

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Jenna Rollins, Project Manager
Water Rights Permitting Team

DATE: September 15, 2022

SUBJECT: Donnie R. Watkins and Amy Watkins
ADJ 1332
CN605128735, CN605167832, RN102703261
Application No. 14-1332A to Sever a Portion of Certificate of
Adjudication No. 14-1336 and Combine it with and Amend
Certificate of Adjudication No. 14-1332
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Concho River, Colorado River Basin
Tom Green County

The application and partial fees were received on May 4 and May 5, 2022. Additional information was received on August 10, 2022, and additional fees were received on September 9, 2022. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 15, 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)(C).

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

Jenna Rollins

Jenna Rollins, 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

September 15, 2022

Mr. Donnie R. Watkins
6486 FM 380
San Angelo, TX 76905

VIA E-MAIL

RE: Donnie R. Watkins and Amy Watkins
ADJ 1332
CN605128735, CN605167832, RN102703261
Application No. 14-1332A to Sever a Portion of Certificate of Adjudication No. 14-1336
and Combine it with and Amend Certificate of Adjudication No. 14-1332
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Concho River, Colorado River Basin
Tom Green County

Dear Mr. Watkins:

This acknowledges receipt, on August 10, 2022, of additional information, and on September 9, 2022, of fees in the amount of \$17.64 (Receipt No. M300243, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on September 15, 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 jenna.rollins@tceq.texas.gov or by phone at 512-239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



09-SEP-22 02:34 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

| <u>Fee Description</u> | <u>Fee Code</u> <u>Account#</u> <u>Account Name</u> | <u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u> | <u>Check Number</u> <u>Card Auth.</u> <u>User Data</u> | <u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u> | <u>Slip Key</u> <u>Document#</u> | <u>Tran Date</u> | <u>Tran Amount</u> |
|------------------------|---|---|--|---|-------------------------------------|-------------------|--------------------|
| WTR USE PERMITS | WUP | M300243 | 4548 | | BS00097253 | 09-SEP-22 | -\$17.64 |
| | WUP | 141332 | 090922 | N | D3800041 | | |
| WATER USE PERMITS | | WATKINS, AMY OR DONNIE | RHDAVIS | CK | | | |
| | | | | | | Total (Fee Code): | -\$17.64 |
| | | | | | | Grand Total: | -\$107,683.64 |

RECEIVED
 SEP 13 2022
 Water Availability Division

**Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE**

| | |
|-----------------------------|--------------------------|
| Call to: Mr. Donnie Watkins | Call from: Jenna Rollins |
| Date: 9/2/22 | Project No: 14-1332A |

Information for File follows:

A phone call was made to Mr. Watkins to discuss the remaining fees owed for his amendment application No. 14-1332A.

Signed: *Jenna Rollins*

Date: 9/2/22

Jenna Rollins

From: Donnie Watkins [REDACTED]
Sent: Friday, September 2, 2022 5:15 PM
To: Jenna Rollins
Subject: Re: Donnie and Amy Watkins, 14-1332A

We can not find where it has been cashed. It was was sent but not returned. We are sending a new check in the morning. Have a good weekend. Thank you

Sent from my iPhone

On Sep 2, 2022, at 3:59 PM, Jenna Rollins <Jenna.Rollins@tceq.texas.gov> wrote:

Good afternoon Mr. Watkins,

Per our phone conversation, the check for the fees can be sent to the address below:

Texas Commission on Environmental Quality
Water Availability Division
P.O. Box 13087, MC-160
Austin, Texas 78711-3087

If you have any additional questions please let me know. I will touch base with you again on Tuesday, September 6, 2022, as we discussed.

Best regards,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Jenna Rollins

From: Jenna Rollins
Sent: Thursday, August 11, 2022 9:10 AM
To: Amy Watkins
Subject: RE: Donnie and Amy Watkins, 14-1332A
Attachments: Donnie and Amy Watkins 14-1332A WS 1.0.pdf

Good morning Ms. Watkins,

Please send the check for the remaining fees to the following address:

Texas Commission on Environmental Quality
Water Availability Division
P.O. Box 13087, MC-160
Austin, Texas 78711-3087

Also, per Mr. Watkins' request, please see the attached Worksheet 1.0 that was submitted with the original application.

If you have any further questions, please let me know.

Best regards,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

From: Amy Watkins [REDACTED]
Sent: Wednesday, August 10, 2022 5:11 PM
To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: FW: Donnie and Amy Watkins, 14-1332A

Sent from [Mail](#) for Windows 10

From: [Amy Watkins](#)
Sent: Wednesday, August 10, 2022 5:06 PM
To: [Donnie Watkins](#)
Subject: RE: Donnie and Amy Watkins, 14-1332A

Hi Jenna, I think I can answer these three questions. In question 1. The total diversion amount should be 88.1 acre feet. In question 2. It would be to irrigate the 27 acre field out of a total 39.023 Acres. No additional land is requested. 3. Can you provide me the address to send the check for the additional \$17.64 please. Thank you, Donnie Watkins

Sent from [Mail](#) for Windows 10

From: [Donnie Watkins](#)

Sent: Wednesday, August 10, 2022 4:36 PM

To: [Amy A](#)

Subject: Fwd: Donnie and Amy Watkins, 14-1332A

Sent from my iPhone

Begin forwarded message:

From: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>

Date: August 10, 2022 at 1:53:05 PM CDT

To: Donnie Watkins [REDACTED]

Subject: Donnie and Amy Watkins, 14-1332A

Dear Mr. Watkins,

Please see the attached request for information letter for your amendment application, Donnie and Amy Watkins, application No. 14-1332A.

Best,

Jenna Rollins, Project Manager

Water Rights Permitting Team

Water Rights Permitting and Availability Section

512-239-1845

NA

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 27 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** |
|----------------------|----------------------------|-----------------------------|--------------------------|----------------------------|
| 64.1 | crop irrigation | crop irrigation | Tom Green | Tom Green |
| | | | | |
| | | | | |

*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 27 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 40 acres in Tom Green County, TX.

ii. Location of land to be irrigated: In the WR Hausmann Original Survey No. 154, Abstract No. 347. See Attached

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.

Jenna Rollins

From: Amy Watkins [REDACTED]
Sent: Wednesday, August 10, 2022 5:11 PM
To: Jenna Rollins
Subject: FW: Donnie and Amy Watkins, 14-1332A

Sent from [Mail](#) for Windows 10

From: [Amy Watkins](#)
Sent: Wednesday, August 10, 2022 5:06 PM
To: [Donnie Watkins](#)
Subject: RE: Donnie and Amy Watkins, 14-1332A

Hi Jenna, I think I can answer these three questions. In question 1. The total diversion amount should be 88.1 acre feet. In question 2. It would be to irrigate the 27 acre field out of a total 39.023 Acres. No additional land is requested. 3. Can you provide me the address to send the check for the additional \$17.64 please. Thank you, Donnie Watkins

Sent from [Mail](#) for Windows 10

From: [Donnie Watkins](#)
Sent: Wednesday, August 10, 2022 4:36 PM
To: [Amy A](#)
Subject: Fwd: Donnie and Amy Watkins, 14-1332A

Sent from my iPhone

Begin forwarded message:

From: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Date: August 10, 2022 at 1:53:05 PM CDT
To: Donnie Watkins [REDACTED]
Subject: Donnie and Amy Watkins, 14-1332A

Dear Mr. Watkins,

Please see the attached request for information letter for your amendment application, Donnie and Amy Watkins, application No. 14-1332A.

Best,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

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

August 10, 2022

Mr. Donnie Watkins
6486 FM 380
San Angelo, TX 76905

VIA-EMAIL

RE: Donnie Watkins and Amy Watkins
ADJ 1332
CN605128735, CN605167832, RN102703261
Application No. 14-1332A to Sever a Portion of Certificate of Adjudication No. 14-1336
and Combine it with and Amend Certificate of Adjudication No. 14-1332
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Concho River, Colorado River Basin
Tom Green County

Dear Mr. Watkins:

This acknowledges receipt, on May 2, 2022, of the referenced application and fees in the amount of \$212.50 (Receipt No. M216820, copy attached).

Additional information and fees are required before the application can be declared administratively complete.

1. Clarify the total amount of water to be diverted. Certificate of Adjudication (COA) No. 14-1332 authorizes the Applicant to divert and use not to exceed 24 acre-feet of water per year. COA No. 14-1336 authorizes the Applicant to divert and use not to exceed 64.1 acre-feet of water per year. Applicant seeks to sever their portion of COA No. 14-1336 and combine it with their rights under COA No. 1332 for a combined total of 88.1 acre-feet per year. Staff notes that Worksheet 1.0 lists the diversion amount as 64.1 acre-feet.
2. Confirm the amount of land to be irrigated. Staff notes that the application is requesting to irrigate 27 acres out of a 40-acre tract; however, deeds submitted with the application cover a total of 39.023 acres in the W.R. Hausmann Survey 154, Abstract No. 347, and the J. Beekman Survey 155, Abstract No. 56.

Provide a recorded copy of the deed(s) for any additional land to be irrigated. The deed should include the legal description of the land (metes and bounds). Please note that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5).

Mr. Donnie Watkins
Application No. 14-1332A
August 10, 2022
Page 2 of 2

3. Remit fees in the amount of \$17.64 as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

| | |
|---|------------------|
| Filing Fee (Amendment x 2 Water Rights) | \$ 200.00 |
| Recording Fee (\$1.00 x 10 pages) | \$ 12.50 |
| <u>Notice Fee (\$2.94 x 6 Water Rights)</u> | <u>\$ 17.64</u> |
| TOTAL FEES | \$ 230.14 |
| <u>FEES RECEIVED</u> | <u>\$ 212.50</u> |
| TOTAL FEES DUE | \$ 17.64 |

Please provide the requested information and fees by September 9, 2022 or the application may be returned pursuant to 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at jenna.rollins@tceq.texas.gov or by telephone at (512) 239-1845.

Sincerely,



Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



03-MAY-22 01:17 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

| <u>Fee Description</u> | <u>Fee Code</u> <u>Account#</u> <u>Account Name</u> | <u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u> | <u>Check Number</u> <u>Card Auth.</u> <u>User Data</u> | <u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u> | <u>Slip Key</u> <u>Document#</u> | <u>Tran Date</u> | <u>Tran Amount</u> |
|------------------------|---|---|--|---|-------------------------------------|------------------|--------------------|
| WTR USE PERMITS | WUP | M216820 | 1807 | | BS00094555 | 03-MAY-22 | -\$212.50 |
| | WUP | | 050322 | N | D2802620 | | |
| WATER USE PERMITS | | WATKINS, DONNIE/AMY | VHERNAND | CK | | | |
| Total (Fee Code): | | | | | | | -\$212.50 |
| Grand Total: | | | | | | | -\$13,033.10 |

RECEIVED
MAY 04 2022
Water Availability Division

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): Donnie and Amy Watkins

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 | | Y/N | |
|----------|---|----------|---------------------------------------|
| <u>Y</u> | Administrative Information Report | <u>Y</u> | Worksheet 3.0 |
| <u>Y</u> | Additional Co-Applicant Information | <u>Y</u> | Additional W.S 3.0 for each Point |
| <u>Y</u> | Additional Co-Applicant Signature Pages | <u>Y</u> | Recorded Deeds for Diversion Points |
| <u>Y</u> | Written Evidence of Signature Authority | <u>Y</u> | Consent For Diversion Access |
| <u>Y</u> | Technical Information Report | <u>N</u> | Worksheet 4.0 |
| <u>N</u> | USGS Map (or equivalent) | <u>N</u> | TPDES Permit(s) |
| <u>Y</u> | Map Showing Project Details | <u>N</u> | WWTP Discharge Data |
| <u>N</u> | Original Photographs | <u>N</u> | Groundwater Well Permit |
| <u>N</u> | Water Availability Analysis | <u>N</u> | Signed Water Supply Contract |
| <u>Y</u> | NA Worksheet 1.0 | <u>N</u> | Worksheet 4.1 |
| <u>Y</u> | Recorded Deeds for Irrigated Land | <u>Y</u> | Worksheet 5.0 |
| <u>Y</u> | Consent For Irrigation Land | <u>Y</u> | Addendum to Worksheet 5.0 |
| <u>N</u> | Worksheet 1.1 | <u>Y</u> | Worksheet 6.0 |
| <u>N</u> | Addendum to Worksheet 1.1 | | Water Conservation Plan(s) <u>NA</u> |
| <u>N</u> | Worksheet 1.2 | | Drought Contingency Plan(s) <u>NA</u> |
| <u>N</u> | Additional W.S 2.0 for Each Reservoir | <u>N</u> | Documentation of Adoption |
| <u>N</u> | Dam Safety Documents | <u>Y</u> | Worksheet 7.0 |
| <u>N</u> | Notice(s) to Governing Bodies | <u>N</u> | Accounting Plan |
| <u>N</u> | Recorded Deeds for Inundated Land | <u>Y</u> | Worksheet 8.0 |
| <u>N</u> | Consent For Inundation Land | <u>Y</u> | Fees |

RECEIVED

MAY 05 2022

Water Availability Division

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."

① Applicant requesting change of existing water rights 14-1336 ~~from di~~ to be moved to 14-1332.

② Applicant requesting 14-1332 diversion point changed to diversion reach.

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 2
(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?

Donald Ray Watkins (Donnie)

Amy Ann Watkins

(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: 605167832 (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: Amy / Watkins

Title: Mrs.

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? Y/N _____

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: Amy Watkins

Mailing Address: 6486 FM 380

City: San Angelo State: TX ZIP Code: 76905

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: _____ SOS Charter (filing) Number: _____

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 2
(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?

Donald Ray Watkins

(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: 605128735 (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: Donnie / Watkins

Title: Mr.

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? Y/N _____

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: Donnie Watkins

Mailing Address: 64816 FM 380

City: San Angelo State: TX ZIP Code: 76905

Indicate an X next to the type of Applicant:

- Individual
- Partnership
- Trust
- Federal Government
- County Government
- Other Government
- Sole Proprietorship-D.B.A.
- Corporation
- Estate
- State Government
- City Government
- Other _____

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: _____ SOS Charter (filing) Number: _____

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: Donnie Watkins

Title: Mr.

Organization Name: —

Mailing Address: 6486 FM 380

City: San Angelo State: TX ZIP Code: 76905

Phone Number: 325-716-8888

Fax Number: NA

E-mail Address: 

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: Donnie Watkins

Title: Mr

Organization Name: —

Mailing Address: 6486 FM 380

City: San Angelo State: TX ZIP Code: 76905

Phone Number: 325 - 716 - 8888

Fax Number: NA

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. Applicants 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). Applicants should check survey status on the TWDB website prior to filing:

https://www3.twdb.texas.gov/apps/reports/WU/SurveyStatus_PriorThreeYears

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Donnie R Watkins

Mr.

(Typed or printed name)

(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: Donnie R Watkins

Date: 2/24/2022

(Use blue ink)

Subscribed and Sworn to before me by the said

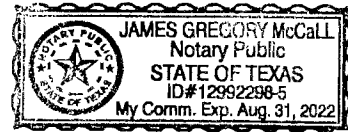
on this 24th day of February, 2022.

My commission expires on the 31st day of August, 2022.

James Gregory McCall

Notary Public

[SEAL]



Tom Green
County, Texas

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Amy Watkins
(Typed or printed name)

Mrs.
(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: Amy Watkins
(Use blue ink)

Date: ^{#24}2-23-22

Subscribed and Sworn to before me by the said

on this 24th day of February, 2022.

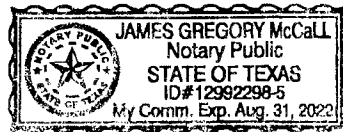
My commission expires on the 31st day of August, 2022.

James Gregory McCall

Notary Public

[SEAL]

Tom Green
County, Texas



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

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, Applicants are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are REQUIRED 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 contact the Water Availability Division at (512) 239-4600 or WRPT@tceq.texas.gov to schedule a meeting.

Date of pre-application meeting: Friday March 4 @ 11:30

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 _____
- 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 _____ (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 _____ (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: 14-1332

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

| List of water rights to sever | Combine into this ONE water right |
|-------------------------------|-----------------------------------|
| 14-1336 | 14-1332 |

- 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 Y
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":

Applicant Watkins requests to use existing water rights 14-1336 issued in 1925 allows owner to divert 88 acre feet per year from Concho River to irrigate 44 acres of land. Additional existing water rights 14-1332 issued in 1957 allows owner to divert 24 acre feet to irrigate 40 acres of land. On page 163 of State Water Plan it states "Landowners with property adjacent to river or stream have right to make reasonable use of water" Our amendment requirement is consistent with State Water Plan and Region F water plan.

- 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 N

NA

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 27 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** |
|----------------------|----------------------------|-----------------------------|--------------------------|----------------------------|
| 64.1 | crop irrigation | crop irrigation | Tom Green | Tom Green |
| | | | | |
| | | | | |

*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 27 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 40 acres in Tom Green County, TX.

ii. Location of land to be irrigated: In the WR Hausmann Original Survey No. 154, Abstract No. 347. See Attached

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.

NA

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_____

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.

NA

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 amendments 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 the 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.

NA

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***

- i. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):_____
- ii. 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. Diversion Point No.
2. Upstream Limit of Diversion Reach No. 14-1336
3. Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** _____ cfs (cubic feet per second)
or 500 gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N N
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches _____ cfs or _____ 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 |
|-------------------------------------|--|-----------------------------|
| <input checked="" type="checkbox"/> | Directly from stream | <u>Proposed</u> |
| <input type="checkbox"/> | From an on-channel reservoir | |
| <input type="checkbox"/> | From a stream to an on-channel reservoir | |
| <input type="checkbox"/> | 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

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): Conecho River
- b. Zip Code: 76905
- c. Location of point: In the WR Hausman Original Survey No. 154, Abstract No. 347, Tom Green 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: ^{Upstream} Latitude 31.480393 N, Longitude -100.3287369 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): Texas Water Rights Viewer
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 15.
- 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.

View from upstream looking downstream
Lat (31.480393
long (-100.3287369



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. Diversion Point No.
2. Upstream Limit of Diversion Reach No. 14-1336
3. Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** _____ cfs (cubic feet per second)
or 500 gpm (gallons per minute)

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

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / 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 |
|-------------------------------------|--|-----------------------------|
| <input checked="" type="checkbox"/> | Directly from stream | <u>Proposed</u> |
| <input type="checkbox"/> | From an on-channel reservoir | |
| <input type="checkbox"/> | From a stream to an on-channel reservoir | |
| <input type="checkbox"/> | 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

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): Concho River
- b. Zip Code: 76905
- c. Location of point: In the WR Hausman Original Survey No. 154, Abstract No. 347, Tom Green 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: ^{Downstream} Latitude 31.481173 N, Longitude -100.327891 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): Texas Water Rights Viewer
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 15.
- 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.



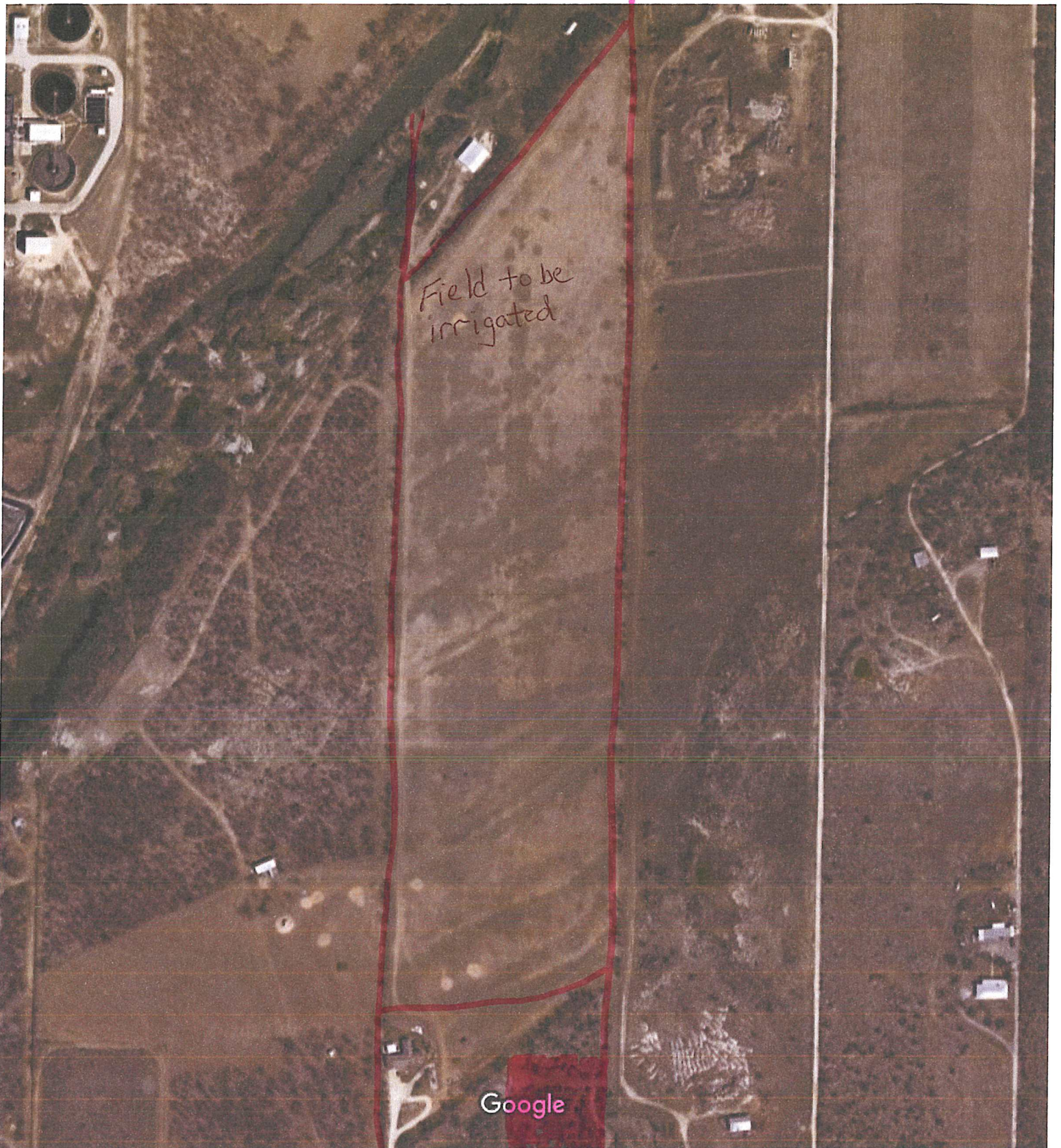
Downstream
Lot (31.481173)
1011 (100.327871)



Imagery ©2022 Maxar Technologies, Map data ©2022 50 ft



Pump Placement



Field to be irrigated

Google

NA

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 _____ (% or amount) and explain the method of calculation: _____
- c. 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, or the Applicant is not the water right owner of the underlying surface water right, or the Applicant does not have a contract with the discharger, 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, the surface water right holder, or the contract holder, 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) _____.
- d. 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. 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.
- di. Is the source of the water being discharged a surface water supply contract? Y / N ____
If yes, provide the signed contract(s).
- dii. 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 _____
- e. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
- f. Point is at:
Latitude _____ °N, Longitude _____ °W.
****Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- g. 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 28.**

Applicant will take reasonable measures to avoid impingement and entrainment of aquatic organisms.

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: River (Concho River)

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

e. 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 maps 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.

NA

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 _____.

NA

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 ___

NA **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.

WORKSHEET 8.0 CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page. 34**

1. NEW APPROPRIATION

| | Description | Amount (\$) |
|---------------------------------|---|-------------|
| Filing Fee | Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . <u>In Acre-Feet</u> | |
| | a. Less than 100 | \$100.00 |
| | b. 100 - 5,000 | \$250.00 |
| | c. 5,001 - 10,000 | \$500.00 |
| | d. 10,001 - 250,000 | \$1,000.00 |
| | e. More than 250,000 | \$2,000.00 |
| Recording Fee | | \$25.00 |
| Agriculture Use Fee | <i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. ** | |
| Use Fee | <i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. ** | |
| Recreational Storage Fee | <i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level. | |
| Storage Fee | <i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level. | |
| Mailed Notice | Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600. | |
| TOTAL | | \$ |

2. AMENDMENT OR SEVER AND COMBINE

| | Description | Amount (\$) |
|-----------------------|---|-------------|
| Filing Fee | Amendment: \$100 | 100 |
| | OR Sever and Combine: \$100 x _____ of water rights to combine | 100 |
| Recording Fee | | \$12.50 |
| Mailed Notice | Additional notice fee to be determined once application is submitted. | |
| TOTAL INCLUDED | | \$212.50 |

3. BED AND BANKS

| | Description | Amount (\$) |
|-----------------------|---|-------------|
| Filing Fee | | \$100.00 |
| Recording Fee | | \$12.50 |
| Mailed Notice | Additional notice fee to be determined once application is submitted. | |
| TOTAL INCLUDED | | \$ |

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.

WARRANTY DEED WITH VENDOR'S LIEN

Date: April 8, 2016

Grantor: LISA HOLIK, as her sole and separate property and owning, occupying and claiming other property as homestead

Grantor's Mailing Address (including county):

Grantee: DONNIE R. WATKINS and wife, AMY A. WATKINS and CLYDE C. WATKINS, a single person

Grantee's Mailing Address (including county): 1861 Baker Dr., San Angelo, Tom Green County, Texas 76905

Consideration: Ten and No/100 Dollars and other valuable consideration and a note of even date that is in the principal amount of \$149,500, and is executed by Grantee, payable to CENTRAL TEXAS LAND BANK, FLCA. This note is secured by a vendor's lien retained in favor of said lender in this deed and by a deed of trust of even date from Grantee to BOYD J. CHAMBERS, Trustee.

Property (including any improvements): Being an area of 19.523 acres of land out of and a part of W. R. Hausemann Survey 154, Abstract No. 347 and J. Beekmann Survey 155, Abstract No. 56, Tom Green County, Texas and said 19.523 acre tract also being out of the west part of that a certain 40 acre tract described and recorded in Volume 338, Page 71, Deed Records of Tom Green County, Texas and said 19.523 acre tract being more particularly described by metes and bounds on Exhibit "A" attached.

Reservations from and Exceptions to Conveyance and Warranty:

1. Easement to West Texas Utility Company, recorded in Volume 159, Page 257, Deed Records, Tom Green County, Texas.
2. Conveyance of rights to owners in Certificate of Adjudication 14-1332, filed April 17, 1980, recorded in Volume 2, Page 194, Water Permit Records of Tom Green County, Texas.
3. Easement to West Texas Utility Company, recorded in Volume 158, Page 386, Deed Records, Tom Green County, Texas.
4. Stated "1/2 of Royalty" conveyed to Howard W. Green in Deed dated June 28, 1950, recorded in Volume 297, Page 406, Deed Records, Tom Green County, Texas.

WARRANTY DEED WITH VENDOR'S LIEN - PAGE 1



True and Correct Copy of the Original File
in the Office of the County Clerk
Tom Green County, Texas

Page 1 of 3

04/22/2022 10:14:37 AM

Initials: KLW

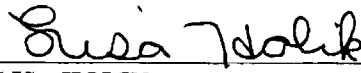
- 5. Oil, Gas & Mineral Lease dated June 24, 1987, for a term of 5 years, from Raymond D. Musick, et ux, Bonnie L. Musick to Fortune Production Company, recorded in Volume 42, Page 59, Official Public Records Real Property, Tom Green County, Texas.

Conveyance and Warranty:

Grantor, for the consideration and subject to the reservations from 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 anywise 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 and exceptions to conveyance and warranty.

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

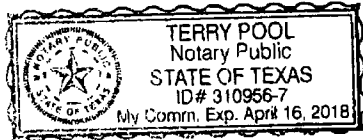
CENTRAL TEXAS LAND BANK, FLCA, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property are retained for the benefit of CENTRAL TEXAS LAND BANK, FLCA and are transferred to that party without recourse on Grantor. The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

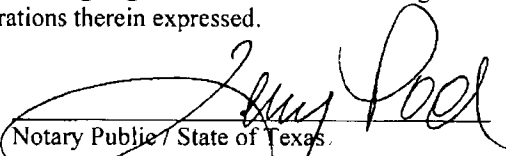


 LISA HOLIK

STATE OF TEXAS §
 COUNTY OF TOM GREEN §

This instrument was acknowledged before me, the undersigned authority, on this 8 day of April, 2016, by LISA HOLIK, personally known to me (or proved to me on the basis of satisfactory evidence), to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and considerations therein expressed.





 Notary Public / State of Texas

AFTER RECORDING RETURN TO:

Donnie and Amy Watkins
 Clyde C. Watkins
 1861 Baker Dr.
 San Angelo, Texas 76905

PREPARED IN THE LAW OFFICE OF:

GOSSETT, HARRISON,
 MILLICAN & STIPANOVIC, P.C.
 P. O. Box 911
 San Angelo, Texas 76902

WARRANTY DEED WITH VENDOR'S LIEN - PAGE 2



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 Tom Green County, Texas

Page 2 of 3

04/22/2022 10:14:17 AM

Initials: kw

EXHIBIT "A"

Being an area of 19.523 acres of land out of and a part of W.R. Hausemann Survey 154, Abstract No. 347 and J. Beekmann survey 155, Abstract no. 56, Tom Green County, Texas and said 19.523 acre tract also being out of the west part of that certain 40 acre tract described and recorded in Volume 338, Page 71, Deed Records of Tom Green County, Texas, and said 19.523 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a railroad tie fence corner found occupying the southwest corner of this tract and said 40 acre tract in the north right-of-way line of F.M. Highway 380;

THENCE with the west line of this tract and said 40 acre tract, N. 00° 40' 35" E. 2649.49 feet (Call North 2790.56 feet) to a 6" fence corner found occupying the northwest corner of this tract in the south high bank of the Concho River;

THENCE with the north line of this tract and the south high bank of said Concho River with its meanders as follows, N. 32° 33' 16" E. 96.41 feet, N. 40° 53' 16" E. 50.31 feet, N. 32° 13' 21" E. 132.27 feet, N. 34° 56' 39" E. 127.70 feet, N. 23° 50' 21" E. 140.59 feet N. 43° 03' 26" E. 24.11 feet to a 1/2" iron rod with cap set for the northeast corner of this tract;

THENCE with east line of this tract and across said 40 acre tract, S. 00° 33' 47" W. 3062.71 feet to a 1/2" iron rod with cap set for the southeast corner of this tract in the south line of said 40 acre tract and the north line of said F.M. Highway 380;

THENCE with the south line of this tract, said 40 acre tract and the north line of said F.M. Highway 380, S. 78° 40' 34" W. (Call S. 78° W.) 224.26 feet to a 1/2" iron rod with cap set for an angel corner, S. 73° 22' 21" W. (Call S. 72° 42' W.) 86.67 feet to the PLACE OF BEGINNING and containing an area of 19.523 acres of land.

CERTIFIED FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Elizabeth McGill

Elizabeth McGill County Clerk
Tom Green County, Texas
04/08/2016 03:47 PM
Fee: \$34.00
201604988 DE



True and Correct Copy of the Original File
in the Office of the County Clerk
Tom Green County, Texas

Page 3 of 3

04/22/2022 10:14:17 AM

Initials: kw



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

WARRANTY DEED WITH VENDOR'S LIEN

Date: December 12, 2019

Grantor: STUART M. TOMLIN and SHARYNN R. TOMLIN aka SHARYNN TOMLIN, husband and wife

Grantor's Mailing Address:

6546 FM Hwy 380
San Angelo, TX 76905
Tom Green County

Grantee: DONALD RAY WATKINS and wife, AMY ANN WATKINS

Grantee's Mailing Address:

1861 Baker Dr.
San Angelo, TX 76905
Tom Green County

Consideration:

Cash and a note executed by Grantee and payable to the order of Central Texas Land Bank, FLCA in the principal amount of \$146,500.00. The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of Central Texas Land Bank, FLCA and by a first-lien deed of trust from Grantee to BOYD J. CHAMBERS, trustee.

Property:

Tract One:

Being an area of 0.977 acre (called 1 acre) of land out of Survey No. 154, Abstract No. 347, W.R. Hausmann, Tom Green County, Texas, said 0.977 acre (called 1 acre) tract being a part of land out of



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the southeast corner of Subdivision No. 7 of a 154.63 acre tract, said 154.63 acre tract being that part of Survey No. 154, W. R. Hausmann and Survey No. 155, J. Beekman lying north of the north R.O.W. of F. M. Highway No. 380 known as Veribest Road, said tract Nos. 7 and 8 being the same land described as P-15093, Veteran's Land Board to Raymond D. Musick, and being the same land described in Warranty Deed from Jack Garrison and Ruby Garrison to Veterans Land Board dated July 17, 1953, and recorded in Volume 338, Page 71 and 72 of the Deed Records of Tom Green County; and said 0.977 acre (called 1 acre) tract being more particularly described by metes and bounds in attached Exhibit "A".

Tract Two:

Being an area of 18.523 acres of land out of and a part of W.R. Hausmann Survey 154, Abstract No. 347, Tom Green County, Texas and said 18.523 acre tract also being out of the East part of that certain 40 acre tract described and recorded in Volume 338, Page 71, Deed Records of Tom Green County, Texas and said 18.523 acre tract being more particularly described by metes and bounds in Exhibit "B" attached hereto and incorporated herein by reference for all purposes.

Reservations from Conveyance:

None.

Exceptions from Conveyance and Warranty:

Liens described as part of the Consideration and any other liens described in this deed as being either assumed or subject to which title is taken; validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2018, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, 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 the Exceptions to Conveyance and Warranty.

The vendor's lien against and superior title to the Property are retained until note described is fully paid according to its terms, at which time this deed will become absolute.

As a material part of the Consideration for this deed, Grantor and Grantee agree that Grantee is

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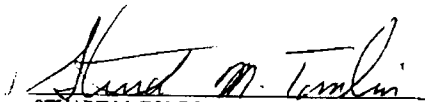
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taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property has a particular financial value or is fit for a particular purpose. Grantee acknowledges and stipulates that Grantee is not relying on any representation, statement, or other assertion with respect to the Property condition but is relying on Grantee's examination of the Property.

Central Texas Land Bank, FLCA, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of Central Texas Land Bank, FLCA and are transferred to Central Texas Land Bank, FLCA without recourse against Grantor.

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

[Signature page to follow. This document may be executed in multiple originals.]


STUART M. TOMLIN


SHARYNN R. TOMLIN aka SHARYNN TOMLIN

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Exhibit "A"**FIELD NOTES****Tract One 0.977 Acre (Called 1 Acre)**September 26, 2019
19-S-1487

Being an area of 0.977 acre (Called 1 acre) of land out of Survey No. 154, Abstract No. 347, W. R. Hausmann, Tom Green County, Texas, said 0.977 acre (Called 1 acre) tract being a part of and out of the southeast corner of Subdivision No. 7 of a 154.63 acre tract, said 154.63 acre tract being that part of Survey No. 154, W. R. Hausmann and Survey No. 155, J. Beekman lying north of the north R.O.W. of F. M. Highway No. 380 known as Veribest Road, said tract Nos. 7 and 8 being the same land described as P-15093, Veteran's Land Board to Raymond D. Musick, and being the same land described in Warranty Deed from Jack Garrison and Ruby Garrison to Veterans Land Board dated July 17, 1953, and recorded in Volume 338, Page 71 and 72 of the Deed Records of Tom Green County, and said 0.977 acre (Called 1 acre) tract being more particularly described by metes and bounds as follows:

Beginning at a 1" galvanized iron pipe found in the north right-of-way line of F. M. Highway 380 (San Angelo - Veribest Highway), in the south line of said 154.63 acre tract for the southwest corner of tract No. 6 and southeast corner of tract No. 7 and being the southeast corner of this tract;

Thence with the south line of this tract and north line of said F. M. Highway 380, S. 78° 40' 34" W. 208.61 feet to the southwest corner of this tract;

Thence with the west line of this tract, N. 00° 33' 47" E. 208.61 feet to the northwest corner of this tract;

Thence with the north line of this tract N. 78° 40' 34" E. 208.61 feet to the northeast corner of this tract in the west line of said Tract No. 6;

Thence with the east line of this tract and west line of said Tract No. 6, S. 00° 33' 47" W. 208.61 feet to the place of beginning and containing an area of 0.977 acre (Called 1 acre) of land.

Tract Two (18.523 Acres)

Being an area of 18.523 acres of land out of and a part of W. R. Hausmann Survey 154, Abstract No. 347, Tom Green County, Texas and said 18.523 acre tract also being out of the east part of that certain 40 acre tract described and recorded in Volume 338, Page 71, Deed Records of Tom Green County, Texas and said 18.523 acre also being that same 18.523 acre tract described and recorded in Instrument No. 713270, Official Public Records of Tom Green County, Texas and said 18.523 acre tract being more particularly described by metes and bounds as follows:

Beginning at the south southeast corner of this tract and said same 18.523 acre tract in the north right-of-way line of F. M. Highway 380 and said beginning corner also being the southwest corner of that certain 0.977 acre (Called 1 Ac.) tract described and recorded in Volume 567, Page 250, Deed



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Records of Tom Green County, Texas and said beginning corner being 208.61 feet S. 78° 40' 34" W. from a 1" galvanized iron pipe found for the southeast corner of said 40 acre tract and said 0.977 acre (Called 1 Ac.);

Thence with the south line of this tract and said same 18.523 acre tract, said 40 acre tract and the north line of said F. M. Highway 380, S. 78° 40' 34" W. (Call S. 78° W.) 64.13 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" set for the southwest corner of this tract and said same 18.523 acre tract;

Thence with the west line of this tract and said same 18.523 acre tract and across said 40 acre tract, N. 00° 33' 47" E. at 436.12 feet pass a 1/2" iron rod with cap marked "SKG ENGINEERS" set, in all a total distance of 3062.71 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of this tract and said same 18.523 acre tract in the south high bank of the Concho River;

Thence with the north line of this tract and said same 18.523 acre tract and the south high bank of said Concho River with its meanders as follows, N. 43° 03' 26" E. 201.36 feet, N. 40° 12' 36" E. 89.37 feet, N. 43° 03' 16" E. 109.33 feet to a 6" fence corner found at high bank and occupying the northeast corner of this tract and said same 18.523 acre tract;

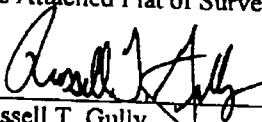
Thence with east line of this tract, said same 18.523 acre tract and said 40 acre tract, S. 00° 33' 47" W. (Call South) at 169.86 feet pass a 1/2" iron rod with cap marked "SKG ENGINEERS" found, at 2924.48 feet pass a 1/2" iron rod with cap marked "SKG ENGINEERS" set, in all a total distance of 3095.81 feet to the east southeast corner of this tract and said same 18.523 acre tract and the northeast corner of said 0.977 acre (Called 1 Ac.) tract;

Thence with the north line of said 0.977 acre (Called 1 Ac.), S. 78° 40' 34" W. 208.61 feet to the northwest corner of said 0.977 acre (Called 1 Ac.) and an ell corner of this tract and said same 18.523 acre tract;

Thence with the west line of said 0.977 acre (Called 1 Ac.), S. 00° 33' 47" W. 208.61 feet to the place of beginning and containing an area of 18.523 acres of land.

Bearings recited hereon are based on Texas Coordinate System NAD83 - Texas Central Zone by GPS observation.

See Attached Plat of Survey.



Russell T. Gully
Registered Professional Land Surveyor No.5636
SKG Engineering, LLC
Firm No. 10102400



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OFFICIAL PUBLIC RECORDS



Elizabeth McGill

Elizabeth McGill County Clerk
Tom Green County, Texas
12/19/2019 03:21 PM
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THE STATE OF TEXAS)

COUNTY OF TOM GREEN)

I, Christina Ubando, County Clerk of Tom Green County, Texas, hereby certify that this is a true copy of DEED as same appears of record in my office under Instrument Number: 201918355 of the DEED Records of Tom Green County, Texas.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 22nd day of April, 2022

Christina Ubando County Clerk
Tom Green County, Texas.

By: *Kerri Williams* , Deputy

Kerri Williams

Printed By: Kerri Williams