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: February 27, 2026

SUBJECT: Edwin Mitschke and Helen Mitschke
WRPERM 5791
CN605129774, CN605129782, RN106584840
Application to Abandon a Portion of Water Use Permit No. 5791
Texas Water Code § 5.122, Not Requiring Notice
Unnamed Tributary of Nails Creek and Nails Creek, Brazos River Basin
Lee County

The application was received on February 6, 2026. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk February 27, 2026. No notice is required pursuant to Title 30 Texas Administrative Code § 295.175.

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

_____
Natalia Ponebshek, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Data Section

OCC Mailed Notice Required ☐**YES** ☒**NO**

Brooke T. Paup, *Chairwoman*
Catarina R. Gonzales, *Commissioner*
Tonya R. Miller, *Commissioner*
Kelly Keel, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 27, 2026

Edwin Mitschke and Helen Mitschke
1030 County Road 143
Lincoln, TX 78948-6448

VIA E-MAIL AND CERTIFIED MAIL

91 7199 9991 7033 2836 2910

RE: Edwin Mitschke and Helen Mitschke
WRPERM 5791
CN605129774, CN605129782, RN106584840
Application to Abandon a Portion of Water Use Permit No. 5791
Texas Water Code § 5.122, Not Requiring Notice
Unnamed Tributary of Nails Creek and Nails Creek, Brazos River Basin
Lee County

Dear Mr. Edwin Mitschke and Mrs. Helen Mitschke:

This acknowledges receipt, on February 6, 2026, of the referenced application.

The application was declared administratively complete and filed with the Office of the Chief Clerk on February 27, 2026. 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, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Data Section

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

ABANDONMENT OF WATER RIGHT

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

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

BEFORE ME, the undersigned authority, on this day personally appeared Edwin E/ Helen Mitschke 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 Edwin E. / Helen Mitschke
2. My address is 1030 CR 143
   Lincoln TX 78948
3. I owe fees or penalties to the TCEQ: ☑ Yes ☐ No

   If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:
   $55.56 mailed 1-30-26 Acct. [redacted]
4. I own the following described water right:
   Permit No. 5791 Certificate of Adjudication No. —
   County: Lee River Basin: Brazos
   Authorized Use: agricultural/irrigation
   Portion to be Abandoned: 2.707 acre feet of water
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. 5791 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. 5791. I also understand that any outstanding indebtedness to the commission is not waived by this form.

RECEIVED
FEB 06 2026
TCEQ
~~Drinking Water Section~~

RECEIVED
FEB 06 2026
Water Availability Division

Helen Mitschke
Name (Sign)

Edwin Mitschke
Name (Sign)

Helen Mitschke
Name (Printed)

Edwin Mitschke
Name (Printed)

Subscribed and sworn to as being true and correct before me this 2nd day of February, 2026

ELLEN HILMO NOTARY PUBLIC STATE OF TEXAS ID 134487134 EXP. 09-06-2027

Ellen Hilmo
Notary Public for the State of Texas

Form TCEQ-10200 (revised 11/23/15)