

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team

DATE: October 13, 2020

SUBJECT: Donald Gromatzky
ADJ 2830
CN602429813, RN103924296
Application No. 12-2830B to Sever a Portion of Certificate of Adjudication
No. 12-2857 and Combine it with and Amend Certificate of
Adjudication No. 12-2830
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Leon River, Brazos River Basin
Hamilton and Comanche Counties

The application and partial fees were received on July 15, 2020. Additional information and fees were received on August 24, 25, 26, and 27, September 11, 21, and 29, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on October 13, 2020. Limited mailed notice is required pursuant to Title 30 Texas Administrative Code § 295.158(c)(3)(D).

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

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., 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

October 13, 2020

Donald Paul Gromatzky
1835 CR 101
Hamilton, TX 76531

VIA E-MAIL

RE: Donald Gromatzky
ADJ 2830
CN602429813, RN103924296
Application No. 12-2830B to Sever a portion of Certificate of Adjudication No. 12-2857
and Combine it with and Amend Certificate of Adjudication No. 12-2830
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Leon River, Brazos River Basin
Hamilton and Comanche Counties

Dear Mr. Gromatzky:

This acknowledges receipt, on August 24, 25, 26, and 27, September 11, 21 and 29, 2020 of additional information and fees in the amount of \$130.74 (Receipt No. M024036, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on October 13, 2020. 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 this matter please contact me via email at lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



Basis2 Receipt Report by Endorsement Number

OCT-02-20 02:19 PM

<u>Acct. #:</u> Paid For AMEND	<u>Account Name:</u> WATER USE PERMITS					
	<u>Endors. #</u>	<u>Ref. #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>
	M024036	ADJ122830	GROMATZKY, DON	CK	4784	
					<u>Bank Slip</u> BS00082417	<u>Tran.Date</u> 27-AUG-20
						<u>Receipt Amnt.</u> \$130.74

Ms. Jill Gromatzky
1835 CR 101
Hamilton, Texas 76531

September 24, 2020

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division

Dear Ms. Beerman

I, Jill Gromatzky to hereby consent to Donald Paul Gromatzky to irrigate a 30-acre tract of land out of the Malinda Howard Survey, Abstract No. 1639, described in the General Warranty Deed between Donald Paul Gromatzky and wife, Jill Gromatzky as recorded in Volume 446, Page 441, dated July 23, 2010.

I also recognize that the permit will be owned by applicant and will not become appurtenant to the land.

Signed this 24 day of September, 2020.

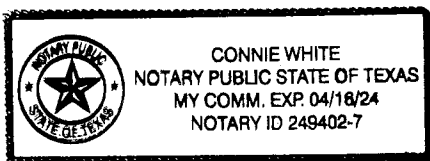


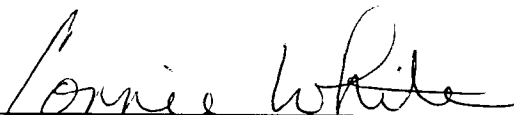
JILL GROMATZKY

STATE OF TEXAS)

COUNTY OF HAMILTON)

This instrument was acknowledged before me on September 24, 2020 by Jill Gromatzky.





Notary Public, State of Texas

THE STATE OF TEXAS:

COUNTY OF HAMILTON:

FIELD NOTES of a survey of 37.47 acres out of the Malinda Howard Survey, situated in Hamilton County, Texas, made for Aubrey Muse and described as follows:

BEGINNING at a 12" L. O. Post for the S. E. Corner of the Malinda Howard Survey, and S. E. Corner of a certain 30 acre tract out of said Howard Survey described as 2nd tract to Aubrey Muse in Partition Deed between Thomas B. Fuqua Jr., et al, (heirs of T. B. Fuqua Sr.) dated October 22, 1963, recorded in Vol. 191 page 116 Deed Records of Hamilton County, Texas, for the S. E. corner of this tract;

THENCE N. 19-00 E. with wire fence and East line of said Howard Survey, at 445.5 varas pass a 4" cedar post on the S. W. bank of the Leon River, in all, 465.5 varas to a point in the center of said River, for a corner of this tract;

THENCE up and along the center of said Leon River, the following courses and distances; N. 06-30 E. 46.0 varas; N. 21-30 E. 108.0 varas; N. 39-00 W. 108.0 varas; N. 65-30 W. 26.0 varas; S. 37-30 W. 113.0 varas; S. 27-00 W. 89.0 varas; N. 73-00 W. 44.00 varas; N. 48-00 W. 64.0 varas; N. 14-00 W. 26.0 varas; N. 32-00 W. 51.0 varas; S. 41-00 W. 50.0 varas; S. 02-00 E. 177.0 varas; S. 28-30 W. 200.0 varas; S. 74-00 W. 60.0 varas; N. 70-00 W. 59.0 varas; N. 38-00 W. 79.0 varas; S. 81-00 W. 60.0 varas; and S. 38-00 W. 140.0 varas to a point in the center of said River on the South line of the Malinda Howard Survey, for the S. W. corner of said 30 acre tract, and the S. W. corner of this tract; THENCE S. 71-00 E. along the South line of said Howard Survey, at 40.0 varas pass a 6"x8" R.R. Tie fence post continuing along wire fence, a total distance of 589.5 varas to the place of beginning containing 37.47 acres out of the Malinda Howard Survey Hamilton County, Texas, and being the same tract formerly described as 30 acres in above mentioned Partition Deed.

Surveyed: July 17, 1966

Party Chief: Eugene Angermann
Chain Carrier: Robert Coston

I, Thomas B. King, Registered Public Surveyor of the State of Texas hereby certify that the foregoing survey was made on the ground, on the date, and with the chain carrier aforesaid, and that the limits corners, and boundaries are truly and correctly described and set forth in the foregoing field notes and plat attached, as fenced and as evidenced on the ground.

/s/ Thomas B. King

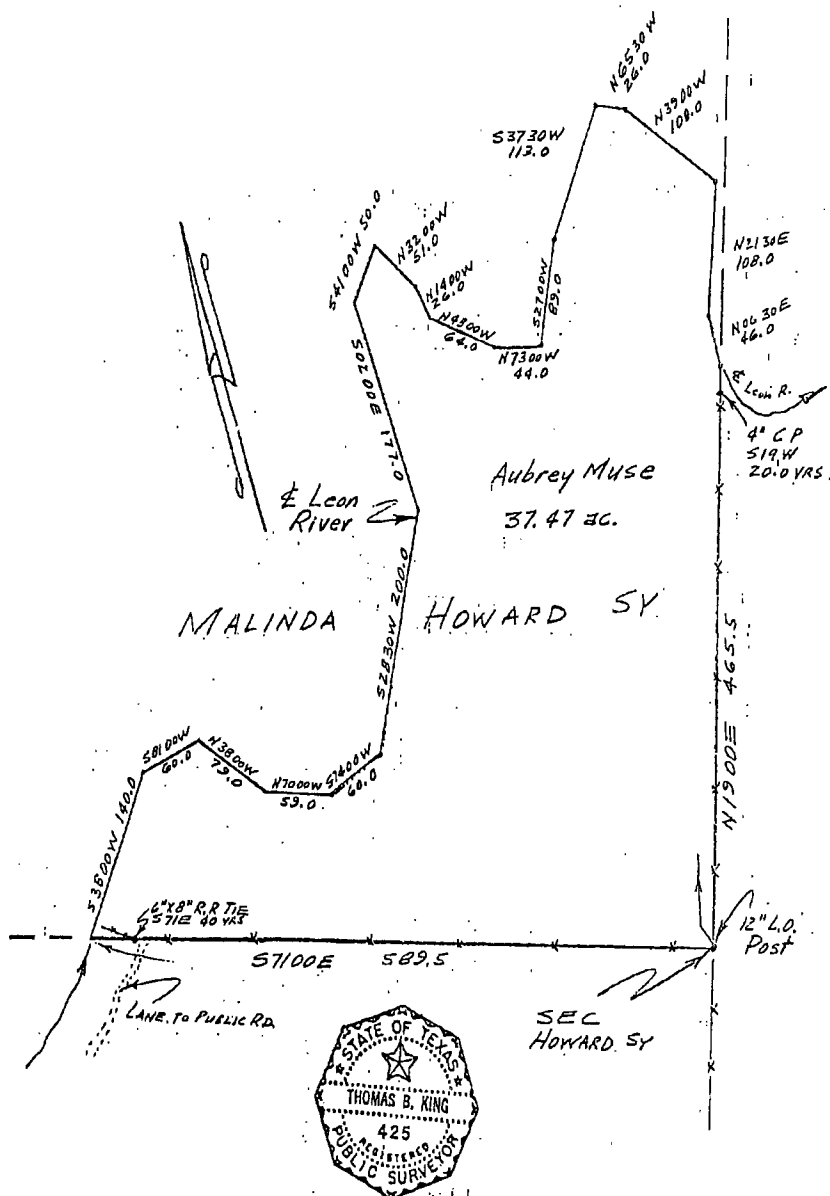
Seal

Thomas B. King, Public Surveyor No. 425.

Filed for record April 10, 1967 at 8:20 A. M.

Recorded April 10, 1967 at 9:21 A. M.

GENEVIEVE M. CLARK, COUNTY CLERK
HAMILTON COUNTY, TEXAS



⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ...

Donald Gromatzky_COA No. 12-2830_Consent

ⓘ Label: TCEQ Sent Items (30 days) Expires: Fri 10/23/2020 10:56 AM

LB

Lillian Beerman

Wed 9/23/2020 10:56 AM



To: Don Gromatzky <[REDACTED]>

Cc: Lillian Beerman

Mr. Donald Gromatzky:

I received a letter of consent from Jill Gromatzky. In order to process your application, please revise your letter of consent. Since the letter was submitted separately from the original application, it must be notarized.

The letter should be notarized and signed by Jill Gromatzky.

In accordance with Title 30 Texas Administrative Code §295.32 (a)(5), the letter of consent should include a statement of consent, a legal description of the land, and information on the particular tract to be irrigated.

1. A consent agreement from the landowner, stating that *the landowner recognizes that the permit will be owned by applicant and will not become appurtenant to the land.*
2. You have already provided the deed with the legal description of the land.
3. The consent agreement should include the information for the particular tract to be irrigated: the original land survey or grant, the abstract number, and the name of the county in which the land is located; and the citation of the deed. For example:

Consent provided to Donald Paul Gromatzky to irrigate a 30-acre tract of land out of the Malinda Howard Survey, Abstract No.1639, described in *the General Warranty Deed* between Donald Paul Gromatzky and wife, Jill Gromatzky, as recorded in Volume 446, page 441, dated July 23, 2010. (Please confirm information in statement.)

If you have any questions, do not hesitate to contact me at (512) 239-4019.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

9-14-20

I, GLENDA JILL GROMATZKY, A JOINT
OWNER W/ DON GROMATZKY IN APPROXIMATELY
37 ACRES IN HAMILTON COUNTY TEXAS, DO
HEREBY GIVE HIM MY APPROVAL TO
IRRIGATE THIS PROPERTY

Glenda Jill Gromatzky

RECEIVED

SEP 21 2020

Water Availability Division

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Donald Gromatzky	Call from: Lillian Beerman
Date of Call: September 11, 2020	File No.: 12-2830A
Phone No.: (254) 784-0718	Subject: Donald Paul Gromatzky Request for Information

12-2830 and 12-2857 are water rights which are NOT appurtenant to any land.

Mr. Gromatzky purchased the water right from his parents separate from the land before the dividing of the estate. He has since purchased some of the original land in the permit.

The Deed to the land he proposes to irrigate (cited in the application) is in both his name and his wife's name.

Informed Mr. Gromatzky that his response to the TCEQ's questions had been reviewed by our technical team. The only outstanding issue was whether he wanted to complete a COO or simply have his wife consent to irrigate the land.

He had had his parents provide consent before.

He is still considering both options. I gave him the number of the Texas Water Development Board's Texas Water Bank and Trust, so he could discuss the value of a water right which is independent of the land.

I also told him where to obtain a COO form.

Mr. Gromatzky said that his diversion rate request was 1000 gpm: 300 gpm from 2830 and 700 gpm from 2857 (not the 1600 gpm in the description).

I will call him back at the end of next week if I do not hear from him.

Lillian E. Beerman, Ph.D. 10/07/2020

[↶ Reply all](#) [✕](#) [🗑 Delete](#) [🚫 Junk](#) [Block](#) [...](#)

Donald Gromatzky_12-2830B_Water Use Report_For Your Records

LB

Lillian Beerman

Mon 8/31/2020 10:31 AM



To: Don Gromatzky <[REDACTED]>

Cc: Lillian Beerman

Gromatzky_ADJ_2830_Water_...

141 KB

Mr. Gromatzky,

Attached are the Water Use Reports (WURs) for COA No. 12-2830B for the last two years. The Brazos Watermaster stated that the Change of Ownership (COO) for COA No. 12-2857 was completed on April 30, 2020, and therefore, the WURs for the certificate were sent to the previous owner.

Please let me know if I can be of further assistance.

Thank You,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

[Reply](#) | [Reply all](#) | [Forward](#)

02/20/2019

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
BRAZOS WATERMASTER OFFICE
END OF YEAR REPORT
FOR THE PERIOD OF 01/01/2018 - 12/31/2018

THIS IS NOT A BILL
PLEASE KEEP THIS REPORT FOR YOUR RECORDS

DON GROMATZKY
1835 COUNTY ROAD 101
HAMILTON TX 76531-3806

AR Number: 24305259

Account ID	Authorized Water Right	Water Used	Water Sold
2830-602-06	30.0000	13.8263	0.0000

Please call the Water Rights Permitting Office at 512-239-4691 to report any ownership changes.
Please have meters installed at all active diversion sites.
Diversions will not be allowed if assessments are unpaid or if pump operation reports are not returned within 7 days.
If you have any questions, please call Brazos Watermaster Program at 254-761-3006 or toll free at 1-844-828-6424.

DON GROMATZKY
1835 COUNTY ROAD 101
HAMILTON TX 76531-3806

AR Number: 24305259

Account ID	Authorized Water Right	Water Used	Water Sold
2830-602-06	30.0000	0.0000	0.0000

Please call the Water Rights Permitting Office at 512-239-4691 to report any ownership changes.
Please have meters installed at all active diversion sites.
Diversions will not be allowed if assessments are unpaid or if pump operation reports are not returned within 7 days.
If you have any questions, please call Brazos Watermaster Program at 254-761-3006 or toll free at 1-844-828-6424.

⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ...

Re: Request of Information: Donald Gromatzky COA No. 12-2830B

LB

Lillian Beerman

Fri 8/28/2020 12:38 PM

To: Don Gromatzky <[REDACTED]>

Mr. Gromatzky,

Yes, I received your submission. I will distribute it amongst our managers and technical specialists for review. I should get back with you in the middle of the week to discuss any issues we may have with your responses and your questions regarding deeds and ownership.

I appreciate your timely response!

Have a nice weekend.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Don Gromatzky <[REDACTED]>

Sent: Friday, August 28, 2020 12:24 PM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: Re: Request of Information: Donald Gromatzky COA No. 12-2830B

Just checking to see if you have received the info that I mailed earlier this week?

On Tuesday, August 25, 2020, 04:34:56 PM CDT, Lillian Beerman
<lillian.beerman@tceq.texas.gov> wrote:

Great. Thank you

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019



lillian.beerman@tceq.texas.gov

From: Don Gromatzky <[REDACTED]>

Sent: Tuesday, August 25, 2020 4:33 PM

 Reply all   Delete  Junk  Block ...

Re: Request of Information: Donald Gromatzky COA No. 12-2830B

-  You replied on Fri 8/28/2020 12:38 PM
-  Label: TCEQ Inbox (30 days) Expires: Sun 9/27/2020 12:24 PM

DG

Don Gromatzky <
m>

Fri 8/28/2020 12:24 PM

To: Lillian Beerman




Just checking to see if you have received the info that I mailed earlier this week?

On Tuesday, August 25, 2020, 04:34:56 PM CDT, Lillian Beerman
<lillian.beerman@tceq.texas.gov> wrote:

Great. Thank you

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Don Gromatzky <
Sent: Tuesday, August 25, 2020 4:33 PM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: Re: Request of Information: Donald Gromatzky COA No. 12-2830B

The info is already in the mail with exception of the correct answers/options for the ownership names. I'll be waiting for your call tomorrow to discuss.

Thanks, Don

On Tuesday, August 25, 2020, 03:17:51 PM CDT, Lillian Beerman
<lillian.beerman@tceq.texas.gov> wrote:

Mr. Gromatzky,
To add your wife's name to the water right, you will have to apply for a change of ownership for the existing certificate. Once the change of ownership is complete, you will be able to proceed with the amendment in your name and your wife's name.

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 18, 2020

Donald Paul Gromatzky
1835 CR 101
Hamilton, TX 76531

VIA E-MAIL

RE: Donald Gromatzky
ADJ 2830
CN602429813, RN103924296
Application No. 12-2830B to Sever a portion of Certificate of Adjudication No. 12-2857
and Combine it with and Amend Certificate of Adjudication No. 12-2830
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Leon River, Brazos River Basin
Hamilton and Comanche Counties

Dear Mr. Gromatzky:

This acknowledges receipt on July 15, 2020, of the referenced application and partial fees in the amount of \$143.50 (Receipt No. M022358, copy attached).

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

1. Indicate measures the applicant will take to avoid impingement and entrainment of aquatic organisms for any new pump or diversion structure.
NO NEW SYSTEMS WILL BE ADDED OR CHANGED.
2. Please submit a revised page 3 of the application omitting Glenda Jill Gromatzky as an applicant. The application submitted lists both Donald Paul Gromatzky and Glenda Jill Gromatzky as applicants. However, Glenda Jill Gromatzky is not an owner of either Certificate.
3. Confirm that the application does not request a discharge point. Staff notes that Worksheets 4.0 and 4.1 are not needed for your application.
NO WATER WILL BE RETURNED INTO THE RIVER
4. Provide information regarding how the application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan (Section 4.a. of the Technical Information Report). Refer to the second example on page 15 from the Instructions for Completing the Water Right Permitting Application (Form TCEQ-10214A-inst) for assistance.
5. Provide additional information concerning the submitted water conservation plan for agricultural use (Form TCEQ-10238) to comply with Title 30 Texas Administrative Code (TAC) §288.4.
 - a. Verify that the device used to measure and account for the amount of water diverted from the source of supply, described in Section I. B. 2. of the water conservation plan is within an accuracy of plus or minus 5.0%. Staff recognizes that this section of the water conservation plan indicates an inline meter will be used; however, information about the meter's accuracy is not included in this section. *meter tested 99.94% accurate*

- 5 yr. goal is to save 5%, 10 yr. goal is to save additional 2%*
- b. Provide specific, quantified five-year and ten-year targets for water savings including maximum allowable losses for the storage and distribution system (Section I. B. 3.).
- c. Describe any water-saving scheduling or practices to be used in the application of water (e.g., irrigation only in early morning, late evening or night hours and/or during lower temperatures and winds) and methods to measure the amount of water applied (Section I. C. 3.). *operate during lower evaporation times of day.*
- d. Describe any water-saving land improvements or plans to be incorporated into the irrigation practices for retaining or reducing runoff and increasing infiltration of rain and irrigation water (Section I. C. 4.). *N/A*
6. Provide a recorded copy of the deed(s) for the property where the proposed land to be irrigated is located. 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 TAC § 295.32(a)(5).
7. Before the application can be declared administratively complete, remit fees in the amount of \$ 130.74, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fees	(Sever & Combine/Amendment)	\$ 200.00
Recording Fees	(\$1.25 x 10 pages)	\$ 12.50
Notice Fees	(\$2.94 x 21 WR Holder)	\$ 61.74
TOTAL FEES		\$ 274.24
FEES RECEIVED		\$ 143.50
TOTAL FEES DUE		\$ 130.74

Staff notes that additional information may be required prior to completion of technical review.

Please submit the requested information and fees by September 17, 2020 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 lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment

Response to Questions

- #1 NO NEW SYSTEMS OR STRUCTURES WILL BE ADDED. NO CHANGES WILL BE MADE TO EXISTING PUMPING EQUIPMENT.
- #2 NO PAGE 3 WILL BE SUBMITTED AS JILL IS ON THE DEED W/ ME. IF REQUIRED, WE WILL NEED TO ADD HER ~~TO~~ NAME AS CO-OWNER ON THE WATER RIGHT.
- #3 NO WATER WILL BE RETURNED INTO THE RIVER
- #4 I, THE APPLICANT, ADHERES TO ALL REGULATIONS IN THE STATE WATER PLAN THAT APPLY TO MY OPERATION, AND WILL CONTINUE TO CONSERVE WATER AS IT IS A PRECIOUS NATURAL RESOURCE BEING LOCATED IN THE BAZOS RIVER BASIN, PUMPING IS REGULATED BY A WATER MASTER. THIS ASSURES COMPLIANCE AND STREAM FLOWS AS DESIGNED BY THE WATER PLAN.
- #5 A. METER TESTED 99.94% accurate
B. 5yr. goal is to save 5% - 10yr. goal is to save an additional 2%.
C. OPERATE DURING LOWER EVAPORATION TIMES OF DAY

5.D

N/A.

6.

COPY OF WARRANTY DEED
IS ENCLOSED

7.

ENCLOSED — CHECK # 4784

TO: T.C.E.Q.

AMOUNT: \$130.74

MCCROMETER GREAT PLAINS REPAIR FORM

Cust Acct. #: 35450 Cust Ship #: 35450
 T & C's Met ☐ Yes ☐ No Market Code
 Order Taken By
 Credit Message?

PO#: Verbal - RA35007 RA NUMBER: 35007 Country of Destination: ☐ United States ☐ Other
 RA/Received Date: 2-19-15 Requested Date:

Company Inv. Name Only: De Leon Irrigation Supply
 Attn: Michael McCarney
 Marks: 800-658-6960

Company Ship
 Attn:
 Marks: FD

Ship Via: GROUND OR WILL CALL

FOB: ☐ Origin

☐ Destination

☐ Collect Acct#

Shipping Comment: MSR NON-MSP WARRANTY ALL

ESTIMATE

☐ PPC

☐ FFA

☐ Third Part Acct#

Item	Model Number / Part Number	Qty	Unit Price Discount	Pipe OD	Pipe ID	TOT/IND Units	Item Comments / Meter Serial Number
1	GPMPN(MSP)	1		6.00	5.82	GAL X 100 GPM1300	FILL IN PIPE OD/ID AND TOT/INDICATOR UNITS GAL X 100 GPM 0-2500 EXAMPLE
2	GASKET KIT <u>RK384-00</u>	1					RK384-00 RK384-10 RK240-00 RK390-00 10 RK399-10 C0194-00 RK100-00 <u>GP00-06-1309N</u>
3	CB100-10 (BOOT)	1	\$ 31.00				SERIAL # <u>00-6-1309N</u> MODEL # <u>MD306-800</u>
4	R0147-00 (BUSHING W/O-RINGS)	1	\$ 4.18				VERTICAL TRANS# EXT#
5	R0143-00 (CANOPY KIT) <u>L.D. Broth</u> <u>off</u>	1	\$ 52.00				TOTALIZER READING <u>19906200</u> TOT UNITS <u>GAJ</u>
6	B <u>0110-82</u>	1				CONDITION <u>OK</u>	B0110-80 B0110-82 B0610-80 B0610-82 B0610-88 B0610-89 B0710-80 BR110-80 BR710-80
7	DO <u>104-00</u>						D0103-00 D0066-00 D0104-00 D0122-00 D0105-00 D0123-00 D0106-00

GREAT PLAINS METERS ORDER FORM - PAGE 2

8	DO	<u>304-00</u>	<u>1</u>					D0332-00 D0304-00 D0303-00 D0305-00 D0313-00
9	R	<u>1406-800</u>	<u>1</u>				CONDITION <u>WET!</u>	R1=NEW REGISTER R2=REBUILT REGISTER
10		9999R-01				\$ 82.00		
11	PO	<u>106-00</u>	<u>1</u>				CONDITION <u>Blades Chewed Up</u>	P0103-00 P0104-00 P0105-00 P0106-00 P0108-00 P0110-00 P0112-00 P0136-00
12		9999M	<u>3</u>			\$		
13		EXTRA PARTS BELOW						REGISTER IND @ _____ TESTED OK _____ LOW HIGH TOTALIZER OK
14		R0710-20 (CANOPY)				\$ 33.58		INITIAL PROP TEST @ <u>655</u> ACCURACY <u>99.9%</u> PROP RETEST @ _____ ACCURACY _____
15		R0710-22 (CANOPY LID)				\$ 8.19		
16								
17								
18								
19								
20								

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.

General Warranty Deed

Date: JULY 15, 2010

Grantor: DONALD PAUL GROMATZKY

Grantor's Mailing Address:
402 South Williams
Hamilton, Texas 76531
Hamilton County, Texas

Grantee: DONALD PAUL GROMATZKY and wife, JILL GROMATZKY

Grantee's Mailing Address:
402 South Williams
Hamilton, Texas 76531
Hamilton County, Texas

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration, in hand paid from Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, and for the payment of which no lien, express or implied, is herein retained.

Property (including any improvements): All that certain tract or parcel of land situated in Hamilton County, Texas, and being a part of the Malinda Howard Survey, described as follows:

BEGINNING at a 12" L.O. post for the S. E. corner of the Malinda Howard survey and S. E. Corner of a certain 30 acre tract out of said Howard Survey described as 2nd tract to Aubrey Muse in Partition Deed between Thomas B. Fuqua, Jr. et al (heirs of T.B. Fuqua, Sr.) dated October 22, 1963, recorded in Volume 191 on Page 116 of the Deed Records of Hamilton County, Texas for the S. E. corner of this tract;

THENCE N. 19-00 E. with wire fence and East line of said Howard Survey at 445.5 varas pass a 4" cedar post on the S. W. bank of the Leon River, in all 465.5 varas to point in the center of said River, for a corner of this tract.

THENCE up and along the center of said Leon River, the following courses and distances; N. 06-30 E. 46.0 varas; N. 21-30 E. 108.0 varas; N. 39-00 W. 108.0 varas; N. 65-30 W. 26.0 varas; S. 37-30 W. 113.0 varas, S. 27-00 W. 89.0 varas; N. 73-00 W. 44.0 varas; N. 48-00 W. 64.0 varas; N. 14-00 W. 26.0 varas, N. 32-00 W. 51.0 varas; S. 41-00 W. 50.0 varas; S. 02-00 E. 177.0 varas; S. 28-30 W. 200.0 varas; S. 74-00 W. 60.0 varas; N. 70-00 W. 59.0 varas; N. 38-00 W. 79.00 varas; S. 81-00 W. 60.0 varas; and S 38-00 W. 140.0 varas to a point in the center of said River on the South line of the Malinda Howard Survey, for the S. W. corner of said 30 acre tract, and the S.W. corner of this tract;

beginning, containing 37.47 acres out of the Malinda Howard Survey, Hamilton County, Texas and being the same tract formerly described as 30 acres in above mentioned Partition Deed as further described as being the land as described further in Volume 199 Page 626 of the Deed Records of Hamilton County, Texas.

Being the same land described in Warranty Deed from Russell Gromatzky and Mary Gromatzky to Donald Paul Gromatzky dated December 15, 2000 and recorded at Volume 332, Page 718, Real Property Records of Hamilton County, Texas.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances, that affect the property; rights of adjoining owners in any walls and fences situated on a common boundary; any discrepancies, conflicts, shortages in area or boundary lines; any encroachments or overlapping of improvements.

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.

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


DONALD PAUL GROMATZKY

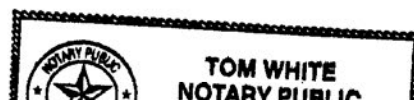
STATE OF TEXAS)

COUNTY OF HAMILTON)

This instrument was acknowledged before me on July 20, 2010, by DONALD PAUL GROMATZKY.


Notary Public, State of Texas

AFTER RECORDING RETURN TO:
DONALD PAUL GROMATZKY
402 South Williams



CLERKS NOTICE: ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR LEASE OF REAL PROPERTY BECAUSE OF COLOR OR RACE, IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

FILED
AT 9:05 O'CLOCK A M
ON THE 20 DAY OF July
A.D., 2010.

Debbie Rudolph
COUNTY CLERK, HAMILTON CO., TEXAS
BY Julie Wilson DEPUTY

STATE OF TEXAS
COUNTY OF HAMILTON

I hereby certify that this instrument was FILED on the date
and at the time stamped hereon by me and was duly
RECORDED in the REAL PROPERTY
Records of Hamilton County, Texas.



Julie Wilson
County Clerk, Hamilton County, Texas

VOL. 446 PAGE 441

RECORDED 07-23-2010

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Donald Gromatzky	Call from: Lillian Beerman
Date of Call: August 26, 2020	File No.: 12-2830A
Phone No.: (254) 784-0718	Subject: Donald Paul Gromatzky Request for Information

Voicemail, August 19, 2020

He had questions about the water right ownership. Wants to know whether the names need to match the deed. Concerned about the water meter having the sheet with the accuracy of the water meter.

On August 25, 2020

Trent Jennings called Mr. Gromatzky.

Voicemail, August 25, 2020

Mr. Gromatzky informing me that he has sent additional information to TCEQ, including the deed. The deed has his name and his wife's name

I emailed Mr. Gromatzky three times regarding his questions. I called him on August 26, 2020

12-2830 and 12-2857 are water rights which are NOT appurtenant to any land.

Mr. Gromatzky purchased the water right from his parents separate from the land before the dividing of the estate. He has since purchased some of the original land in the permit.

The Deed to the land he proposes to irrigate (cited in the application) is in both his name and his wife's name.

He wants to use the water right now and prepare for the sale of his land and his water right at a later date.

Mr. Gromatzky is a retired banker.

We should receive his response to the RFI shortly, but several questions remain:

First, it is not important that his wife's name be on the amended Water Right.

1. Is it necessary that the land be made appurtenant to the land? Can the water right remain unattached to the land proposed to be irrigated? Can he sell the water right separate from the land?

2. Is it sufficient for his wife, who is on the deeds, to provide consent for him to irrigate the land? What are the requirements of consent?
3. He has NOT received a Water Use Report (WUR) in at least two years. He would like to complete them.
4. Is it too late for him to increase the diversion rate of the permit? Not a high priority for him.

Mr. Gromatzky wants to thank the Brazos Watermaster. Since they have had a Brazos Watermaster there is flow in the stream. Prior to the watermaster there was no water by end of June. Now, not much, but there is water.

He wants to start using water as soon as possible.

I told him that I will review the material he sends, confer with my supervisor, and get back to him regarding the issue of consent and appurtenance.

Lillian E. Beerman, Ph.D. 10/07/2020

 Reply all   Delete  Junk  Block 

Re: Request of Information: Donald Gromatzky COA No. 12-2830B

LB

Lillian Beerman

Tue 8/25/2020 4:34 PM

To: Don Gromatzky 



Great. Thank you

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Don Gromatzky < >

Sent: Tuesday, August 25, 2020 4:33 PM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: Re: Request of Information: Donald Gromatzky COA No. 12-2830B

The info is already in the mail with exception of the correct answers/options for the ownership names. I'll be waiting for your call tomorrow to discuss.

Thanks, Don

On Tuesday, August 25, 2020, 03:17:51 PM CDT, Lillian Beerman
<lillian.beerman@tceq.texas.gov> wrote:

Mr. Gromatzky,

To add your wife's name to the water right, you will have to apply for a change of ownership for the existing certificate. Once the change of ownership is complete, you will be able to proceed with the amendment in your name and your wife's name.

I will call you tomorrow to discuss your options.

When you respond to our request for information, please state your intentions with respect to ownership and provide the Deed. We can help you with your next steps.

I certainly appreciate your quick response to our questions.

Sincerely,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division

⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ...

Re: Request of Information: Donald Gromatzky COA No. 12-2830B

📌 Label: TCEQ Inbox (30 days) Expires: Thu 9/24/2020 1:07 PM

DG

Don Gromatzky [REDACTED]
m>

Tue 8/25/2020 1:07 PM
To: Lillian Beerman



Trent Jennings called this morning and we worked thru item #5. I have a copy of the General Warranty Deed of 7-15-2015 in which I added Jill as a joint owner. Does this eliminate the need for your request on item # 3. What is needed to add her name to the water rights?

On Monday, August 24, 2020, 11:27:21 PM CDT, Don Gromatzky
<[REDACTED]> wrote:

I can't believe my luck, I have found the test results form that I got back when the meter was rebuilt in Feb.2015.It shows to have a 99.94% accuracy. I will include a copy of it with the other paperwork. Please let me know what forms will be needed to add my wife to the ownership of the water right to be purchased. As I stated, the original 30 acre feet water right is in my name only as far as I know. I will get another copy of the deed showing joint ownership of the 37 acres and a copy of meter test results and include them with which ever other forms that need to be completed. Thanks for your help and patients,

Don Gromatzky

On Monday, August 24, 2020, 06:11:08 PM CDT, Lillian Beerman
<lillian.beerman@tceq.texas.gov> wrote:

Mr. Gromatzky,



I received your voicemail. I wanted to confer with staff before I responded to your concerns.

TCEQ analyst, Trent Jennings, will call you to discuss issues regarding conservation measures. He may be able to help you with your questions regarding the documentation of the efficiency of your water meter. Please let me know if the information he provides responds to your concerns. He is very helpful.

With respect to the questions regarding the names -- the application, the deed, and the permit should all be in the same name or consent from co-owners will be

 Reply all   Delete  Junk  Block ...

Re: Request of Information: Donald Gromatzky COA No. 12-2830B

-  You forwarded this message on Tue 8/25/2020 9:26 AM
-  Label: TCEQ Inbox (30 days) Expires: Wed 9/23/2020 11:27 PM

DG

Don Gromatzky < m>

Mon 8/24/2020 11:27 PM

To: Lillian Beerman



I can't believe my luck, I have found the test results form that I got back when the meter was rebuilt in Feb.2015.It shows to have a 99.94% accuracy. I will include a copy of it with the other paperwork. Please let me know what forms will be needed to add my wife to the ownership of the water right to be purchased. As I stated, the original 30 acre feet water right is in my name only as far as I know. I will get another copy of the deed showing joint ownership of the 37 acres and a copy of meter test results and include them with which ever other forms that need to be completed. Thanks for your help and patients,

Don Gromatzky

On Monday, August 24, 2020, 06:11:08 PM CDT, Lillian Beerman <lillian.beerman@tceq.texas.gov> wrote:

Mr. Gromatzky,

I received your voicemail. I wanted to confer with staff before I responded to your concerns.

TCEQ analyst, Trent Jennings, will call you to discuss issues regarding conservation measures. He may be able to help you with your questions regarding the documentation of the efficiency of your water meter. Please let me know if the information he provides responds to your concerns. He is very helpful.

With respect to the questions regarding the names -- the application, the deed, and the permit should all be in the same name or consent from co-owners will be required or a change of ownership. Please provide the deed and your expectations for ownership of the permit when you respond to the RFI. When I have an opportunity to review the information, I will get back to you with your next steps.

Please do not hesitate to contact me if you have ANY questions.

 Reply all   Delete  Junk  Block ...

Request of Information: Donald Gromatzky COA No. 12-2830B

 Label: TCEQ Inbox (30 days) Expires: Wed 9/23/2020 6:11 PM

LB

Lillian Beerman

Mon 8/24/2020 6:11 PM



To: [REDACTED]
Cc: Lillian Beerman

Mr. Gromatzky,

I received your voicemail. I wanted to confer with staff before I responded to your concerns.

TCEQ analyst, Trent Jennings, will call you to discuss issues regarding conservation measures. He may be able to help you with your questions regarding the documentation of the efficiency of your water meter. Please let me know if the information he provides responds to your concerns. He is very helpful.


With respect to the questions regarding the names -- the application, the deed, and the permit should all be in the same name or consent from co-owners will be required or a change of ownership. Please provide the deed and your expectations for ownership of the permit when you respond to the RFI. When I have an opportunity to review the information, I will get back to you with your next steps.

Please do not hesitate to contact me if you have ANY questions.

Thank you,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

[Reply](#) | [Reply all](#) | [Forward](#)

 Delete ...

Application to Amend COA 12-2830

LB

Lillian Beerman

Wed 8/19/2020 6:10 PM



To:

Mr. Gromatzky,

I got your phone message. I will discuss your issues with technical staff and get back to you as soon as possible.

Thank you for calling.

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

[Reply](#)[Forward](#)

[↶ Reply all](#) [▼](#) [🗑 Delete](#) [🚫 Junk](#) [Block](#) [...](#)

Donald Paul Gromatzky_12-2830B_Request for Information

LB

Lillian Beerman

Tue 8/18/2020 11:47 AM



To:

Cc: Lillian Beerman

Gromatzky_12-2830B_RFI_Se...

307 KB

Gromatzky_12-2830_Receipt...

136 KB

2 attachments (443 KB) [Download all](#) [Save all to OneDrive - Texas Commission on Environmental Quality](#)

Mr. Gromatzky,

Attach is a Request for Information from the TCEQ Water Rights and Availability Section. Please answer the questions and provide a response no later than COB Thursday, September 17, 2020.

If you have any questions or concerns, please do not hesitate to contact me.
Thank You,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

[Reply](#) | [Reply all](#) | [Forward](#)

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 18, 2020

Donald Paul Gromatzky
1835 CR 101
Hamilton, TX 76531

VIA E-MAIL

RE: Donald Gromatzky
ADJ 2830
CN602429813, RN103924296
Application No. 12-2830B to Sever a portion of Certificate of Adjudication No. 12-2857
and Combine it with and Amend Certificate of Adjudication No. 12-2830
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Leon River, Brazos River Basin
Hamilton and Comanche Counties

Dear Mr. Gromatzky:

This acknowledges receipt on July 15, 2020, of the referenced application and partial fees in the amount of \$143.50 (Receipt No. M022358, copy attached).

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

1. Indicate measures the applicant will take to avoid impingement and entrainment of aquatic organisms for any new pump or diversion structure.
2. Please submit a revised page 3 of the application omitting Glenda Jill Gromatzky as an applicant. The application submitted lists both Donald Paul Gromatzky and Glenda Jill Gromatzky as applicants. However, Glenda Jill Gromatzky is not an owner of either Certificate.
3. Confirm that the application does not request a discharge point. Staff notes that Worksheets 4.0 and 4.1 are not needed for your application.
4. Provide information regarding how the application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan (Section 4.a. of the Technical Information Report). Refer to the second example on page 15 from the Instructions for Completing the Water Right Permitting Application (Form TCEQ-10214A-inst) for assistance.
5. Provide additional information concerning the submitted water conservation plan for agricultural use (Form TCEQ-10238) to comply with Title 30 Texas Administrative Code (TAC) §288.4.
 - a. Verify that the device used to measure and account for the amount of water diverted from the source of supply, described in Section I. B. 2. of the water conservation plan is within an accuracy of plus or minus 5.0%. Staff recognizes that this section of the water conservation plan indicates an inline meter will be used; however, information about the meter's accuracy is not included in this section.

- b. Provide specific, quantified five-year and ten-year targets for water savings including maximum allowable losses for the storage and distribution system (Section I. B. 3.).
 - c. Describe any water-saving scheduling or practices to be used in the application of water (e.g., irrigation only in early morning, late evening or night hours and/or during lower temperatures and winds) and methods to measure the amount of water applied (Section I. C. 3.).
 - d. Describe any water-saving land improvements or plans to be incorporated into the irrigation practices for retaining or reducing runoff and increasing infiltration of rain and irrigation water (Section I. C. 4).
6. Provide a recorded copy of the deed(s) for the property where the proposed land to be irrigated is located. 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 TAC § 295.32(a)(5).
7. Before the application can be declared administratively complete, remit fees in the amount of **\$ 130.74**, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fees	(Sever & Combine/Amendment)	\$ 200.00
Recording Fees	(\$1.25 x 10 pages)	\$ 12.50
Notice Fees	(\$2.94 x 21 WR Holder)	\$ 61.74
TOTAL FEES		\$ 274.24
FEES RECEIVED		\$ 143.50
TOTAL FEES DUE		\$ 130.74

Staff notes that additional information may be required prior to completion of technical review.

Please submit the requested information and fees by September 17, 2020 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 lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



15-JUL-20 04:28 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

Fee Code
Account#
Account Name

Fee Description

WTR USE PERMITS
WUP
WUP
WATER USE PERMITS

Ref#1
Ref#2
Paid In By

Check Number
Card Auth.
User Data

CC Type
Tran Code
Rec Code

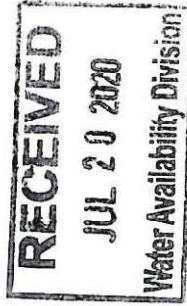
Slip Key
Document#

Tran Date
Tran Amount

M022358
ADJ2857
GROMATZKY,
DON
4669
071520
VHERNAND
CK
BS00081612
D0805694
15-JUL-20
-\$143.50

Total (Fee Code):

-\$143.50



WATER AVAILABILITY DIV.

2020 JUL 20 A 4:15

RECEIVED

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): DON GROMATZKY

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

Y/N

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

RECEIVED

MAR 09 2020

Water Availability Division

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

RECEIVED

JUL 15 2020

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) 239-4691.**

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."

Purchase 47.7 Acre feet of water rights (#2857) from owner Ralph + Linda Lee. Move this water right upstream approximately 1 mile to my property + combine with my existing water right # 17-2830-A in order to increase the diversion rate up to 1000 GPM if needed, there by increasing pumping efficiency.

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 PAUL GROMATZKY

GLENDA JILL GROMATZKY

(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: 602 429 813 (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: DONALD GROMATZKY

Title: OWNER

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

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: DONALD GROMATZKY

Mailing Address: 1835 CR 101

City: HAMILTON State: TX ZIP Code: 76531

Indicate an X next to the type of Applicant:

<input checked="" type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship-D.B.A.
<input type="checkbox"/> Partnership	<input type="checkbox"/> Corporation
<input type="checkbox"/> Trust	<input type="checkbox"/> Estate
<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government
<input type="checkbox"/> County Government	<input type="checkbox"/> City Government
<input type="checkbox"/> Other Government	<input type="checkbox"/> 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: DONALD GROMATZKY
Title: OWNER
Organization Name:
Mailing Address: 1835 CR 101
City: HAMILTON State: TX ZIP Code: 76531
Phone No.: 254-784-0718 Extension: —
Fax No.: — E-mail Address: [REDACTED]

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

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

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

First and Last Name:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

- a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4691, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? Yes ☒ 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

If yes, please provide the following information:

Enforcement order number:

Amount past due:

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

Is the Applicant or Co-Applicant in good standing with the Comptroller? Yes / No ☒ N/A

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

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, DON GROMATZKY OWNER
(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: [Signature] Date: 3-5-2020
(Use blue ink)

Subscribed and Sworn to before me by the said

on this 5th day of March, 2020.

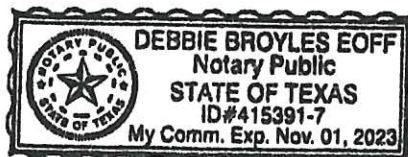
My commission expires on the 1st day of Nov., 2023.

[Signature]

Notary Public

Hamilton

County, Texas



[SEAL]

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 strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4691 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N (If yes, date : _____).

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 (N) (If yes, indicate the Certificate or Permit number: 12-2830-A own 2857 to pur.)
- 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? (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. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 12-2830-A own
2857 to Per.

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
12-2830-A own 2857 to be per	YES - I COMBINE DIVERSION RATE 300 GPM + 700 GPM = 1,000 GPM.

- 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

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

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

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

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)

- e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / ☒ 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 *If yes, call the Water Availability Division at (512) 239-4691 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 ☒

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

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

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

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

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).**

- 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":

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

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

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) (Include losses for Bed and Banks)	State Water Source (River Basin) or Alternate Source *each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0	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>
47.7	LEON RIVER BRAZOS RIVER BASIN	IRRIGATE GRASS & CROP LAND	37 ACRES

max.
77.7 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:

1. Location Information Regarding the Lands to be Irrigated

- i) Applicant proposes to irrigate a total of 37.47 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 37.47 acres in HAMILTON County, TX.
- ii) Location of land to be irrigated: In the MATILDA HOWARD Original Survey No. 1639, 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**
4.7.7	AG.	AG. HAY PRODUCTION	BALDWIN LEE	DON GROMITZKY

*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:
- Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.
 - Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.
A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.
Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.
- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

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)

- Provide the Basin of Origin. _____
- Provide the quantity of water to be transferred (acre-feet). _____
- 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:

- 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
- The proposed transfer is from a basin to an adjoining coastal basin? Y/N
- 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
- 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":

- the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- 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;
- 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.

WORKSHEET 1.2

NOTICE. "THE MARSHALL CRITERIA"

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

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

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

1. The "Marshall Criteria" (Instructions, Page. 21)

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

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

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

WORKSHEET 2.0

Impoundment/Dam Information

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

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

1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: _____
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: _____.
- c. The impoundment is on-channel _____ or off-channel _____ (mark one)
 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
 2. 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) 239-4691).

2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name):_____
- b. Zip Code: _____
- c. In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
**** A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.***
*****If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.***
- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:
Latitude _____°N, Longitude _____°W.
****Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):_____
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N

WORKSHEET 3.0

DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

- a. This Worksheet is to add new (select 1 of 3 below):
1. ☒ Diversion Point No.
 2. ☐ Upstream Limit of Diversion Reach No.
 3. ☐ Downstream Limit of Diversion Reach No.
- b. Maximum Rate of Diversion for **this new point** _____ cfs (cubic feet per second) or 4,000. 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>EXISTING</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) 239-4691, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): LEON RIVER
- b. Zip Code: 76531
MALINDA
- c. Location of point: In the HOWARD Original Survey No. _____, Abstract No. 1639, HAMILTON County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude 31°48'28.67" N, Longitude 98°13'10.76" 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): Google EARTH
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

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 AGRICULTURE.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses 0 % and explain the method of calculation: WELL BE PUMPED DIRECTLY ONTO THE LAND

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 N/A

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

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").

4. The percentage of return flows from groundwater _____, surface water _____?

5. If any percentage is surface water, provide the base water right number(s) _____.

c. Is the source of the water being discharged groundwater? Y / (N) If yes, provide the following information:

1. Source aquifer(s) from which water will be pumped: _____

2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers _____.

3. Indicate how the groundwater will be conveyed to the stream or reservoir.

4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.

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

cii. Identify any other source of the water _____

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is 77.7 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 1,000 gpm.
- c. Name of Watercourse as shown on Official USGS maps: LEON RIVER
- d. Zip Code: 76531 Matinda
- f. Location of point: In the Haward Original Survey No. _____, Abstract No. _____, Hamilton, TX County, Texas.
- g. Point is at:
Latitude 31°48'28.67" N, Longitude 98°13'10.76" W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): Google EARTH

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

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

1. Latitude $31^{\circ}48'28.67''$ N.
Longitude $98^{\circ}13'10.76''$ W.

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

This worksheet is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins. The worksheet is also required in all basins for: requests to change a diversion point, applications using an alternate source of water, and bed and banks applications. **Instructions, Page 28.**

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

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 *Leon River*

☐ Reservoir

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

☐ Other, specify: _____

b. Flow characteristics

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

☐ Intermittent - dry for at least one week during most years

☐ Intermittent with Perennial Pools - enduring pools

☒ Perennial - normally flowing

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

☐ USGS flow records

☐ Historical observation by adjacent landowners

☒ Personal observation

☐ Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

- ☐ Primary contact recreation (swimming or direct contact with water)
- ☒ Secondary contact recreation (fishing, canoeing, or limited contact with water) *Very Limited*
- ☐ Non-contact recreation

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

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the map submitted with the application indicating the location of the photograph and the direction of the shot.
2. Measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on the new diversion structure).
3. 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.

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

For all bed and banks applications:

- a. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on the new diversion structure).

- b. 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.

If the alternate source is treated return flows, provide the TPDES permit number _____

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

- a. 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.

- b. If groundwater will be used, provide the depth of the well _____ and the name of the aquifer from which water is withdrawn _____.

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 512-239-4691, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

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

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

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

1. ☐ Municipal Use. See 30 TAC § 288.2. **
2. ☐ Industrial or Mining Use. See 30 TAC § 288.3.
3. ☒ Agricultural Use, including irrigation. See 30 TAC § 288.4.
4. ☐ Wholesale Water Suppliers. See 30 TAC § 288.5. **

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

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

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

Applicant has included this information in each applicable plan? Y ~~N~~

2. Drought Contingency Plans

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

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4691 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

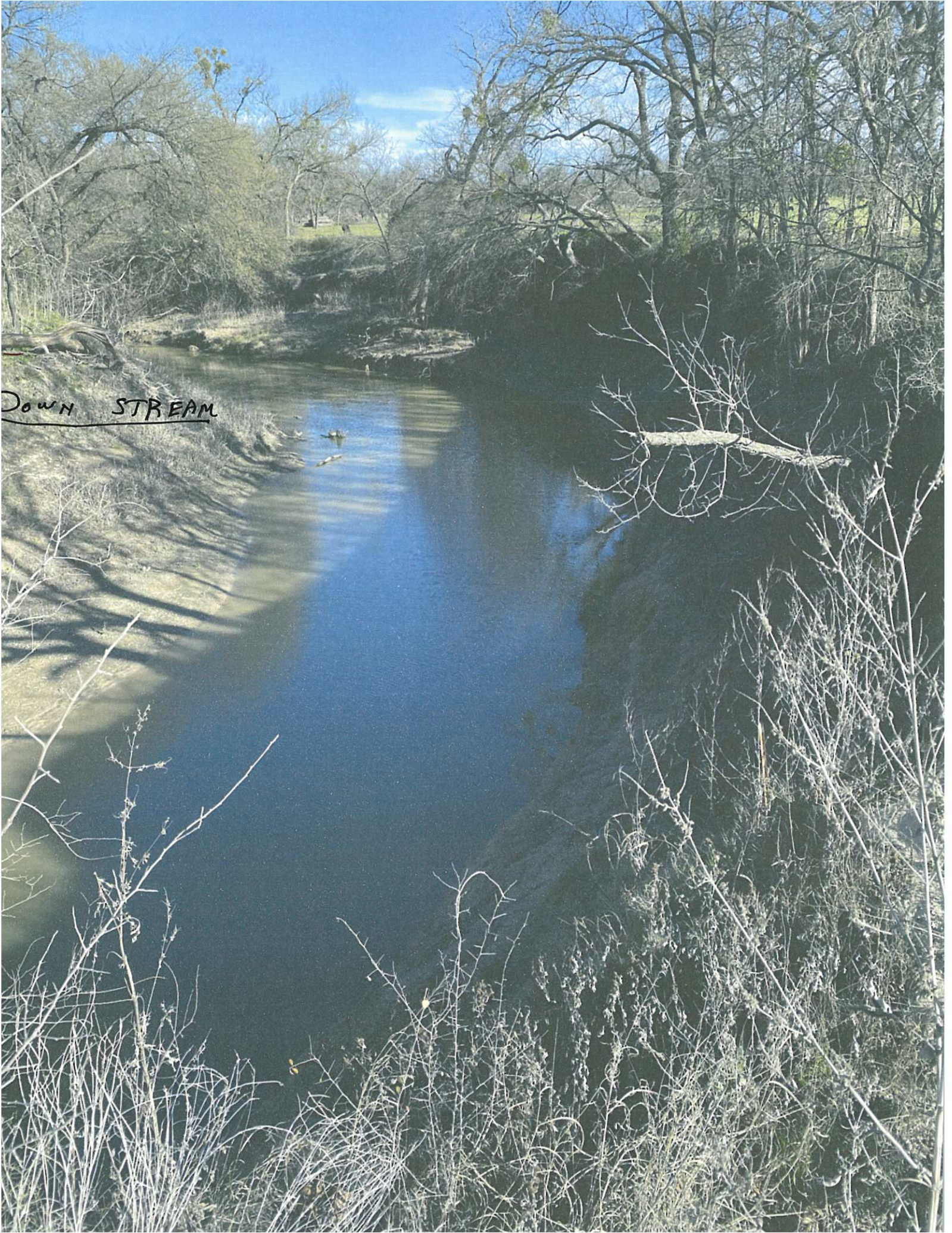
	Description	Amount (\$)
Filing Fee	<p>Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$).</p> <p><u>In Acre-Feet</u></p> <p>a. Less than 100 \$100.00</p> <p>b. 100 - 5,000 \$250.00</p> <p>c. 5,001 - 10,000 \$500.00</p> <p>d. 10,001 - 250,000 \$1,000.00</p> <p>e. More than 250,000 \$2,000.00</p>	100.00
Recording Fee		\$25.00
Agriculture Use Fee	<p>Only for those with an Irrigation Use.</p> <p>Multiply 50¢ x <u>27</u> Number of acres that will be irrigated with State Water. **</p>	18.50
Use Fee	<p>Required for all Use Types, excluding Irrigation Use.</p> <p>Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **</p>	
Recreational Storage Fee	<p>Only for those with Recreational Storage.</p> <p>Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.</p>	
Storage Fee	<p>Only for those with Storage, excluding Recreational Storage.</p> <p>Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.</p>	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4691.	
TOTAL		\$

2. AMENDMENT OR SEVER AND COMBINE

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

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		\$

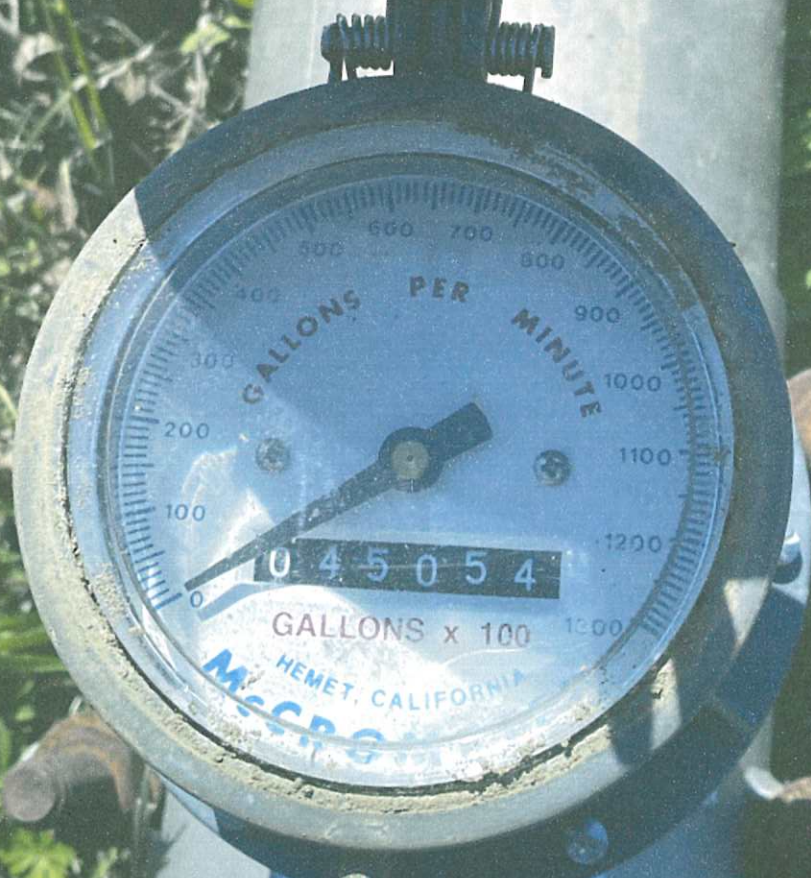


Down STREAM

UP STREAM







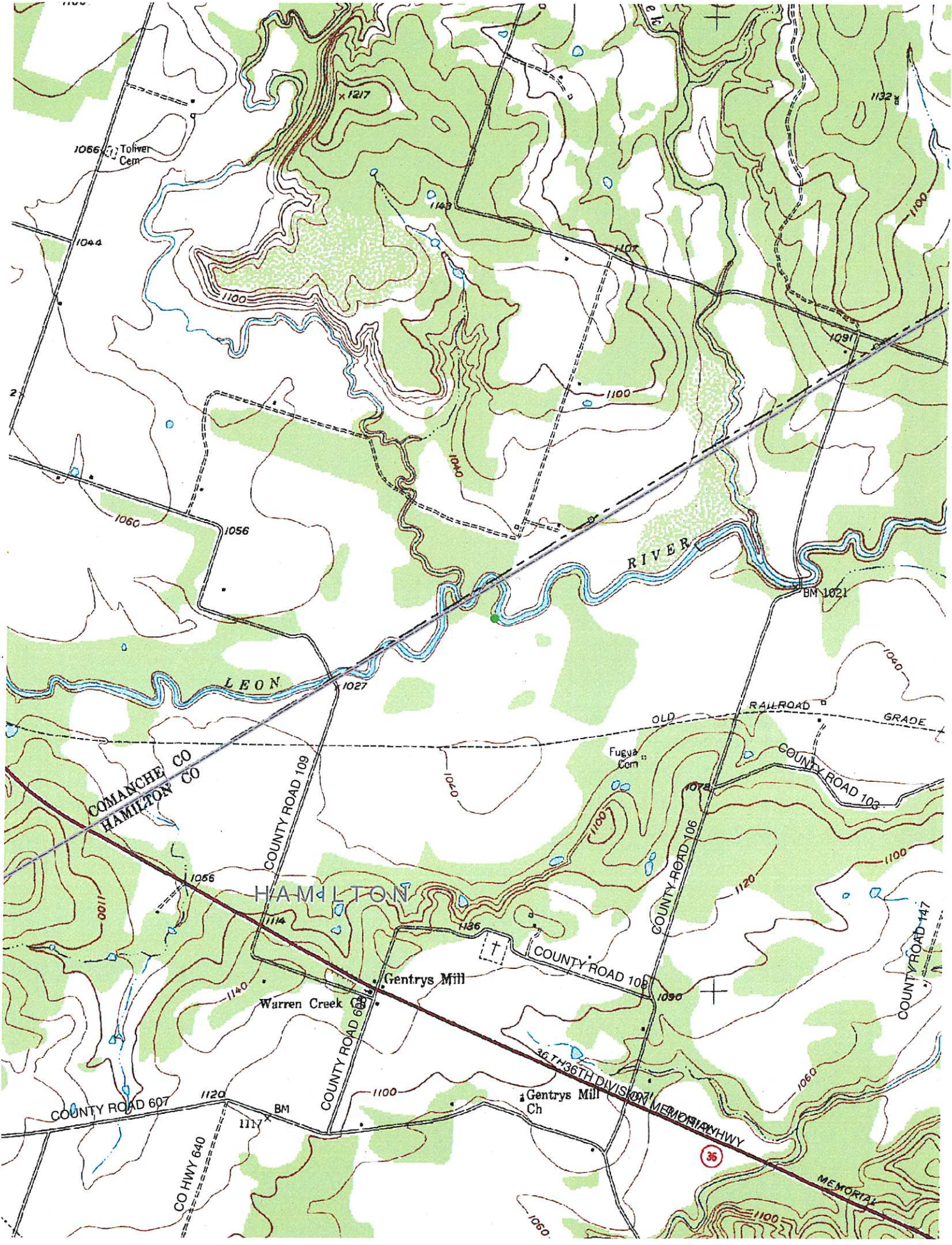
GALLONS x 100

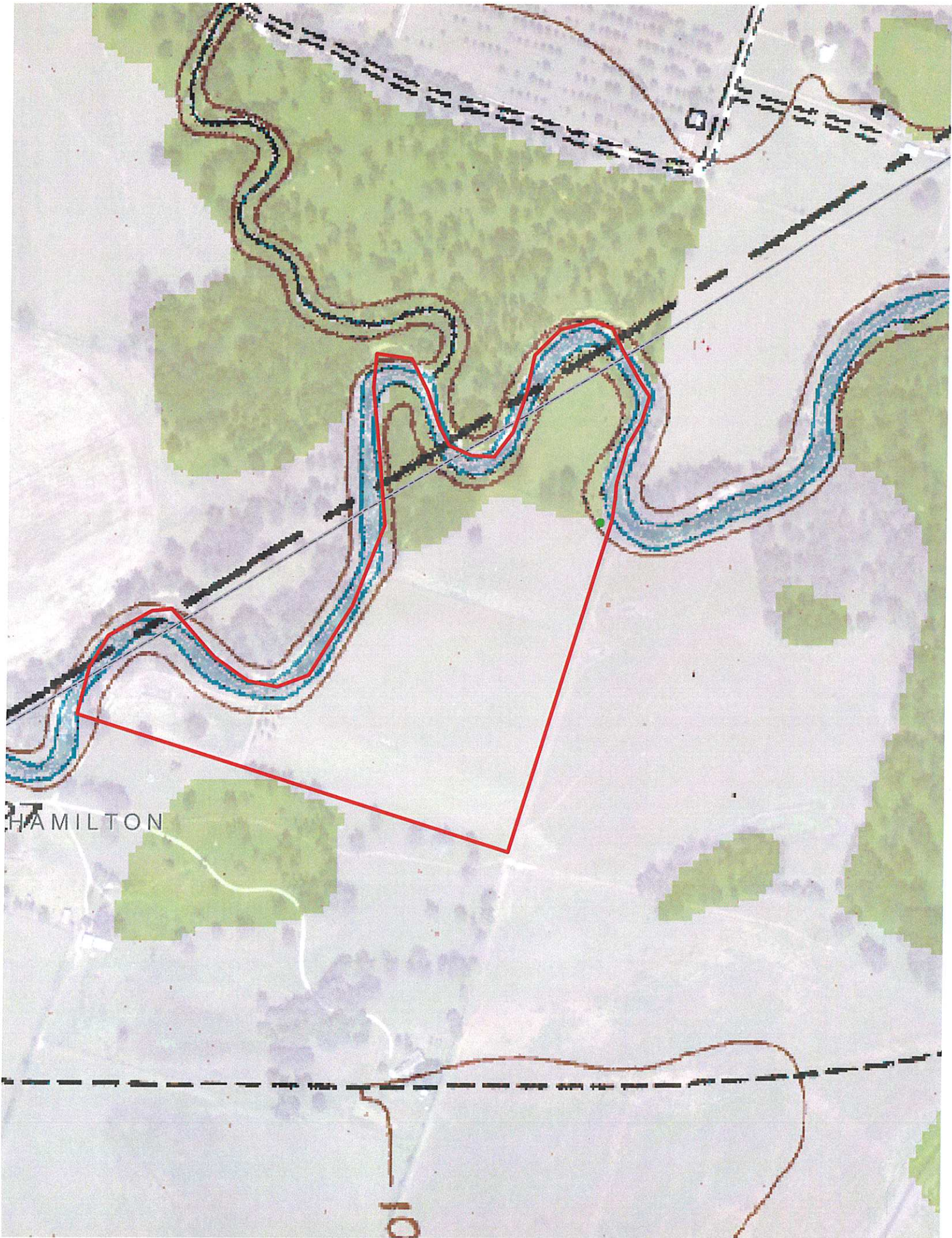
HEMET, CALIFORNIA

McCrometer

DO NOT REMOVE

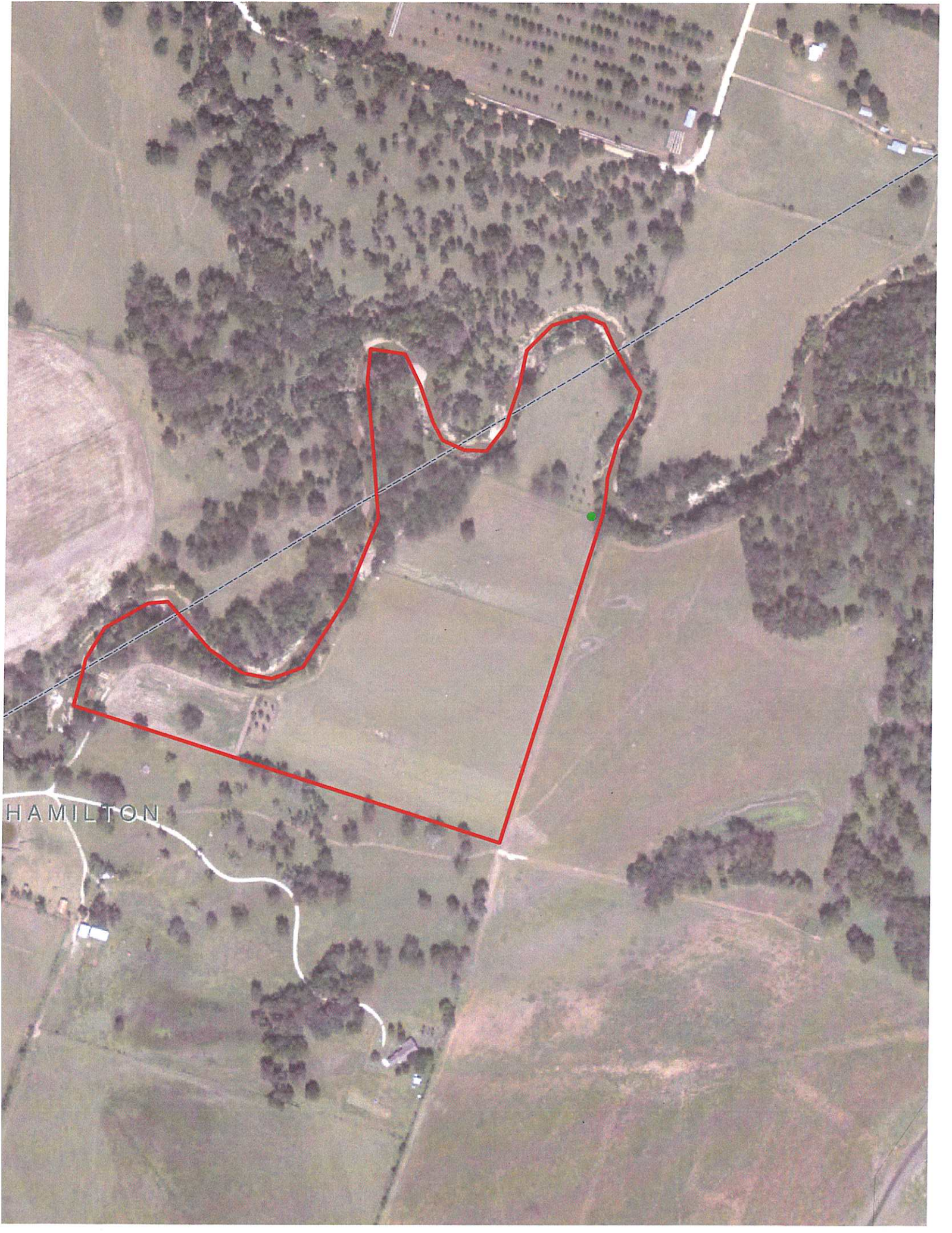
UNDER PRESSURE





HAMILTON

10



HAMILTON



Texas Commission on Environmental Quality

Water Availability Division

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

Telephone (512) 239-4691, FAX (512) 239-2214

System Inventory and Water Conservation Plan for Individually-Operated Irrigation Systems

This form is provided to assist entities in developing a water conservation plan for individually-operated irrigation systems. If you need assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Additional resources such as best management practices (BMPs) are available on the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

Name: ~~Click to add text~~ DON GROMATZKY
Address: 1835 CR 101 HAMILTON, TX 76531
Telephone Number: (254) 784-0718 Fax: ()
Form Completed By: DON GROMATZKY
Title: OWNER
Signature: Don Gromatzky Date: 3/3/2020

A water conservation plan for agriculture use (individual irrigation user) must include the following requirements (as detailed in 30 TAC Section 288.4). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

I. BACKGROUND DATA

A. Water Use

1. Annual diversion appropriated or requested (in acre-feet):
2. In the table below, list the amount of water (in acre-feet) that is or will be diverted monthly for irrigation during the year.

January	February	March	April
<u>0</u>	<u>0</u>	<u>0</u>	<u>4</u>
May	June	July	August
<u>4</u>	<u>6</u>	<u>8</u>	<u>8</u>
September	October	November	December
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total All Months			<u>30</u>

3. In the table below, list the type of crop(s), growing season, and acres irrigated per year.

Type of crop	Growing Season (Months)	Acres irrigated/year
<u>IMPROVED GRASS</u>	<u>7</u>	<u>30</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
Total acres irrigated		<u>30</u>

4. Are crops rotated seasonally or annually? ☐ Yes ☒ No

If yes, please describe:

5. Describe soil type (including permeability characteristics, if applicable).

SANDY LOAM

B. Irrigation system information

1. Describe the existing irrigation method or system and associated equipment including pumps, flow rates, plans, and/or sketches of system the layout. Include the rate (in gallons per minute or cubic feet per second) that water is diverted from the source of supply. If this WCP is submitted as part of a water right application, verify that the diversion volumes and rates are consistent with those in the application.

3 wheel lines w/ VARIOUS SIZE NOZZLES TO COMPLY
w/ CURRENT PERMIT DIVERSION RATE

2. Describe the device(s) and/or method(s) used to measure and account for the amount of water diverted from the supply source, and verify the accuracy is within plus or minus 5%.
IN LINE METER BY PUMP

3. Provide specific, quantified 5-year and 10-year targets for water savings including, where appropriate, quantitative goals for irrigation water use efficiency and a pollution abatement and prevention plan below in 3(a) and 3(b). Water savings may be represented in acre-feet or in water use efficiency. If you are not planning to change your irrigation system in the next five or ten years, then you may use your existing efficiencies or savings as your 5-year and /or 10-year goals. Please provide an explanation in the space provided below if you plan to use your existing efficiencies or savings.

Quantified 5-year and 10-year targets for water savings:

- a. 5-year goal:
Savings in acre-feet or system efficiency as a percentage %
- b. 10-year goal:
Savings in acre-feet or system efficiency as a percentage %

(Examples of Typical Efficiencies for Various Types of Irrigation Systems - Surface: 50-80%; Sprinkler: 70-85%; LEPA: 80-90%; Micro-irrigation: 85-95%)

4. If there is an existing irrigation system, have any system evaluations been performed on the efficiency of the system?

☐ Yes ☒ No

If yes, please provide the date of the evaluation, evaluator's name and the results of the evaluation:

C. Conservation practices

1. Describe any water conserving irrigation equipment, application system or method in the irrigation system (e.g., surge irrigation, low pressure sprinkler, drip irrigation, nonleaking pipe). *Pump @ Lower PRESSURE USING LARGER NOZZLES DURING COOLER ~~DAY~~ TIMES OF DAY + NIGHT TO PREVENT EXCESS EVAPORATION.*
2. Describe any methods that will be used for water loss control and leak detection and repair. *REMAIN ON SITE DURING 90% OF PUMP RUN TIME*
3. Describe any water-saving scheduling or practices to be used in the application of water (e.g., irrigation only in early morning, late evening or night hours and/or during lower temperatures and winds) and methods to measure the amount of water applied (e.g. soil-moisture monitoring).

4. Describe any water-saving land improvements or plans to be incorporated into the irrigation practices for retaining or reducing runoff and increasing infiltration of rain and irrigation water (e.g., land leveling, conservation tillage, furrow diking, weed control, terracing, etc.).
5. Describe any methods for recovery and reuse of tail water runoff.
DO NOT HAVE ANY RUN OFF
6. Describe any other water conservation practices, methods, or techniques for preventing waste and achieving conservation.

II. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.