

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team

DATE: August 08, 2023

SUBJECT: Montgomery Trace Property Owners Association
WRPERM 5764
CN603205394, RN104071261
Application to Abandon Water Use Permit No. 5764
Texas Water Code § 5.122, Not Requiring Notice
Fish Creek, San Jacinto River Basin
Montgomery County

The application was received on July 31, 2023. Additional information was received on August 03, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on August 08, 2023. No notice is required pursuant to Title 30 Texas Administrative Code § 295.175.

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

Jeremy Walker-Lee

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

CC Mailed Notice Required YES NO

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 08, 2023

Ms. Clarice Womack
Montgomery Trace Property Owners Association
100 Forest Wind Ct.
Montgomery, TX 77316

VIA E-MAIL

RE: Montgomery Trace Property Owners Association
WRPERM 5764
CN603205394, RN104071261
Application to Abandon Water Use Permit No. 5764
Texas Water Code § 5.122, Not Requiring Notice
Fish Creek, San Jacinto River Basin
Montgomery County

Dear Ms. Womack:

This acknowledges receipt, on August 03, 2023, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on August 08, 2023. 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 Jeremy.walker-lee@tceq.texas.gov or by phone at 512-239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Jeremy Walker-Lee

From: Clarice Womack [REDACTED]
Sent: Thursday, August 3, 2023 12:07 PM
To: Jeremy Walker-Lee
Cc: [REDACTED]
Subject: Water permit
Attachments: Montgomery Trace POA.pdf

Attached is a letter verifying my title of the Montgomery Trace Board as the President. Please let me know if this letter will work as proof for this matter.

Thank you,
Clarice Womack 281-507-4455
Montgomery Trace Property Owner Association President

Jeremy Walker-Lee

From: Jeremy Walker-Lee
Sent: Thursday, August 3, 2023 11:20 AM
To: [REDACTED]
Cc: Humberto Galvan
Subject: Montgomery Trace Property Owners Association WRPERM 10-5697
Attachments: Montgomery_Trace_Property_Owners_Association_5697_RFI_Sent_8.3.23.pdf

Good Morning,

Please see the attached request for information letter for Montgomery Trace Property Owners Association WRPERM 10-5697 and provide a response by 9/05/23.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 03, 2023

Ms. Clarice Womack
Montgomery Trace Property Owners Association
100 Forest Wind Ct.
Montgomery, TX 77316

VIA E-MAIL

RE: Montgomery Trace Property Owners Association
WRPERM 5764
CN603205394, RN104071261
Application to Abandon Water Use Permit No. 5764
Texas Water Code § 5.122, Not Requiring Notice
Fish Creek, San Jacinto River Basin
Montgomery County

Dear Ms. Womack:

This acknowledges receipt, on July 31, 2023, of the referenced application.

Before the application can be declared administratively complete, provide written evidence that Ms. Clarice Womack is authorized to sign the application for Montgomery Trace Property Owners Association pursuant to Title 30 Texas Administrative Code (TAC) § 295.14 which states:

If the applicant is a corporation, public district, county, municipality, or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

Please provide the requested information by September 05, 2023 or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at Jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

RECEIVED

JUL 31 2023

Water Availability Division

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 Clarice Womack 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 Clarice Womack
2. My address is 100 Forest Wind Court Montgomery, TX 77316
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. 5764 Certificate of Adjudication No.
County: Montgomery River Basin: San Jacinto
Authorized Use: Recreation
Portion to be Abandoned:

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. 5764 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. 5764. I also understand that any outstanding indebtedness to the commission is not waived by this form.

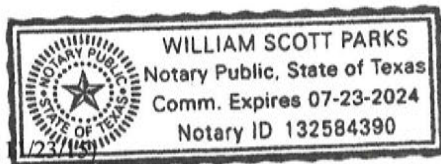
Clarice Womack
Name (Sign)

Name (Sign)

Clarice Womack
Name (Printed)

Name (Printed)

Subscribed and sworn to as being true and correct before me this 21 day of July, 2003



William Scott Parks
Notary Public for the State of Texas

State of Texas
County of Montgomery