Antonio, Bexar County, Texas 78527

Grantee: PLATA GRANDE GP, LLC, a Texas limited liability company

Grantee's Mailing Address: 5450 Bee Caves Road # 1B, Austin, Travis County, Texas 78746

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration.

Property (including any improvements):

Being 115.983 acres of land, more or less, out of the Gideon G. Williams Survey No. 1, Abstract No. 822, in Llano County, Texas, and being the same land described as 115.637 acres in a deed from Lillian H. Buttery to Michael G. Harbers, et ux, (Lynn), by Deed recorded in Volume 578, Page 247, Official Public Records of the Llano County, Texas; said 115.983 acres more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof, together with all rights, privileges and appurtenances pertaining thereto, including but not limited to: mineral rights, water rights, claims, permits, strips and gores, easements, and cooperative or association memberships.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

(1) Restrictions, covenants, conditions, easements and reservations, if any, relating to the Property, but only to the extent they are still in effect, shown of record in Llano County, Texas;

(2) All zoning laws, regulations, and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the Property;

(3) Ad valorem taxes and assessments for the current calendar year have been prorated as of the date hereof, and Grantee assumes and agrees to pay all taxes and assessments for the

current year prior to delinquency. This conveyance of the Property to Grantee, or a subsequent change in the use of the Property, may result in the imposition of additional tax plus interest as a penalty for the conveyance or the change in use of the Property. Grantee assumes and agrees to pay any additional taxes which may be assessed against the Property for any prior years as a result of this conveyance or any change in usage of the Property by Grantee, or Grantee's heirs, successors and assigns.

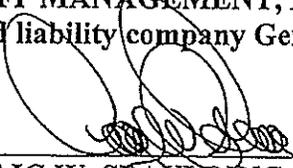
Grantor, for the Consideration, receipt of which is acknowledged, and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and Exceptions to Conveyance and Warranty.

The contract between Grantor as the Seller and Grantee as the Buyer may contain obligations or limitations as to warranties. To the extent the contract provides for such obligations or limitations to survive the contract or this conveyance, then the obligations or limitations shall be deemed incorporated in this deed by reference. The warranty of title in this deed is not affected by and is expressly excluded from the limitations described in this paragraph.

When the context requires, singular nouns and pronouns include the plural.

LLANO FAMILY PARTNERSHIP, LTD,
a Texas limited partnership

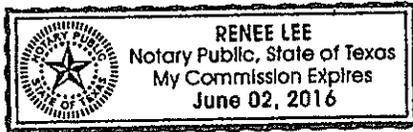
By: SFP MANAGEMENT, LLC., a Texas
limited liability company General Partner

By: 
_____ **CRAIG W. SPAULDING, Manager**

THE STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 24th day of September, 2014 by Craig W. Spaulding, Manager of SFP Management, LLC, a Texas limited liability company, as General Partner of Llano Family Partnership, Ltd., a Texas limited partnership, on behalf of said partnership.





Notary Public, State of Texas

After Recording Return To:
Highland Lakes Title
P. O. Box 667
Llano, TX 78643

DESCRIPTION OF 115.983 ACRES IN LLANO COUNTY, TEXAS, MADE FOR
MICHAEL HARBERS.

Being 115.983 acres in Llano County, Texas, out of the Gideon G. Williams Survey No. 1, Abstract No. 822 and being out of the same land described as 115.11 acres in a deed from Lillian H. Buttery to Michael G. Harbers, et ux, (Lynn), by Deed recorded in Vol. 578, Pg. 247 of the Llano County Official Public Records.

BEGINNING at the center of a 40" Pecan tree, on the south bank of the Llano River for the N.W. corner hereof and N.E. corner of that certain tract described as 85 acres, (Tract 2) in a Deed to Joyce S. Lucas Trust, recorded in Vol. 796, Pg. 213 of said Official Public Records;

THENCE downstream with the meanders of said south bank of the Llano River for the north line hereof,

N	70	17	48	E	92.51 feet, a 1/2" steel stake set,
N	84	50	07	E	119.60 feet, a 1/2" steel stake set,
N	89	02	39	E	96.08 feet, a 1/2" steel stake set,
N	89	12	28	E	161.42 feet, a 1/2" steel stake set,
S	86	47	05	E	92.57 feet, a 1/2" steel stake set,
S	84	49	50	E	232.52 feet, a 1/2" steel stake set,
S	84	53	06	E	101.71 feet, a 1/2" steel stake set,
S	83	36	14	E	236.41 feet, a 1/2" steel stake set,
S	84	57	41	E	442.27 feet, a 1/2" steel stake set, and
S	81	01	20	E	189.36 feet to a calculated point for the

N.E. corner hereof and being the N.W. corner of that certain tract described in Deeds recorded in Vol. 176, Pg. 393 and Vol. 200, Pg. 106, both in the Llano County Deed Records, (Georgia Ann Hopson), from which point a 1/2" steel stake set for a reference bears, S 81 01 20 E 6.35 feet;

THENCE with the east line hereof and west line of said "Hopson" tract,

S	00	40	39	E	364.86 feet, a 1/2" steel stake found,
S	01	20	39	E	82.90 feet, a 1/2" steel stake found,
S	00	59	21	W	176.90 feet, a 1/2" steel stake found,
S	23	29	26	W	47.97 feet, a 1/2" steel stake found,
S	05	58	23	E	75.96 feet, a 1/2" steel stake found,
S	04	27	56	E	255.94 feet, a 1/2" steel stake found by a

"T" fence corner post, fence bears east,
S 01 18 48 E 854.31 feet, a 1/2" steel stake found,
S 00 08 05 E 389.88 feet, a 1/2" steel stake found by a
"T" fence corner post, fence bears east,
S 00 24 51 E 474.27 feet, a 1/2" steel stake found in an electric line easement, and
S 00 24 40 E 430.43 feet to a 1/2" steel stake found in the north line of F.M. Highway No. 152 for the S.E. corner hereof and S.W. corner of said "Hopson" tract;

EXHIBIT

A A 173

Page 2, 115.983 acres in Llano County, Texas.

THENCE with said north line of F.M. Highway No. 152 for the south line hereof, along a curve to the right having a radius of 2251.8 feet and a central angle of 05 degrees, 02 minutes, 04 seconds, along an arc of 197.86 feet and a chord of,
N 77 37 14 W 197.80 feet to a highway concrete monument found opposite of highway engineer's station no. 239+25.2;

THENCE continuing with said north line of highway,
N 75 06 39 W 118.46 feet to a highway concrete monument found opposite of highway engineer's station no. 238+07.2 for the beginning of a curve to the right, having a radius of 1106.20 feet and a central angle of 26 degrees, 05 minutes and 16 seconds;

THENCE along said curve with an arc of 503.67 feet and a chord of,
N 62 03 46 W 499.33 feet to a highway concrete monument for the end of said curve being opposite of highway engineer's station no. 232+85.5;

THENCE continuing with said north line of highway,
N 48 59 22 W 289.70 feet to a highway concrete monument for the beginning of a curve to the left, having a radius of 858.85 feet and a central angle of 10 degrees, 08 minutes and 30 seconds and being opposite of highway engineer's station no. 229+95.6;

THENCE along said curve with an arc of 152.02 feet and a chord of,
N 54 06 47 W 151.82 feet to a highway concrete monument for the end of said curve being opposite of highway engineer's station no. 228+50.4;

THENCE continuing with said north line of highway,
N 59 03 28 W 55.80 feet to a point for the beginning of a curve to the left having a radius of 231 feet, a central angle of 46 degrees, 28 minutes and 13 seconds and being opposite of highway engineer's station no. 227+94.6;

THENCE with along said curve with an arc of 187.35 feet and a chord of,
N 83 00 01 W 182.26 feet to a highway concrete monument being opposite of highway engineer's station no. 226+39.0;

THENCE continuing with said north line of highway,
S 72 56 01 W 53.68 feet to a concrete monument for the beginning of a curve to the right having a radius of 676.60 feet and a central angel of 10 degrees, 05 minutes, 19 seconds;

EXHIBIT A p₁ 2 of 3

Page 3, 115.983 acres in Llano County, Texas.

THENCE along said curve with an arc of 119.14 feet with a chord of,
S 80 46 18 W 118.98 feet to a concrete monument for the end of said curve being opposite of highway engineer's station no. 225+85.3;

THENCE continuing with said north line of highway,
S 84 20 22 W 113.71 feet to a point for the beginning of a curve to the left, having a radius of 2904.15 feet and a central angle of 03 degrees, 28 minutes and 36 seconds;

THENCE along said curve with an arc of 176.22 feet and a chord of,
S 82 33 27 W 176.20 feet to a 1/2" steel stake found by a "T" fence corner post for the S.W. corner hereof and being the S.E. corner of said "Lucas Trust" tract;

THENCE with a fence for the west line hereof and the east line of said "Lucas Trust" tract,
N 00 38 52 W 909.09 feet, at a 1/2" steel stake found,
N 00 21 43 W 847.61 feet, a 1/2" steel stake found,
N 00 01 20 E 537.01 feet, a 1/2" steel stake found by a "T" fence corner post, fence bears west,
N 00 03 30 W 312.12 feet, a 1/2" steel stake found by a "T" fence corner post, fences bear east and west, and
N 01 04 29 E at 58.43 feet to the place of beginning and containing 115.983 acres.

EXHIBIT A A 3 of 3

N/A

WORKSHEET 4.0 DISCHARGE INFORMATION

This worksheet required for any requested authorization to discharge water into a State Watercourse for conveyance and later withdrawal or in-place use. Worksheet 4.1 is also required for each Discharge point location requested. **Instructions Page. 26. Applicant is responsible for obtaining any separate water quality authorizations which may be required and for insuring compliance with TWC, Chapter 26 or any other applicable law.**

- a. The purpose of use for the water being discharged will be_____.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses _____% and explain the method of calculation:_____

Is the source of the discharged water return flows? Y / N_____If yes, provide the following information:

- 1. The TPDES Permit Number(s)._____ (attach a copy of the **current** TPDES permit(s))
- 2. Applicant is the owner/holder of each TPDES permit listed above? Y / N_____

PLEASE NOTE: If Applicant is not the discharger of the return flows, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, then the application should be submitted under Section 3, Bed and Banks.

- 3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
 - 4. The percentage of return flows from groundwater_____, surface water_____?
 - 5. If any percentage is surface water, provide the base water right number(s)_____.
- c. Is the source of the water being discharged groundwater? Y / N_____If yes, provide the following information:

- 1. Source aquifer(s) from which water will be pumped:_____
- 2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers_____.
- 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
- 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.

ci. Is the source of the water being discharged a surface water supply contract? Y / N_____ If yes, provide the signed contract(s).

cii. Identify any other source of the water_____

N/A

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

This worksheet is required for **each** discharge point. Submit one Worksheet 4.1 for each discharge point. If there is more than one discharge point, the numbering of the points should be consistent throughout the application and on any supplemental documents (e.g. maps).
Instructions, Page 27.

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is _____ acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of _____ cfs or _____ gpm.
- c. Name of Watercourse as shown on Official USGS maps: _____
- d. Zip Code _____
- f. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
- g. Point is at:
Latitude _____°N, Longitude _____°W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): _____

Map submitted must clearly identify each discharge point. See instructions Page. 15.

WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 29.**

The proposed diversion structure will be a portable gasoline, diesel, solar or electric powered pump with a flexible hose or steel casing placed into the Llano River for diversions. In order to minimize entrainment and impingement of aquatic organisms, the proposed diversion structure shall include a screen with a mesh size of 0.25 inches or smaller and shall implement a maximum flow velocity of 0.5 feet per second through the screen.

2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: _____

Other, specify: _____

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

Check the method used to characterize the area downstream of the new diversion location.

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments.

- Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

d. Waterbody Recreational Uses

Are there any known recreational uses of the stream segments affected by the application?

- Primary contact recreation (swimming or direct contact with water)
- Secondary contact recreation (fishing, canoeing, or limited contact with water)
- Non-contact recreation

Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the map submitted with the application indicating the location of the photograph and the direction of the shot.
2. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. **Instructions, page 31.**

- a. For all bed and banks applications:
 - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.
- b. For all alternate source applications:

- i. If the alternate source is treated return flows, provide the TPDES permit number_____

- ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:

Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L					
Chloride, mg/L					
Total Dissolved Solids, mg/L					
pH, standard units					
Temperature*, degrees Celsius					

* Temperature must be measured onsite at the time the groundwater sample is collected.

- iii. If groundwater will be used, provide the depth of the well_____and the name of the aquifer from which water is withdrawn_____.

STATEMENT 1

SUPPLEMENTAL ATTACHEMENT TO WORKSHEET 5.0

2. NEW APPROPRIATIONS OF WATER (...) AND CHANGES IN DIVERSION POINT(S)

D. WATERBODY RECREATIONAL USES

ADDENDUM TO WORKSHEET 5.0

1. Photographs of the Llano River at proposed diversion point no. 2 (see Map; Exhibit 2) are included below.
2. No new reservoirs are proposed at this time.



Photo 1 – Llano River at Proposed diversion point no. 2, looking upstream.



Photo 2 – Llano River at proposed diversion point no. 2, looking downstream.

WORKSHEET 6.0**Water Conservation/Drought Contingency Plans**

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans.

Instructions, Page 31.

The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture – including irrigation, wholesale):

1. Request for a new appropriation or use of State Water.
2. Request to amend water right to increase appropriation of State Water.
3. Request to amend water right to extend a term.
4. Request to amend water right to change a place of use.
**does not apply to a request to expand irrigation acreage to adjacent tracts.*
5. Request to amend water right to change the purpose of use.
**applicant need only address new uses.*
6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water
**including return flows, contract water, or other State Water.*

b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:

1. ____Municipal Use. See 30 TAC § 288.2. **
2. ____Industrial or Mining Use. See 30 TAC § 288.3.
3. ____Agricultural Use, including irrigation. See 30 TAC § 288.4.
4. ____Wholesale Water Suppliers. See 30 TAC § 288.5. **

****If Applicant is a water supplier, Applicant must also submit documentation of adoption of the plan. Documentation may include an ordinance, resolution, or tariff, etc. See 30 TAC §§ 288.2(a)(1)(J)(i) and 288.5(1)(H). Applicant has submitted such documentation with each water conservation plan? Y / N____**

c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

appropriation; and evaluates any other feasible alternative to new water development.
See 30 TAC § 288.7.

Applicant has included this information in each applicable plan? Y / N____

2. Drought Contingency Plans

- a. A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above - indicate each that applies:
1. ____Municipal Uses by public water suppliers. See 30 TAC § 288.20.
 2. ____Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
 3. ____Wholesale Water Suppliers. See 30 TAC § 288.22.
- b. If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (*ordinance, resolution, or tariff, etc.* See 30 TAC § 288.30) Y / N____

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4600 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

1. Is Accounting Plan Required

Accounting Plans are generally required:

- For applications that request authorization to divert large amounts of water from a single point where multiple diversion rates, priority dates, and water rights can also divert from that point;
- For applications for new major water supply reservoirs;
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan;
- For applications with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and
- For reuse applications.

2. Accounting Plan Requirements

- a. A **text file** that includes:
 1. an introduction explaining the water rights and what they authorize;
 2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data;
 3. for accounting plans that include multiple priority dates and authorizations, a section that discusses how water is accounted for by priority date and which water is subject to a priority call by whom; and
 4. Should provide a summary of all sources of water.
- b. A **spreadsheet** that includes:
 1. Basic daily data such as diversions, deliveries, compliance with any instream flow requirements, return flows discharged and diverted and reservoir content;
 2. Method for accounting for inflows if needed;
 3. Reporting of all water use from all authorizations, both existing and proposed;
 4. An accounting for all sources of water;
 5. An accounting of water by priority date;
 6. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
 7. Accounting for conveyance losses;
 8. Evaporation losses if the water will be stored in or transported through a reservoir. Include changes in evaporation losses and a method for measuring reservoir content resulting from the discharge of additional water into the reservoir;
 9. An accounting for spills of other water added to the reservoir; and
 10. Calculation of the amount of drawdown resulting from diversion by junior rights or diversions of other water discharged into and then stored in the reservoir.

