

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Natalia Ponebshek, Project Manager
Water Rights Permitting Team

DATE: March 1, 2023

SUBJECT: C.W. Marshall
ADJ 4499
CN600776868, RN101487494
Application to Abandon Certificate of Adjudication No. 20-4499
Texas Water Code § 5.122, Not Requiring Notice
Mission River, San Antonio-Nueces Coastal Basin
Refugio County

The application was received on February 1, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on March 1, 2023. No notice is required pursuant to Title 30 Texas Administrative Code § 295.175.

No fees are applicable, and the application is sufficient for filing.

Natalia Ponebshek

Natalia Ponebshek, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
Texas Commission on Environmental Quality

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

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 1, 2023

Ms. Jane Shipp
P.O. Box 497
Woodsboro, TX 78393

VIA E-MAIL

RE: C.W. Marshall
ADJ 4499
CN600776868, RN101487494
Application to Abandon Certificate of Adjudication No. 20-4499
Texas Water Code § 5.122, Not Requiring Notice
Mission River, San Antonio-Nueces Coastal Basin
Refugio County

Dear Ms. Shipp:

This acknowledges receipt, on February 1, 2023, of the application.

The application was declared administratively complete and filed with the Office of the Chief Clerk on March 1, 2023. 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 Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek

Natalia Ponebshek, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
Texas Commission on Environmental Quality



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087, Austin, Texas 78711-3087
Telephone No. (512) 239-4600 FAX (512) 239-4770

ABANDONMENT OF WATER RIGHT

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

Please note that this action to voluntarily abandon, and the subsequent cancellation of, your water right may not be reversed and obtaining a water right in the future will require a new application for water. New applications require application/notice fees and may or may not be granted, subject to water availability. Additionally, water rights in the State of Texas may add value to the property they are associated with and/or may have a monetary value of their own. Please consider all of this in determining whether you wish to proceed with abandoning your water right.

BEFORE ME, the undersigned authority, on this day personally appeared Jane Shipp, known to me to be the person whose signature appears below, who being sworn by me did state that the following facts are true and correct in his/her personal knowledge:

- 1. My name is Jane Shipp
2. My address is PO Box 497 Woodshoro, Tx 78393
3. I owe fees or penalties to the TCEQ: [] Yes [X] No

If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

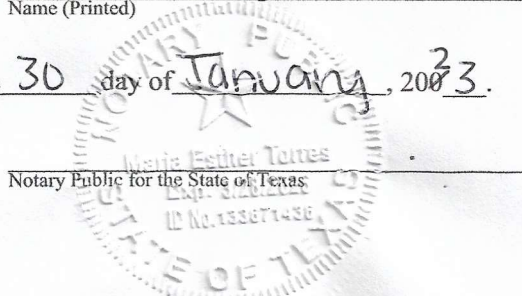
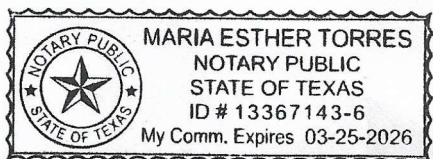
- 4. I own the following described water right:
Permit No. Certificate of Adjudication No. 20-4499
County: Refugio River Basin: SAN ANTONIO - Nueces Coastal
Authorized Use: 56.1 Acre + 94.9 Acre - maintain water level
Portion to be Abandoned: 56.1 Ac + 94.9 Ac

5. It is my intent, by signing and filing this instrument, to voluntarily and intentionally waive and relinquish the above described portion of Permit/Certificate No. 20-4499 and to tender it to the Texas Commission on Environmental Quality for cancellation. It is also my intent to waive notice of public hearing, as well as the public hearing itself, to consider this matter at any future date.

6. I understand that the Texas Commission on Environmental Quality will cancel the above described portion of Permit/Certificate No. 20-4499. I also understand that any outstanding indebtedness to the commission is not waived by this form.

Jane Shipp, Executor of Marty Sue Marshall + Charles Marshall Estates
Name (Sign)
Jane Shipp, Co-Executor
Name (Printed)
Marta Esther Torres
Name (Sign)
Marta Esther Torres
Name (Printed)

Subscribed and sworn to as being true and correct before me this 30 day of January, 2003.





LETTERS TESTAMENTARY

CAUSE NO. 13256

FOR THE ESTATE OF

CHARLES WILLIAM MARSHALL, Deceased

The State of Texas
In County Court At Law
Of San Patricio County, Texas

I, GRACIE ALANIZ-GONZALES, Clerk of the County Court At Law of San Patricio County, Texas, do hereby certify that on this the 18th day of February, 2014, the Court Granted LETTERS TESTAMENTARY in the Estate of CHARLES WILLIAM MARSHALL, Deceased, and that MARTY SUE MARSHALL AND JANE SHIPP qualified as INDEPENDENT CO-EXECUTORS, of said Estate on February 18, 2014, as the law requires, and that said appointment is still in full force and effect.

Witness my hand and seal of said Court, at Sinton, San Patricio County, Texas on this the 18th day of February, 2014.



GRACIE ALANIZ-GONZALES
COUNTY CLERK
SAN PATRICIO COUNTY

By: *Marty S. Marshall*, Deputy

Letters Testamentary

No. 5858

State of Texas

In County Court at Law

County of Aransas

Aransas County, Texas

I, Valerie K. Amason, Clerk of the County Court at Law of Aransas County, Texas do hereby certify that on this the 24th day of March, 2017,

JANE SHIPP


was by said court duly granted Letters Testamentary of the Estate of

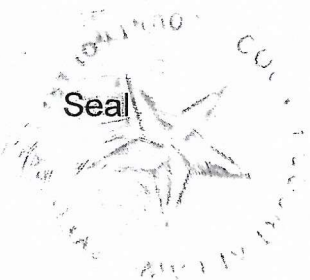
MARTY SUE MARSHALL, Deceased

and that she has duly qualified as Independent Executrix of said Estate on the 24th day of March, 2017, as the law requires, and that said appointment is still in full force and effect.

Witness my hand and seal of said court, at Rockport, Texas this the 24th day of March, 2017.


Valerie K Amason
Clerk, County Court at Law
Aransas County, Texas

By: 
Jo Ann Juarez, Deputy



WHAT CONSTITUTES LETTERS

Letters Testamentary or of Administration shall be a Certificate of the Clerk of the Court granting the same, attested by the seal of such Court, and stating that the Executor or Administrator, as the case may be, has duly qualified as such as the law requires, the date of such qualification and the name of the deceased. (Sec 306.005., Texas Estates Code)

CAUSE NO. 5858
Estate of MARTY SUE MARSHALL, Deceased
LETTERS TESTAMENTARY TO JANE SHIPP as Independent Executrix
Issued this the 24th day of March, 2017 VALERIE K AMASON Clerk, County Court at Law Aransas County, Texas By:  Jo Ann Juarez, Deputy