

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Natalia Ponebshek, Project Manager
Water Rights Permitting Team

DATE: December 22, 2021

SUBJECT: LoHill Energy LLC
WRTP 13824
CN605752120, RN111383535
Application No. 13824 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Carpenters Bayou, San Jacinto River Basin
Harris County

The application and fees were received on December 6, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 22, 2021. Limited mailed notice to downstream water right holders of record in the San Jacinto River Basin is required pursuant to Title 30 Texas Administrative Code § 295.154.

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

Natalia Ponebshek

Natalia Ponebshek, 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

December 22, 2021

Mr. Jaime Roman
LoHill Energy LLC
2053 Speckle Dr.
Fort Worth, TX 76131

RE: LoHill Energy LLC
WRTP 13824
CN605752120, RN111383535
Application No. 13824 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
Carpenters Bayou, San Jacinto River Basin
Harris County

Dear Mr. Roman:

This acknowledges receipt, on December 6, 2021, of the application and fees in the amount of \$341.25 (Receipt No. M206252, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on December 22, 2021. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning the application, please contact me via email at Natalia.Ponebshek@tceq.texas.gov or by telephone at (512) 239-4641.

Sincerely,

Natalia Ponebshek

Natalia Ponebshek, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



Basis2 Receipt Report by Endorsement Number

DEC-20-21 04:47 PM

Acct. #: EMG

Account Name: TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE

<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
CARPENTERS BAYOU/BUFFALO BAYOU/SAN JACIN	M206252		LOHILL ENERGY LLC	CK	1082		BS00090873	07-DEC-21	\$341.25

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Telephone (512) 239-4600, FAX (512) 239-4770

APPLICATION FOR A TEMPORARY WATER USE PERMIT FOR MORE THAN 10 ACRE-FEET OF WATER, AND/OR FOR A DIVERSION PERIOD LONGER THAN ONE CALENDAR YEAR

This form is for an application for a temporary permit to divert water under Section 11.138, Texas Water Code. Any permit granted from this application may be suspended at any time by the applicable TCEQ Office if it is determined that surplus water is no longer available.

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.

- 1. Data on Applicant and Project: Social Security or Federal ID No. 82-2237583
A. Name: Lohill Energy, LLC
B. Mailing Address: 2053 Spectle Dr, Fort Worth, TX 76131
C. Telephone Number: 817-707-2352 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? Yes No
E. Describe Use of Water Tank hydro-test (New Construction)
F. Description of Project (TDH Project No. if applicable)
G. Highway Designation No. Hwy 90 County Harris

- 2. Type of Diversion (check one): From Stream From Reservoir
3. Rate of Diversion:
A. Maximum 2,100 gpm (capacity of pump)

- 4. Amount and Source of Water:
90 acre-feet of water within a period of 2 year (specify term period not to exceed a three year term). The water is to be obtained from Carpenters Bayou tributary of Buffalo Bayou, tributary of San Jacinto Basin.

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 29.8249155°N, Longitude -95.1571684°W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) Hwy 90 (R-O-W) (Highway), located in Zip Code 77049, located 12 miles in a NE direction from Houston (County Seat), Harris County, and 12 miles in a NE direction from Houston, a nearby town shown on County road map. Note: Distance in straight line miles.

Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

Table with 2 main sections: 6. Access to Diversion Point (check one) and 7. Fees Enclosed. Section 6 includes Public right-of-way, Private property, and Other. Section 7 includes Filing, Recording, and Use fees.

Upon completion of any project for which a temporary water permit is granted, the Permittee is required by law to report the amount of water used. This document must be properly signed and duly notarized before it can be accepted or considered by the Texas Commission on Environmental Quality.

Signature line for applicant with handwritten signature.

Signature line for notary with handwritten name Jaime Roman.

Subscribed and sworn to me as being true and correct before me this 30 day of December, 2021

RECEIVED DEC 06 2021

Notary Public, State of Texas signature and stamp area.



LoHill Energy, LLC

December 3, 2021

To Whom it may concern,

This letter is notification that Jaime Roman, CEO, is authorized to sign any and all documents regarding LoHill Energy, LLC. Certificate of Formation is also included as verification.

Best regards,

Jaime Roman
CEO
LoHill Energy, LLC

[REDACTED]
817-707-2352



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

Filing Fee: \$300



**Certificate of Formation
Limited Liability Company**

Filed in the Office of the
Secretary of State of Texas
Filing #: 802773619 07/21/2017
Document #: 751627830002
Image Generated Electronically
for Web Filing

Article 1 - Entity Name and Type

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

LoHill Energy LLC

Article 2 - Registered Agent and Registered Office

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

OR

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

Name:

Jaime Roman

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

Street Address:

2053 Speckle Dr Fort Worth TX 76131

Consent of Registered Agent

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

OR

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

Article 3 - Governing Authority

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

OR

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

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

Manager 1: **Trent Yates**

Title: **Manager**

Address: **10 Brittany Ln Odessa TX, USA 79761**

Article 4 - Purpose

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

Supplemental Provisions / Information

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

Organizer

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

Jaime Roman **2053 Speckle Dr, Fort Worth, TX 76131**

Effectiveness of Filing

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

OR

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

Execution

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

Jaime Roman

Signature of Organizer

FILING OFFICE COPY

LoHill Energy, LLC

December 3, 2021

To Whom it may concern,

This letter is acknowledgement that we will ensure there is a screen, or other mechanism, utilized on the suction end of our line to protect wildlife. Let me know if you have any questions or concerns.

Best regards,

Jaime Roman
CEO
LoHill Energy, LLC

[REDACTED]
817-707-2352



TCEQ Diversion Point

29.8249155N, -95.1571684



Google Earth
© 2013 Google

1 mi



February 25, 2020

Texas Commission on Environmental Quality (TCEQ)
Attn: Water Rights Permitting Team
Houston, TX

**Subject: Access to Diversion Point
Houston Tank Terminal
TC Terminals LLC**

To Whom It May Concern:

TC Terminals LLC (TC Energy) hereby provides notice that LoHill Energy, LLC has permission to access the Houston Tank Terminal, located at 7101 Miller Road 2 Houston, TX 77049. Per section 6 of Form TCEQ-20425, this letter serves as LoHill Energy LLC's permission to access the diversion point located in Carpenters Bayou bordering TC Energy's terminal.

If you have questions, or require additional information, please contact Chris Salyer, at 832-320-5957 [REDACTED].

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Salyer", written over a white background.

Chris Salyer
TC Energy – Project Manager

 TC Energy
700 Louisiana Street
Houston, TX 77002

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. BOX 13087
AUSTIN, TEXAS 78711-3087
512/239-4600

ATTN: WR PERMITS
 WRTP NO. 13681

LoHill Energy LLC
 2053 Speckle Dr.
 Fort Worth, TX 76131

TEMPORARY PERMIT NO. 13681

Harris County

TAC Section 295.202(b) requires that "upon the expiration of the period for which a temporary permit was granted, the appropriator shall cease the taking of water and file a written report with the Executive Director, Texas Commission on Environmental Quality, stating the amount of water and the date of cessation." This form is provided for your convenience in reporting your water use.

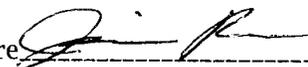
Report amounts in gallons

[Authorized Quantity 45 acre-feet/1 year]

Month\Year	20 20	20 21	20 ____	20 ____
January		0		
February		0		
March		0		
April		0		
May		0		
June		0		
July		0		
August		0		
September		0		
October	0	0		
November	0			
December	0			
TOTAL	0			

Date of final use was: 10/29/2021

I hereby certify that the above information is true and correct to the best of my knowledge and belief.

Signature: 
 Title: CEO