

# TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader  
Water Rights Permitting Team

FROM: Jenna Rollins, Project Manager  
Water Rights Permitting Team

DATE: January 25, 2022

SUBJECT: LaWanna Ellis  
ADJ 3011  
CN604391961, RN106208556  
Application to Abandon a portion of Certificate of Adjudication No. 12-3011  
Texas Water Code § 5.122, Not Requiring Notice  
Lampasas River, Brazos River Basin  
Bell County

The application was received on December 1, 2021. Fees were received on January 13, 2022. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on January 25, 2022. No notice is required pursuant to Title 30 Texas Administrative Code § 295.175.

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

*Jenna L. Rollins*

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

OCC Mailed Notice Required  YES  NO

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 25, 2022

Ms. LaWanna Ellis  
5531 FM 1123  
Belton, TX 76513

**CERTIFIED MAIL**

RE: LaWanna Ellis  
ADJ 3011  
CN604391961, RN106208556  
Application to Abandon a portion of Certificate of Adjudication No. 12-3011  
Texas Water Code § 5.122, Not Requiring Notice  
Lampasas River, Brazos River Basin  
Bell County

Dear Ms. Ellis:

This acknowledges receipt of fees on January 13, 2022.

The application was declared administratively complete and filed with the Office of the Chief Clerk on January 25, 2022. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning the application, please contact me via email at [jenna.rollins@tceq.texas.gov](mailto:jenna.rollins@tceq.texas.gov) or by phone at 512-239-1845.

Sincerely,

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

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

## Jenna Rollins

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**From:** Nancy Ragland  
**Sent:** Thursday, January 20, 2022 1:48 PM  
**To:** Jenna Rollins; Molly Mohler  
**Subject:** RE: LaWanna Ellis, 12-3011, Abandonment Application and Writeup

Yes, her payment was received on January 13, 2022.

She has no outstanding fees for our program.

Thanks,  
Nancy

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**From:** Jenna Rollins <Jenna.Rollins@tceq.texas.gov>  
**Sent:** Thursday, January 20, 2022 11:37 AM  
**To:** Molly Mohler <molly.mohler@tceq.texas.gov>; Nancy Ragland <Nancy.Ragland@Tceq.Texas.Gov>  
**Subject:** RE: LaWanna Ellis, 12-3011, Abandonment Application and Writeup

Good morning,

I spoke with Ms. Ellis this morning about her fees with the Brazos Watermaster Program. She told me that she had taken care of her outstanding fees, and I would like to confirm that she did so we can continue processing her application to abandon Certificate of Adjudication No. 12-3011.

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

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

Call to: Ms. Ellis	Call from: Jenna Rollins
Date: 1/20/2022	Project No: 12-3011
<i>Information for File follows:</i>  The applicant called to inform that she had paid the outstanding fees that needed to be paid in order to declare her application administratively complete.	
Signed: <i>Jenna L. Rollins</i>	Date: 1/20/22

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

Call to: Ms. Ellis	Call from: Jenna Rollins
Date: 1/7/2022	Project No: 12-3011
<i>Information for File follows:</i>  This was a phone call with the applicant to discuss their outstanding fees that needed to be paid to declare their application administratively complete.	
Signed: <i>Jenna L. Rollins</i>	Date: 1/7/22

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*

January 3, 2022

Ms. LaWanna Ellis  
5531 FM 1123  
Belton, TX 76513

VIA CERTIFIED MAIL

9489 0090 0027 6009 8603 75

RE: LaWanna Ellis  
ADJ 3011  
CN604391961, RN106208556  
Application to Abandon Certificate of Adjudication No. 12-3011  
Texas Water Code § 5.122, Not Requiring Notice  
Lampasas River, Brazos River Basin  
Bell County

Dear Ms. Ellis:

This acknowledges receipt, on December 1, 2021, of the referenced application.

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

Commission records indicate that as of December 7, 2021, Ms. LaWanna Ellis has outstanding fees or penalties in the amount of \$56.08 within one or more program areas, see enclosure. Please remit these fees as soon as possible to facilitate the processing of this application. You may contact Financial Administration at (512) 239-0300 for the latest outstanding balance and more detailed information on the amount owed.

Please provide the requested fees by February 2, 2022 or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

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

Sincerely,

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

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

Enclosed

January 3, 2022

RE: LaWanna Ellis  
ADJ 3011  
CN604391961, RN106208556  
Application to Abandon Certificate of Adjudication No. 12-3011  
Texas Water Code § 5.122, Not Requiring Notice  
Lampasas River, Brazos River Basin  
Bell County

Dear Ms. Ellis:

The staff of the Texas Commission on Environmental Quality (TCEQ) has determined that payment of the following fees and/or penalties by *LaWanna Ellis* is required before your application to abandon Certificate of Adjudication No. 12-3011 may be declared administratively complete:

**Fees**

The fees owed are Brazos Watermaster Fees in the amount of **\$56.08** for account No. 24305460.

**Please be advised that failure to pay fees/penalties within 30 days will result in additional administrative actions affecting your fee accounts and your application with TCEQ. With respect to fees and/or penalties, these actions may include enforcement and collections efforts to recover the debt owed to the state. Regarding your permit applications, additional administrative actions may include return of your applications (forfeiting the application fees), or a contested case hearing that may result in the denial of your applications.**

If you believe that your liability for any portion of the delinquency noted above has been discharged in bankruptcy, or if you are presently a debtor in a pending bankruptcy proceeding, please immediately furnish the undersigned with file-stamped copies of the following pleadings from the bankruptcy court where your bankruptcy case was/is filed: (1) Bankruptcy Petition; (2) Schedules and Statement of Affairs; (3) Creditor Matrix/Matrices; and (4) Discharge Order or Confirmation Order. Please mail those copies to the TCEQ at P.O. Box 13087, Mail Code 132, Austin, TX 78711-3087, and include any additional documents from the bankruptcy court that you believe are relevant to your responsibilities for the noted delinquency. We will immediately review these pleadings and take appropriate action regarding your permit applications.

Payment may be made through the following methods: cash, check, ACH (electronic check), money order, or credit card through TCEQ's electronic payment portal (e-pay). Additional information regarding payment options is available at <https://www.tceq.texas.gov/agency/financial/fees/delin#payment>. Upon payment, please send documentation reflecting payment of all delinquent fees and penalties to the Brazos Watermaster. If you have any questions regarding your application, you may contact Jenna Rollins at [jenna.rollins@tceq.texas.gov](mailto:jenna.rollins@tceq.texas.gov). If you have any questions regarding the delinquencies, please use the attached list of fee coordinators for contact information. Please use Mail Code 160 when responding by mail.

## TCEQ Program Fee Coordinators

FEE	FEE TYPE	PROGRAM FEE COORD.
AEF	AIR EMISSIONS FEE	AQPI Division (512) 239-1459
AST	ABOVEGROUND STORAGE TANKS	PST Registration Team (512) 239-2160
BLP	WATERSHED MGMT. BENEF. LAND APPLIC.	Michael Anstice (512) 239-4327
<b>BWM</b>	<b>BRAZOS WATERMASTER</b>	<b>Molly Mohler (254) 761-3027</b>
BYP	RADIOACTIVE BY-PRODUCT FEE	Tom Robichaux (512) 239-6455
CDP	HW COMMERCIAL (COUNTY)	Susie Medrano (512) 239-0517
CRW	CONCHO RIVER WATERMASTER	Alisha Multer (325) 481-8069
CWQ	CONSOLIDATED WATER QUALITY FEE	WQ Applications Team (512) 239-4671
DCR	DRYCLEANING REGISTRATION FEE	Drycleaner Reg. Team (512) 239-2160
EIF	AIR INSPECTION FEE	AQPI Division (512) 239-1459
GPS	GENERAL PERMIT STORMWATER FEE	Stormwater Permit Team (512) 239-3700
GPW	GENERAL PERMIT WASTEWATER FEE	Stormwater Permit Team (512) 239-4671
HWF	HAZARDOUS WASTE FACILITY	Susie Medrano (512) 239-0517
HWG	HAZARDOUS WASTE GENERATION	Andi Windham (512) 239-1325
HWX	HW COMMERCIAL (MGMT. FEES)	Susie Medrano (512) 239-0517
ILP	INNOCENT LANDOWNER	Jennifer Westerman (512) 239-4199
NWF	NONHAZARDOUS WASTE FACILITY	Susie Medrano (512) 239-0517
NWG	NONHAZARDOUS WASTE GENERATION	Andi Windham (512) 239-1325
PHS	PUBLIC HEALTH SERVICE	Public Drinking Water (512) 239-4691
RGR	RIO GRANDE WATERMASTER	Jose Davila (830) 773-5059
RLA	RADIOACTIVE SUBSTANCE LICENSING FEE	Kathryn Ploch (512) 239-6577
RAF	REGULATORY ASSESSMENT FEE	Teri Cisneros (512) 239-6963
SDP	SURFACE DISPOSAL FEE	Michael Anstice (512) 239-4327
STX	SOUTH TEXAS WATERMASTER	Alisha Multer (325) 481-8069
SWD	SOLID WASTE DISPOSAL FACILITIES	Susie Medrano (512) 239-0517
SWM	SOLID WASTE MEDICAL TRANSPORTER FEE	Gwinda Casper (512) 239-6814
T2M, T2NM, T2PE	TIER II CHEMICAL REPORTING	Ann Adams (512) 239-5064
TOX	TOXIC REPORTING FEE	Blake Kidd (512) 239-1441
UST	UNDERGROUND STORAGE TANKS	PST Registration Team (512) 239-2160
VCP	VOLUNTARY CLEAN-UP	Jennifer Westerman (512) 239-4199
WMB	WATERSHED MGMT. BENEF. LAND USE	ARP Team (512) 239-4671

WMS	WATERSHED MGMT. SLUDGE HAULERS	Gwinda Casper (512) 239-6814
WRU	WU REGULATORY ASSESSMENT FEES	Terri Cisneros (512) 239-6963
WTR	WASTEWATER TRTMT. RESRCH. COUNCIL	Pamela Ezeani (512) 239-0351
WUF	<u>WATER USE ASSESSMENT (WTR. RIGHTS)</u>	<u>Rebecca DuPont (512) 239-6329</u>

For invoice copies, or an explanation of late fees and cost recovery fees, please call the Revenue Section at (512) 239-5136 or (512) 239-0355. For an explanation of the fee assessment, please call the Program Fee Coordinator listed above for the applicable fee.



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

RECEIVED

DEC 01 2021

ABANDONMENT OF WATER RIGHT

Water Availability Division

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

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

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

- 1. My name is LAWANNA ELLIS
2. My address is 5531 FM 1123, BELTON, TX 76513
3. I owe fees or penalties to the TCEQ: [ ] Yes [X] No

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

4. I own the following described water right:

[ ] Permit No. [ ] Certificate of Adjudication No. 12-3011

County: BELL River Basin: BRAZOS LAMPASAS RIVER
Authorized Use: ACOE # 24305460
Portion to be Abandoned: ALL 52.45 ACRES

5. It is my intent, by signing and filing this instrument, to voluntarily and intentionally waive and relinquish the above described portion of Permit/Certificate No. 12-3011 and to tender it to the Texas Commission on Environmental Quality for cancellation. It is also my intent to waive notice of public hearing, as well as the public hearing itself, to consider this matter at any future date.

6. I understand that the Texas Commission on Environmental Quality will cancel the above described portion of Permit/Certificate No. 12-3011. I also understand that any outstanding indebtedness to the commission is not waived by this form.

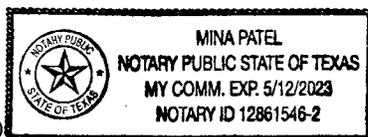
Lawanna Ellis (Signature)

Name (Sign)

LAWANNA ELLIS (Printed)

Name (Printed)

Subscribed and sworn to as being true and correct before me this 29th day of November, 2021.



(Signature of Notary)

AFFIDAVIT OF FACTS CONCERNING THE IDENTITY OF HEIRS

Before me, the undersigned authority, on this day personally appeared LAWANNA ELLIS ("Affiant") (insert name of affiant) who, being firstduly sworn, upon his/her oath states:

1. My name is LAWANNA ELLIS (insert name of affiant), and I live at 5531 FM 1123 BELTON, TX 76513 (insert address of affiant's residence). I

am personally familiar with the family and marital history of CECIL D. ELLIS ("Decedent") (insert name of decedent), and I have personal knowledge of the facts stated in this affidavit.

2. I knew decedent from 7-4-<sup>19</sup>55 (insert date) until 2-1-2019 (insert date). Decedent died on 2-1-2019 (insert date of death). Decedent's place of death was BELTON, TX 5531 FM 1123 (insert place of death). At the time of decedent's death, decedent's residence was 5531 FM 1123 BELTON, TX 76513 (insert address of decedent's residence).

3. Decedent's marital history was as follows: LAWANNA ELLIS - Still Living (insert marital history and, if decedent's spouse is deceased, insert date and place of spouse's death).

4. Decedent had the following children: CECIL RAY ELLIS MAY 5, 1950 5499 FM 1123 BELTON, TX 76513 (insert name, birth date, name of other parent, and current address of child or date of death of child and descendants of deceased child, as applicable, for each child). LAWANNA ELLIS - TINA ELLIS JULY 31, 1959 (insert name, birth date, name of other parent, and current address of child or date of death of child and descendants of deceased child, as applicable, for each child). DIED JULY 13-2009 - NO CHILDREN

5. Decedent did not have or adopt any other children and did not take any other children into decedent's home or raise any other children, except NONE (insert name of child or names of children, or state "none"). NONE

6. (Include if decedent was not survived by descendants.) Decedent's mother was: MARY WATSON ELLIS - DATE OF DEATH - NOT KNOWN 50 YEARS OR LONGER (insert name, birth date, and current address or date of death of mother, as applicable).

7. (Include if decedent was not survived by descendants.) Decedent's father was: CHARLIE R. ELLIS DATE OF DEATH NOT KNOWN 50 YEARS OR LONGER (insert name, birth date, and current address or date of death of father, as applicable).

8. (Include if decedent was not survived by descendants or by both mother and father.) Decedent had the following siblings: 3 BROTHERS ALL ROBBIE - MELVIN - LAURANCE (ELLIS) GERARDINE ELLIS BUCK 1 SISTER DECEASED

(insert name, birth date, and current address or date of death of each sibling and parents of each sibling and descendants of each deceased sibling, as applicable, or state "none"). NOT KNOWN

9. (Optional.) The following persons have knowledge regarding the decedent, the identity of decedent's children, if any, parents, or siblings, if any: NONE (insert names of persons with knowledge, or state "none").

10. Decedent died without leaving a written will. (Modify statement if decedent left a written will.) YOU HAVE COPY OF CECIL D. ELLIS' WILL.

11. There has been no administration of decedent's estate. (Modify statement if there has been administration of decedent's estate.)

12. Decedent left no debts that are unpaid, except: NONE (insert list of debts, or state "none").

13. There are no unpaid estate or inheritance taxes, except: NONE (insert list of unpaid taxes, or state "none").

14. To the best of my knowledge, decedent owned an interest in the following real property: 52.45 ACRES BELTON TX (insert list of real property in which decedent owned an interest, or state "none").

15. (Optional.) The following were the heirs of decedent: LAWANNA ELLIS (insert names of heirs).

16. (Insert additional information as appropriate, such as size of the decedent's estate.) NOT KNOWN.

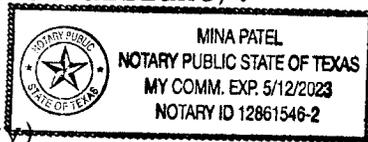
Signed this 29<sup>th</sup> day of NOVEMBER, 2021

Lawanna Ellis  
(signature of affiant)

State of Texas

County of Bell

Sworn to and subscribed to before me on 11/29/2021 (date) by Lawanna Ellis (insert name of affiant).



[Signature]  
(signature of notarial officer)

(Seal, if any, of notary)  
(printed name)

My commission expires: 05/12/2023

Added by Acts 2009, 81st Leg., R.S., Ch. 680 (H.B. 2502), Sec. 1, eff. January 1, 2014.

RECEIVED

DEC 01 2021

Water Availability Division

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



Rec- 11-21-2021

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 16, 2021

LaWanna Ellis  
5531 FM 1123  
Belton, Texas 76513-7718

Re: Certificate of Adjudication No. 12-3011

Dear Mrs. Ellis:

Thank you for your phone conversation this afternoon regarding the requirements to abandon the above referenced water right.

Enclosed are copies of the *Abandonment form* and a form for *Nonjudicial Evidence of Heirship*. Please complete both form and return them to us to continue the steps for completing the Abandonment of this water right. We will retain a copy of the *Last Will and Testament for Cecil Ellis* to be included in the file.

If you still wish to dispose of the water right, please be aware that abandonment is not the only option you have. You may wish to retain the water right for the future owner of the property; a water right is a valuable addition to your property value. It can be sold to others in the watershed, and with commission approval, be used on other lands or even for other purposes. You may market your water right by running an advertisement in your local newspapers. We are enclosing a copy of the certificate of adjudication for your reference.

If you have any questions concerning this matter please contact Felicia Hernandez via e-mail at [Felicia.Hernandez@tceq.texas.gov](mailto:Felicia.Hernandez@tceq.texas.gov).

Sincerely,

A handwritten signature in cursive script that reads "R. Joseph Nicosia".

R. Joseph Nicosia

Team Lead, MC-160

Water Rights Compliance Assurance Team

Water Availability Division

cc: Brazos Watermaster Program

JN/fh

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