

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

DATE: November 22, 2024

SUBJECT: Nueces County Water Control and Improvement District 3  
ADJ 2466  
CN600689202, RN101293116  
Application No. 21-2466B to Amend Certificate of Adjudication  
No. 21-2466  
Texas Water Code § 11.122, Not Requiring Notice  
Nueces River, Nueces River Basin  
Nueces County

The application and fees were received on September 25, 2024. Additional information was received on November 11 and 21, 2024. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on November 22, 2024. No notice required pursuant to House Bill 1964 and Texas Administrative Code § 295.158(c)(2)(A).

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

*Lillian E. Beerman, Ph.D.*

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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*  
Bobby Janecka, *Commissioner*  
Catarina R. Gonzalez, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 22, 2024

Mr. Hector Castaneda, Engineer  
Ardurra  
801 Navigation Blvd., Ste. 200  
Corpus Christi, TX 78408-2600

VIA E-MAIL

RE: Nueces County Water Control and Improvement District 3  
ADJ 2466  
CN600689202, RN101293116  
Application No. 21-2466B to Amend Certificate of Adjudication No. 21-2466  
Texas Water Code § 11.122, Not Requiring Notice  
Nueces River, Nueces River Basin  
Nueces County

Dear Mr. Castaneda:

This acknowledges receipt, on November 11 and 21, 2024, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on November 22, 2024. Staff will continue processing the application for consideration by the Executive Director.

If you have any questions concerning the application, please contact me via email at [lillian.beerman@tceq.texas.gov](mailto: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

RE: Nueces\_County\_WCID\_3\_21\_2466B\_Request\_for\_Information\_10.10.2024

From Hector Castaneda [REDACTED]  
Date Thu 11/21/2024 9:26 AM  
To Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>  
Cc Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

Good morning,

We would like to amend our response concerning the Water Conservation Plan. NCWCID3 currently doesn't have any contracts for an industrial user but are in discussion with some. We would like to proceed with a special condition in the amendment requiring submission of a water conservation plan prior to diversion of water for that use. Please contact me if you have any questions.

Sincerely,



Hector Castaneda, Jr.  
Project Manager  
O: (361) 883-1984 | M: (361) 960-1166  
801 Navigation Blvd., Suite 200  
Corpus Christi, Texas 78408



LVN is now Ardurra

New Name. Familiar Faces. More Resources. Same Great Service.

From: Hector Castaneda  
Sent: Monday, November 11, 2024 8:38 AM  
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>  
Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>  
Subject: RE: Nueces\_County\_WCID\_3\_21\_2466B\_Request\_for\_Information\_10.10.2024

Ms. Beerman,

Please see my responses below. Let me know if you have any questions or require further information.

- 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 (Section 4.a. of the Technical Information Report). For examples, see page 15 of the Instructions for Completing the Water Right Permitting Application (Form TCEQ-10214A-inst). **The Nueces WCID No. 3 is requesting to amend their Water Rights Permit from Irrigation/Municipal Use to change it to Irrigation/Municipal/Industrial Use in accordance with Texas Administrative Code (TAC) §295.16 to Application No. 21-2466A; Certificate No. 21-2466. Request is consistent with the State & Coastal Bend (N) Regional Water Plans.**
- Provide a completed Industrial Water Conservation Plan that complies with Title 30 Texas Administrative Code (TAC) § 288.3, or as an alternative, provide a Water Conservation Plan for a Wholesale Water Supplier that addresses the request for industrial use. If the Applicant does not intend to divert the water for industrial use or has not identified a contract customer for the water, provide a statement indicating this, and a special condition will be included in the amendment requiring submission of a water conservation plan prior to diversion of water for that use. **Please find attached.**
- Provide a completed Public Involvement Plan Form for Permit and Registration Applications (TCEQ-20960). **Please find attached.**

Sincerely,



Hector Castaneda, Jr.  
Project Manager  
O: (361) 883-1984 | M: (361) 960-1166  
801 Navigation Blvd., Suite 200  
Corpus Christi, Texas 78408



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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>  
Sent: Thursday, October 10, 2024 5:56 PM  
To: Hector Castaneda [REDACTED]

Cc: Lillian Beerman <[Lillian.Beerman@Tceq.Texas.Gov](mailto:Lillian.Beerman@Tceq.Texas.Gov)>; Chris Kozlowski <[chris.kozlowski@tceq.texas.gov](mailto:chris.kozlowski@tceq.texas.gov)>; Humberto Galvan <[Humberto.Galvan@tceq.texas.gov](mailto:Humberto.Galvan@tceq.texas.gov)>  
Subject: Nueces\_County\_WCID\_3\_21\_2466B\_Request\_for\_Information\_10.10.2024

Mr. Castaneda,

Attached is a Request for Information regarding Nueces County WCID 3's application to amend application no. 21-2466B. Your response is due COB Monday, November 11, 2024.

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](mailto:lillian.beerman@tceq.texas.gov)



RE: Nueces\_County\_WCID\_3\_21\_2466B\_Request\_for\_Information\_10.10.2024

From Hector Castaneda [REDACTED]  
Date Mon 11/11/2024 8:42 AM  
To Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>  
Cc Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

2 attachments (12 MB)  
TCEQ pipfpra.pdf; WATER CONSERVATION PLAN.10.08.19.pdf;

Ms. Beerman,

Please see my responses below. Let me know if you have any questions or require further information.

- 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 (Section 4.a. of the Technical Information Report). For examples, see page 15 of the Instructions for Completing the Water Right Permitting Application (Form TCEQ-10214A-inst). **The Nueces WCID No. 3 is requesting to amend their Water Rights Permit from Irrigation/Municipal Use to change it to Irrigation/Municipal/Industrial Use in accordance with Texas Administrative Code (TAC) §295.16 to Application No. 21-2466A; Certificate No. 21-2466. Request is consistent with the State & Coastal Bend (N) Regional Water Plans.**
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- Provide a completed Public Involvement Plan Form for Permit and Registration Applications (TCEQ-20960). **Please find attached.**

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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](mailto:lillian.beerman@tceq.texas.gov)



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

## WATER CONSERVATION IMPLEMENTATION REPORT FORM AND SUMMARY OF UPDATES/REVISIONS TO WATER CONSERVATION PLAN

(Texas Water Code §11.1271(b) and Title 30 Texas Administrative Code §288.30(1) to (4))

Please note, this form replaces the following forms: TCEQ-20645 (Non-Public Water Suppliers) and TCEQ-20646 (Public Water Suppliers)

**This Form is applicable to the following entities:**

1. Water Right Holders of 1,000 acre-feet or more for municipal, industrial, and other non-irrigation uses.
2. Water Right Holders of 10,000 acre-feet or more for irrigation uses.

The above noted entities are required by rule to submit updates to their water conservation plan(s) and water conservation implementation report(s) every five years. The most current five-year submittal deadline is May 1<sup>st</sup>, 2019. See 30 Texas Administrative Code (TAC) §288.30(1) to (4). Entities must also submit any revisions to their water conservation plan within 90 days of adoption when the plans are revised in between the five-year submittal deadlines. This form may be used for the five-year submittal or when revisions are made to the water conservation plans in the interim periods between five-year submittals. Please complete the form as directed below.

1. Water Right Holder Name: Nueces County Water Control and Improvement District #3
2. Water Right Permit or Certificate Nos. 2466-200

3. Please Indicate by placing an 'X' next to all that Apply to your Entity:

Water Right Holder of 1,000 acre-feet or more for non-irrigation uses

- ☒ Municipal Water Use by Public Water Supplier  
☒ Wholesale Public Water Supplier  
☐ Industrial Use  
☐ Mining Use  
☐ Agriculture Non-Irrigation

Water Right Holder of 10,000 acre-feet or more for irrigation uses

- ☐ Individually-Operated Irrigation System  
☐ Agricultural Water Suppliers Providing Water to More Than One User

### Water Conservation Implementation Reports/Annual Reports

4. Water Conservation Annual Reports for the previous five years were submitted to the Texas Water Development Board (TWDB) for each of the uses indicated above as required by 30 TAC §288.30(10)(C)? Yes ☒ No ☐

TCEQ no longer requires submittal of the information contained in the detailed implementation report previously required in Forms TCEQ-20645 (Non-Public Water Suppliers) and TCEQ-20646 (Public Water Suppliers). However, the Entity must be up-to-date on its Annual Report Submittals to the TWDB.



**Water Conservation Plans**

5. For the five-year submittal (or for revisions between the five-year submittals), attach your updated or revised Water Conservation Plan for each of the uses indicated in Section 3, above. Every updated or revised water conservation plan submitted must contain each of the minimum requirements found in the TCEQ rules and must be duly adopted by the entity submitting the water conservation plan. Please include evidence that each water conservation plan submitted has been adopted.
- Rules on minimum requirements for Water Conservation Plans can be found in 30 TAC 288.  
[http://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac\\_view=4&ti=30&pt=1&ch=288](http://texreg.sos.state.tx.us/public/readtac%24ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=288)
  - Forms which include the minimum requirements and other useful information are also available to assist you. Visit the TCEQ webpage for Water Conservation Plans and Reports. [https://www.tceq.texas.gov/permitting/water\\_rights/wr\\_technical-resources/conserv.html](https://www.tceq.texas.gov/permitting/water_rights/wr_technical-resources/conserv.html)

*Call 512-239-4691 or email to [wcp@tceq.texas.gov](mailto:wcp@tceq.texas.gov) for assistance with the requirements for your water conservation plan(s) and report(s).*

6. For each Water Conservation Plan submitted, state whether the five and ten-year targets for water savings and water loss were met in your *previous* water conservation plan.  
Yes ☒ No ☐  
If the targets were not met, please provide an explanation.

7. For each five-year submittal, does each water conservation plan submitted contain *updated* five and ten-year targets for water savings and water loss?  
Yes ☒ No ☐

If yes, please identify where in the water conservation plan the updated targets are located (page, section).

Page 5 of 30

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8. In the box below (or in an attachment titled "Summary of Updates or Revisions to Water Conservation Plans), please identify any other revisions/updates made to each water conservation plan that is being updated or revised. Please specify the water conservation plan being updated and the location within the plan of the newly adopted updates or revisions.

Pg.8 of 30-Raw water is now transferred via 24" PVC pipeline rather than open earthen canal

Pg.10 of 30 -Automated meter reading is about 25-30 percent complete. Most large meters and new subdivisions are now integrated into the AMR system. The program is ongoing on a monthly basis as available funds allow.

9. Form Completed by (Point of Contact): Hector Benavidez  
(If different than name listed above, owner and contact may be different individual(s)/entities)

Contact Person Title/Position: Interim District Manager

Contact Address: P.O. Box 1147, Robstown, TX 78380

Contact Phone Number: 361-726-5995 Contact Email Address: [REDACTED]

Signature: 

Date: 10-10-19



# **WATER CONSERVATION PLAN**

<b>Retail:</b>	<b>Section 1</b>
<b>Wholesale:</b>	<b>Section 2</b>

**(Adopted on 10/08/2019 by the Nueces County WCID #3 Board of Directors)**



## Contact Information

Name of Water Supplier: Nueces County WCID #3

Address: 501 E. Main Street

Telephone Number: 361-726-5995 Fax: (361) 387-4717

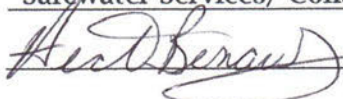
Water Right No.(s): 2466-200

Regional Water Planning Group: Region N

Water Conservation Coordinator (or person responsible for implementing conservation program): Hector Benavidez Phone: (361) 387-4549

Form Completed by: Philip J Richard

Title: Safewater Services/ Consultant

Signature:  Date: 09/20/2019

**A water conservation plan for municipal use by retail public water suppliers must include the following requirements (as detailed in 30 TAC Section 288.2). 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.**

## **Retail Utility Profile**

### **I. POPULATION AND CUSTOMER DATA**

#### *A. Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN).
2. Service area size (in square miles): 21  
(Please attach a copy of service-area map)
3. Current population of service area: 15800
4. Current population served for:
  - a. Water 15800
  - b. Wastewater 0

5. Population served for previous five years:

<i>Year</i>	<i>Population</i>
2018	15600
2017	15385
2016	15050
2015	14650
2014	14100

6. Projected population for service area in the following decades:

<i>Year</i>	<i>Population</i>
2020	15890
2030	16890
2040	17200
2050	17500
2060	17800

7. List source or method for the calculation of current and projected population size.  
US Census/US Hometown Locator/ US Gazetteer

### Customer Data

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

	<i>Historic 5-year Average</i>	<i>Baseline</i>	<i>5-year goal for year 2023</i>	<i>10-year goal for year 2028</i>
Total GPCD	90.42	90.42	90.0	89.0
Residential GPCD	47.2	47.2	47.1	47.0
Water Loss GPCD	32.38	32.38	31.9	31.0
Water Loss Percentage	26%	26%	25%	24.8%

**Notes:**

Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

8. Current number of active connections. Check whether multi-family service is counted as  
☒ Residential or ☐ Commercial?

<i>Treated Water Users</i>	<i>Metered</i>	<i>Non-Metered</i>	<i>Totals</i>
Residential	3793		3793
Single-Family	3642		3642
Multi-Family	151		151
Commercial	448		448
Industrial/Mining	1		1
Institutional	93		93
Agriculture	4		4
Other/Wholesale	1		1

9. List the number of new connections per year for most recent three years.

Year	2018	2017	2016
<i>Treated Water Users</i>			
Residential	5	5	5
Single-Family	5	5	5
Multi-Family			
Commercial	5	4	1
Industrial/Mining			
Institutional			
Agriculture			
Other/Wholesale			

10. List of annual water use for the five highest volume customers.

<i>Customer</i>	<i>Use (1,000 gal/year)</i>	<i>Treated or Raw Water</i>
Turfco	107676	Raw
Rancho de Luna Apts	5037	Treated
Figuerroa Square Apts	4225	treated
Deere Robstown Hdwe	4142	Treated
Robstown Housing Authority	4134	treated

## II. WATER USE DATA FOR SERVICE AREA

### A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons).

This is diverted water .



<i>Year</i>	2018	2017	2016	2015	2014
<i>Month</i>					
January	62370	65071	63315	62754	76764
February	56693	65101	69499	55959	62227
March	69823	65431	65231	57644	69490
April	87520	83411	59497	68821	78864
May	89978	89191	65114	65989	89787
June	80905	73530	70941	65558	107473
July	92472	95837	76056	88383	113918
August	82631	95893	83860	77415	101357
September	56510	66684	68134	79868	73630
October	66682	66156	68789	80976	74619
November	63040	64411	80550	65400	71146
December	64551	61808	71018	80295	71680
<b>Totals</b>	873175	892524	842004	899062	988013

Master meter @ point of diversion from Nueces River

2. Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

<i>Year</i>	2018	2017	2016	2015	2014
<i>Account Types</i>					
Residential	264577	274787	289990	268865	275901
Single-Family					
Multi-Family					
Commercial	98897	117967	122943	110328	99790
Industrial/Mining	19465	35677	45700	35700	57400
Institutional	15699	17270	20058	13724	17115
Agriculture					
Other/Wholesale	87993	88207	87106	85518	101527

3. List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

<i>Year</i>	<i>Amount (gallons)</i>	<i>Percent %</i>
2018	176776000	26%
2017	232981000	32%
2016	217381000	29%
2015	232981000	32%
2014	176776000	28%

## Projected Water Demands

Water supply demand should remain relatively constant over the next ten years. ( see RWPG Water Plan in Appendices)

The Water District has changed the method of diversion conveyance methods from an open unlined canal to an enclosed underground 24" PVC pipeline, which has reduced evaporation and water loss to zero.

The Water District is also exploring the possibility of an off river storage site. This project is ongoing at this time.

### III. WATER SUPPLY SYSTEM DATA

#### A. Water Supply Sources

1. List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water	Nueces River	11546AcFt
Groundwater		
Other		

*B. Treatment and Distribution System (if providing treated water)*

1. Design daily capacity of system (MGD): 6.6MGD
2. Storage capacity (MGD):
  - a. Elevated 1M
  - b. Ground 1M
3. If surface water, do you recycle filter backwash to the head of the plant?  
☐ Yes    ☒ No If yes, approximate amount (MGD):

## Retail Water Conservation Plan

### Utility Profile

#### Utility Information

CCN#:

PWS#: 178005

RWPG: Region N Water Planning Group

COUNTY: Nueces

SERVICE AREA: 21.54 square miles, 75 miles of pipe

WATER SOURCE: Nueces River, diversion at Calallen Pool

STORAGE CAPACITY: Treated Water 2.0 MG TOTAL (2- .5M water towers = 1M elevated, 1M ground storage)

.



	<i>Historic 5-year Average</i>	<i>Baseline</i>	<i>5-year goal for year 2023</i>	<i>10-year goal for year 2028</i>
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Water Loss GPCD	32.38	32.38	31.9	31.0
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## Metering and Measuring Standards

Nueces County WCID#3 meters 100% of water use in residential, industrial, commercial, and institutional accounts. . Nueces County WCID#3 has gone to Automated Meter Reading (AMR) system, and implementation is about 25%-30% complete at this time. Meters are tested upon customer request. Master meters at the point of Raw Water Diversion, and at the Filter Plant are tested and calibrated annually.

Meter repair, testing, and replacement are as follows:

1. Master meters are tested and calibrated annually to within an accuracy of plus or minus 5%
2. Meters larger than 2" are tested and calibrated as necessary
3. Meters 1" or smaller are tested and calibrated or replaced in accordance with AWWA standards after 1 million gallons or every 15 years
4. Meters that may have abnormally high or low water usage are investigated and replaced if needed.

## Water Loss

The District maintains an ongoing program of leak detection and repair. Water lines found to have leaks are repaired in a timely manner. Visual inspection of water line easements are accomplished by the District's meter readers and service crews as well as sister utilities and citizens in the area. Major leaks are often discovered via SCADA at the Filter Plant. The Filter plant has an operator on duty and is manned on a 24/7 basis. Large meters in the District have mostly been replaced with AMR in the last 3 years.

## **Continuing Public Education & Information**

Nueces County WCID#3 conducts a program of ongoing public education that includes an annual summertime distribution of water conservation information at an annual Fun and Fish event for kids and adults in the District. The Water District's website lists many conservation tips and even categorizes different areas of the home and outdoor areas. Flyers, brochures, and verbal advice from District personnel are also available for customers.

## **Non-Promotional Water Rate Structure**

As a very effective conservation measure the District utilizes is a rate structure that deters water waste. As the requested meter size increases so does the minimum rate. Also in the rate structure is a surcharge per gallon on excess water use during triggers noted in the Drought Contingency Plan.

Nueces County WCID#3 standard rates and fees are displayed in the Appendices: RATES AND FEES SCHEDULE



## Standard Rates Schedule

Monthly Minimum  
0 - 2,000 gallons

Minimum Rate per size of meter - See below

**Tier (gal.):**

**\$/ gal.:**

2001 - 6000 gallons

\$ 0.00400 per gallon

All over 6,000 gals

\$ 0.00525 per gallon

Up to 1 inch meter

\$ 44.00 minimum

2 inch meter

\$ 59.25 minimum

3 inch meter

\$ 90.50 minimum

4 inch meter

\$121.75 minimum

6 inch meter

\$ 163.00 minimum

### **Deposits**

Residential Service Meter - \$200.00

Fire Hydrant Meter - \$2,500.00

Multi-Family - \$50 per unit (\$200 min.)

Commercial/Industrial Meter - \$400.00

### **Raw Water Rates**

All Accounts

\$0.00075 per gallon

***BILLING CYCLE IS FROM THE 15TH TO THE 15TH OF EACH MONTH***

**IMPORTANT DATES TO REMEMBER**

**15th - BILLS ARE DUE**

**22nd - Last day to pay without a delinquent fee**

**23rd - DELINQUENT FEE DUE**

**END OF MONTH - Last day to pay before suspension of service**

**1st or next business day if 1st falls on a weekend or holiday - SUSPENSION OF SERVICES**

**11th or next business day if 11th falls on a weekend or holiday - TERMINATION OF SERVICES**

## **Reservoir Systems Operations Plan**

Nueces County WCID#3 does not own or operate a reservoir at the diversion point on the Nueces River. The only reservoir is located at the Membrane Filtration Facility which is approximately 5 miles from the Nueces River. The reservoirs are level maintained on a daily basis for controlled draws from the river. The concept of a reservoir location between the plant reservoirs and the Nueces River has been in a study as of recent years. No firm action has been taken on this project to date.

## **Enforcement Procedure and Plan Adoption**

This Water Conservation will be read and adopted on the 8th day of October 2019 by the Board of Directors for Nueces County Water Control and Improvement District #3 at their regularly scheduled meeting. Enforcement of Water Conservation Plan and Drought Contingency Plans are carried out through the District Manager and his assignees as deemed necessary.

## **Coordination with the Regional Water Planning Group**

A copy of the adopted Water Conservation Plan and the Drought Contingency Plan will be delivered to Ms. Rocky Freund, Deputy Executive Director for the Nueces River Authority, and Administrative Agent for Texas Regional Water Planning Group N.

## **Plan Review and Update**

The Water Conservation will be reviewed on an ongoing basis and revised as needed with updates and changes submitted to the Texas Commission on Environmental Quality, Texas Water Development Board, and the Coastal Bend Regional Planning Group N.

## **Leak Detection and Repair**

The District maintains an ongoing program of leak detection and repair. Water lines found to have leaks are repaired in a timely manner. Visual inspection of water line easements are accomplished by the District's meter readers and service crews as well as sister utilities and citizens in the area. Major leaks are often discovered via SCADA at the Filter Plant. Filter plant has operator on duty and manned 24/7. Large meters in the District have mostly been replaced with AMR in the last 3 years.

## Section 2

### Wholesale Contracts

Nueces County Water Control and Improvement District #3 has one wholesale contract customer. The District supplies treated water to River Acres Water Supply Corporation via a 6" metered connection immediately to the North and West of the District.

Any wholesale water supply contract entered into or renewed after official adoption of this plan and including any contract extension, that the wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. Any District wholesale customer water will be required to implement water conservation measures in accordance with the provisions 30 TAC Chapter 288.

### Nueces County WCID#3

## Section 2

### Wholesale Water Conservation Plan

#### Contact Information

Name:	<u>Nueces County WCID #3</u>		
Address:	<u>501 E Main St.</u>		
Telephone Number:	<u>(361)387-4549</u>	Fax:	<u>(361) 387-4717</u>
Water Right No.(s):	<u>246-200</u>		
Regional Water Planning Group:	<u>N</u>		
Person responsible for implementing conservation program:	<u>Hector Benavidez</u>	Phone:	<u>(361) 387-4549</u>
Form Completed By:	<u>Philip J Richard</u>		
Title:	<u>Safewater Services - Consultant</u>		
Signature:	<u>Date: 09/20/2019</u>		



## Utility Profile

### IV. WHOLESALE SERVICE AREA POPULATION AND CUSTOMER DATA

#### A. Population and Service Area Data:

1. Service area size (in square miles): 21

(Please attach a copy of service-area map)

2. Current population of service area:

15800

3. Current population served for:

a. Water 15800

b. Wastewater

4. Population served for previous five years:

<i>Year</i>	<i>Population</i>
2018	15600
2017	155385
2016	15050
2015	14650
2014	14100

5. Projected population for service area in the following decades:

<i>Year</i>	<i>Population</i>
2020	15890
2030	16890
2040	17890
2050	18890
2060	19000

6. List source or method for the calculation of current and projected population size.

US Census, Past growth rates citydata.com, US Gazetteer

#### B. Customer Data

<i>Wholesale Customer</i>	<i>Contracted Amount (Acre-feet)</i>	<i>Previous Year Amount of Water Delivered (acre-feet)</i>
River Acres WSC	811 AcFt/year	270.04



### C. Water Delivery

Indicate if the water provided under wholesale contracts is treated or raw water and the annual amounts for the previous five years (in acre feet):

<i>Year</i>	<i>Treated Water</i>	<i>Raw Water</i>
2018	270.04	
2017	270.70	
2016	267.32	
2015	262.45	
2014	311.58	
<b>Totals</b>	1382.09	

### D. Water Accounting Data

1. Total amount of water diverted at the point of diversion(s) for the previous five years (in acre-feet) for all water uses:

<i>Year</i>	<i>2018</i>	<i>2017</i>	<i>2016</i>	<i>2015</i>	<i>2014</i>
<i>Month</i>					
January	191.41	199.69	204	192.59	226.4
February	173.98	199.79	213.2	171.73	191.0
March	214.27	200.80	200.0	176.90	213.0
April	288.59	255.98	183.0	211.0	242.0
May	276.13	273.62	199.8	203.0	275.6
June	248.29	225.66	217.7	201.0	329.9
July	283.78	294.11	233.4	271.0	350.0
August	253.58	294.28	257.0	238.0	311.0
September	173.42	204.65	209.0	245.0	226.0
October	204.64	203.02	244.4	249.0	228.99
November	193.46	197.97	247.1	201.0	218.0
December	198.09	189.68	217.9	246.0	220.0
<b>Totals</b>	2626.8	2739.3	2689.6	3032.0	2606.2

1. Wholesale population served and total amount of water diverted for **municipal use** for the previous five years (in acre-feet):

<i>Year</i>	<i>Total Population Served</i>	<i>Total Annual Water Diverted for Municipal Use</i>
2018	2500	270 AcFt
2017	2500	270 AcFt
2016	2500	245 AcFt
2015	2400	253 AcFt
2014	2400	311 AcFt

*E. Projected Water Demands*

If applicable, project and attach water supply demands for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

**V. WATER SUPPLY SYSTEM DATA**

*A. Projected Water Demands*

List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water	Nueces River	11546/Year
Groundwater		

*B. Treatment and Distribution System (if providing treated water)*

1. Design daily capacity of system (MGD):

6.6

2. Storage capacity (MGD):

a. Elevated 1M

b. Ground 1M

List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water	Nueces River	11546/Year
Groundwater		
Other		

*C. Treatment and Distribution System (if providing treated water)*

1. Design daily capacity of system (MGD):

6.6

2. Storage capacity (MGD):

a. Elevated 1M and Ground 1M

**System Description:**

River Pump station located on Nueces River at north end of CR69. Raw is pumped via a 24" PVC pipeline to a 6.6 MGD membrane Filtration Facility. There is a 1million gallon concrete ground storage tank on the Filter Plant property. There are 2 elevated storage tanks at 500,000 gallons each. There is a 6" treated water line and meter serving River Acres Water Supply Corporation located on the North and west end of our system

## **Appendices**

<b>Appendix A:</b>	<b>Standard and Drought Contingency Rate Tables</b>
<b>Appendix B:</b>	<b>Certificate of Convenience and Necessity #10556</b>
<b>Appendix C:</b>	<b>CCN Service Area map</b>
<b>Appendix D:</b>	<b>Regional Water Planning Group N info</b>
<b>Appendix E:</b>	<b>Public Utility Commission Info</b>
<b>Appendix F:</b>	<b>Copy off Plan to RWPG</b>
<b>Appendix G:</b>	<b>Plan adoption by Nueces County WCID#3 Board of Directors</b>



## APPENDIX A

### RATES AND FEES SCHEDULE

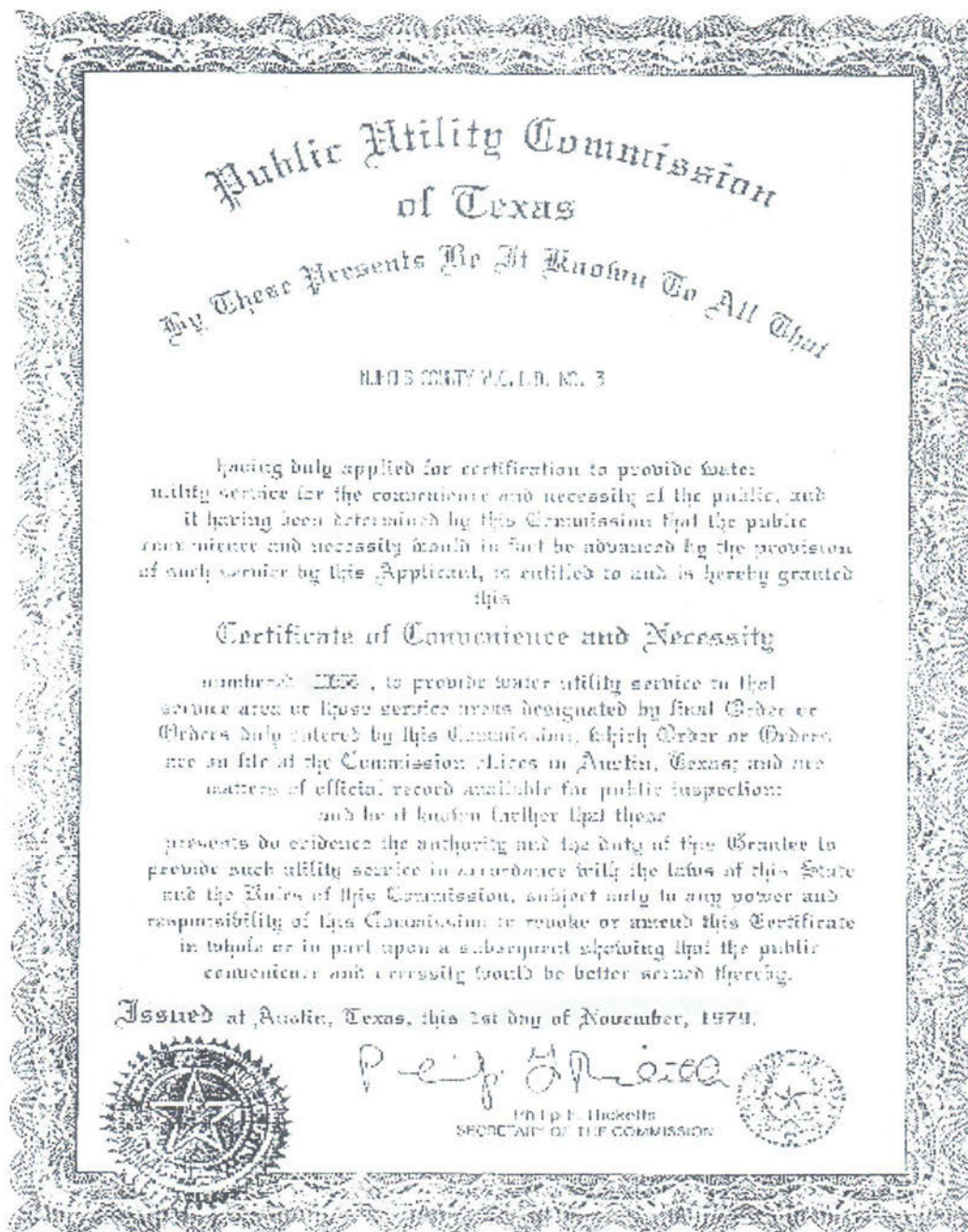
STANDARD MONTHLY WATER RATES			
<=1" Meter	0-2000 gallons	\$	44.00 Minimum
2" Meter	0-2000 gallons	\$	59.25 Minimum
3" Meter	0-2000 gallons	\$	90.50 Minimum
4" Meter	0-2000 gallons	\$	121.75 Minimum
6" Meter	0-2000 gallons	\$	163.00 Minimum
All Meters	2001-6000 gallons	\$	0.00400 per gallon
Standard	> 6000 gallons	\$	0.00525 per gallon
Stage 1 - DC	> 6000 gallons	\$	0.00525 per gallon
Stage 2 - DC	> 6000 gallons	\$	0.00625 per gallon
Stage 3 - DC	> 6000 gallons	\$	0.00725 per gallon
Stage 4 - DC	> 6000 gallons	\$	0.00825 per gallon
Stage 5 - DC	> 6000 gallons	\$	0.01025 per gallon
DC = Drought Contingency			

MONTHLY READINESS TO SERVE - PRIVATE FIRE LINE FEE	
< 6"	\$30.00
6"	\$45.00
8"	\$60.00
10"	\$75.00
12"	\$90.00

SERVICE FEES	
Delinquent Payment Fee	\$25.00
Wasting Water Fee	\$100.00
Tampering Fee	\$100.00
Returned Payment Fee	\$35.00
Service Trip Fee	\$25.00
Reconnection Fee	\$75.00
Obstruction of Meter Fee	\$25.00
Meter Testing Fee	\$50.00
Development Permit Application Fee	\$500.00
Illegal Hook Up Fee	\$500.00
Fire Hydrant Meter Installation Fee	\$50.00
Customer Service Inspection Fee	\$75.00

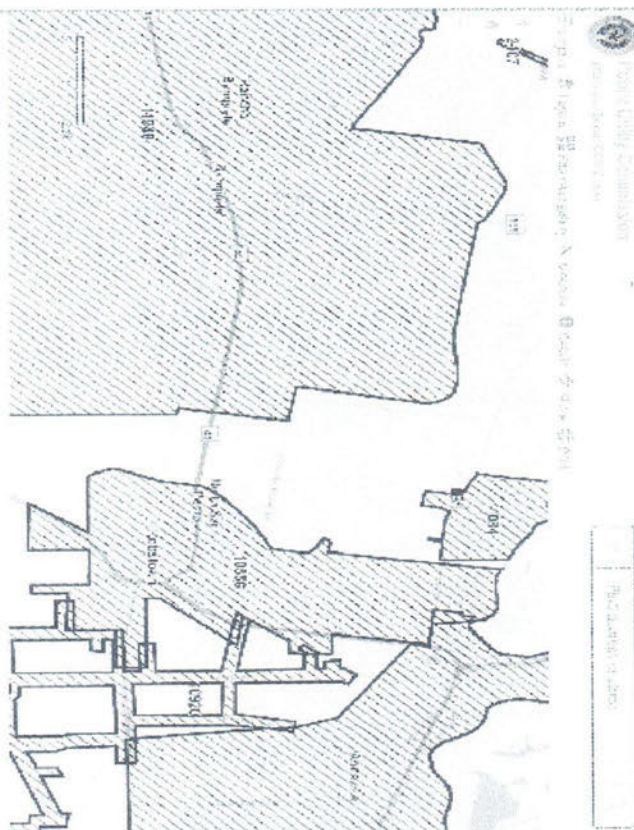
DEPOSITS	
Residential Service Meter	\$200.00

## APPENDIX B





WILLIAM J. DODD, JR., Editor



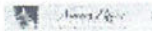
www.royalcanin.co.uk

# APPENDIX D-1



Coastal Bend Regional Water Plan | December 2015  
HDR-067003-173122-00 Population and Water Demand  
Project/Year [21 TAC §557.31]

Coastal Bend Regional  
Water Planning Group



2016  
RUP 11  
SPECIFIC  
DIRECTED  
FOR 2016  
2017

PAGE  
2  
2.55

City/County	Historical		Projections <sup>1</sup>					
	2000	2010	2020	2030	2040	2050	2060	2070
Corpus Christi	55,829	67,323	64,018	60,931	71,270	72,800	74,084	75,056
Delcoco	97	105	105	110	113	114	115	116
Nueces WSC		143	333	355	306	376	383	388
Port Aransas	1,601	1,851	2,251	2,434	2,545	2,614	2,667	2,703
River Acres WSC <sup>2</sup>	314	337	426	450	463	470	479	486
Robstown <sup>3</sup>	2,153	2,919	2,807	2,897	2,846	2,843	2,836	2,836
County-Other	1,345	3,757	1,554	1,772	1,901	1,977	2,045	2,093
Nueces County	61,725	77,024	73,171	77,719	80,363	81,562	83,417	84,520
Aransas Pass (P)	1,210	949	1,131	1,145	1,149	1,155	1,167	1,176
Gregory	248	265	339	341	315	351	353	361
Ingliside	873	1,028	1,061	1,062	1,080	1,084	1,074	1,083
Ingliside On The Bay	74	69	77	75	73	78	79	79
Lake City	70	65	64	65	64	64	65	66
Mathis	671	608	670	676	672	679	685	691
Overton	318	235	379	361	364	367	391	394
Portland	1,978	2,045	2,531	2,584	2,688	2,718	2,747	2,770
Rincon WSC		447	348	355	363	363	366	368
Simon	1,336	1,415	1,409	1,443	1,463	1,473	1,495	1,507
Taft	555	434	464	470	465	475	480	484
County-Other	1,836	1,234	1,584	1,609	1,647	1,674	1,691	1,705
San Patricio County	8,873	8,853	10,145	10,323	10,391	10,489	10,585	10,685
Total for Region	98,573	111,854	112,081	117,701	121,072	123,699	126,343	128,510



# APPENDIX D-2



Coastal Bend Regional Water Plan | December 2015  
H-DR-2013-173-122-10 Population and Water Demand  
Projections [S1 FAC 5357.71]

Coastal Bend Regional  
Water Planning Group



Table 2.2. (Continued)  
Coastal Bend Region Population (by City/County)

City/County	Historical					Projections					Percent Growth <sup>1</sup> 1990-12	Percent Growth <sup>1</sup> 2010-20
	1990	2000	2010	2020	2030	2040	2050	2060	2070			
EL PASO COUNTY												
EL PASO (P)	877	1,002	852	681	651	651	651	651	651	30.2%	30.2%	
GEORGE WEST	2,502	2,524	2,445	2,478	2,478	2,478	2,478	2,478	2,478	-0.28%	0.02%	
WILCOX WSC (P)	1,021	443	192	172	172	172	172	172	172	-0.45%	0.03%	
THREE RIVERS	1,802	1,875	1,848	1,873	1,874	1,874	1,874	1,874	1,874	-0.11%	0.02%	
COUNTY-OTHER	4,034	6,464	6,417	6,490	6,504	6,504	6,504	6,504	6,504	2.95%	0.09%	
<b>Live Oak County</b>	<b>9,556</b>	<b>12,300</b>	<b>11,531</b>	<b>11,683</b>	<b>11,690</b>	<b>11,690</b>	<b>11,690</b>	<b>11,690</b>	<b>11,690</b>	<b>0.34%</b>	<b>0.02%</b>	
COUNTY-OTHER	817	801	794	794	794	794	794	794	794	0.72%	0.05%	
<b>Melissa County</b>	<b>617</b>	<b>617</b>	<b>707</b>	<b>724</b>	<b>724</b>	<b>724</b>	<b>724</b>	<b>724</b>	<b>724</b>	<b>-0.25%</b>	<b>0.06%</b>	
ACADE DANCE	794	731	812	892	972	1,002	1,002	1,002	1,002	0.11%	0.48%	
ARIZONA PASS (P)	22	70	14	15	15	17	18	18	18	-2.23%	0.42%	
BISHOP	3,317	3,325	3,154	3,446	3,764	3,947	4,060	4,141	4,201	-0.11%	0.45%	
CORPUS CHRISTI	257,453	277,450	305,214	335,657	365,593	384,420	396,440	403,038	409,129	0.85%	0.48%	
DRESSBAIL	148	935	735	812	885	930	972	972	972	0.36%	0.45%	
EL PASO COUNTY WSC	2,232	3,370	2,222	2,553	2,781	2,804	3,006	3,073	3,112	18%	0.45%	
FORT ARAGUAS	2,130	2,730	2,421	2,682	2,890	3,099	3,136	3,201	3,246	0.64%	0.45%	
RAFAEL WSC	17,845	12,777	11,487	12,467	12,437	12,467	12,467	12,467	12,467	-0.55%	0.14%	
ROCKWELL	11,036	12,411	10,596	11,295	13,020	15,754	18,161	18,161	17,142	-0.47%	0.07%	
<b>COUNTY-OTHER</b>	<b>237,145</b>	<b>312,646</b>	<b>310,221</b>	<b>314,757</b>	<b>317,534</b>	<b>323,573</b>	<b>324,727</b>	<b>324,727</b>	<b>324,727</b>	<b>0.78%</b>	<b>0.49%</b>	
<b>Neches County</b>	<b>5,746</b>	<b>7,201</b>	<b>7,466</b>	<b>7,922</b>	<b>8,306</b>	<b>8,671</b>	<b>8,993</b>	<b>9,303</b>	<b>9,577</b>	<b>0.90%</b>	<b>0.29%</b>	
ARIZONA PASS (P)	2,466	2,318	1,807	2,024	2,123	2,178	2,221	2,249	2,298	-1.29%	0.28%	
GREY	5,090	9,398	9,387	9,931	10,440	10,725	10,910	11,000	11,151	2.53%	0.28%	
INDEPENDENCE	520	658	616	650	685	703	717	726	732	0.70%	0.28%	
LAKE CITY	466	535	540	541	587	587	600	600	600	0.45%	0.29%	
MATHE	5,023	5,034	4,942	5,244	5,600	5,647	5,751	5,827	5,868	-0.46%	0.28%	
ODEM	2,366	2,459	2,389	2,535	2,650	2,750	2,792	2,817	2,841	0.05%	0.28%	
PORTLAND	12,224	14,027	15,059	16,027	16,800	17,252	17,569	17,902	17,953	1.08%	0.28%	
REICH WSC	5,548	5,670	5,665	5,611	5,606	5,670	5,776	5,824	5,866	1.14%	0.28%	
SMITH	3,222	3,236	3,042	3,235	3,307	3,423	3,519	3,594	3,624	0.10%	0.28%	
TART	14,571	15,014	10,031	11,172	11,716	12,051	12,283	12,414	12,518	-1.01%	0.28%	
<b>COUNTY-OTHER</b>	<b>53,746</b>	<b>67,135</b>	<b>64,864</b>	<b>66,709</b>	<b>72,114</b>	<b>73,540</b>	<b>74,161</b>	<b>74,161</b>	<b>74,161</b>	<b>0.49%</b>	<b>0.28%</b>	
<b>San Patricio County</b>	<b>492,822</b>	<b>541,194</b>	<b>555,804</b>	<b>574,790</b>	<b>591,916</b>	<b>602,492</b>	<b>614,404</b>	<b>621,481</b>	<b>624,844</b>	<b>0.53%</b>	<b>0.43%</b>	
<b>Total For Region</b>												

Projections San Joaquin Water Development Master Plan

## APPENDIX D-3



Coastal Bend Regional Water Plan | December 2015  
HDR-007003-17-122-10 Water Supply Analysis

Coastal Bend Regional  
Water Planning Group

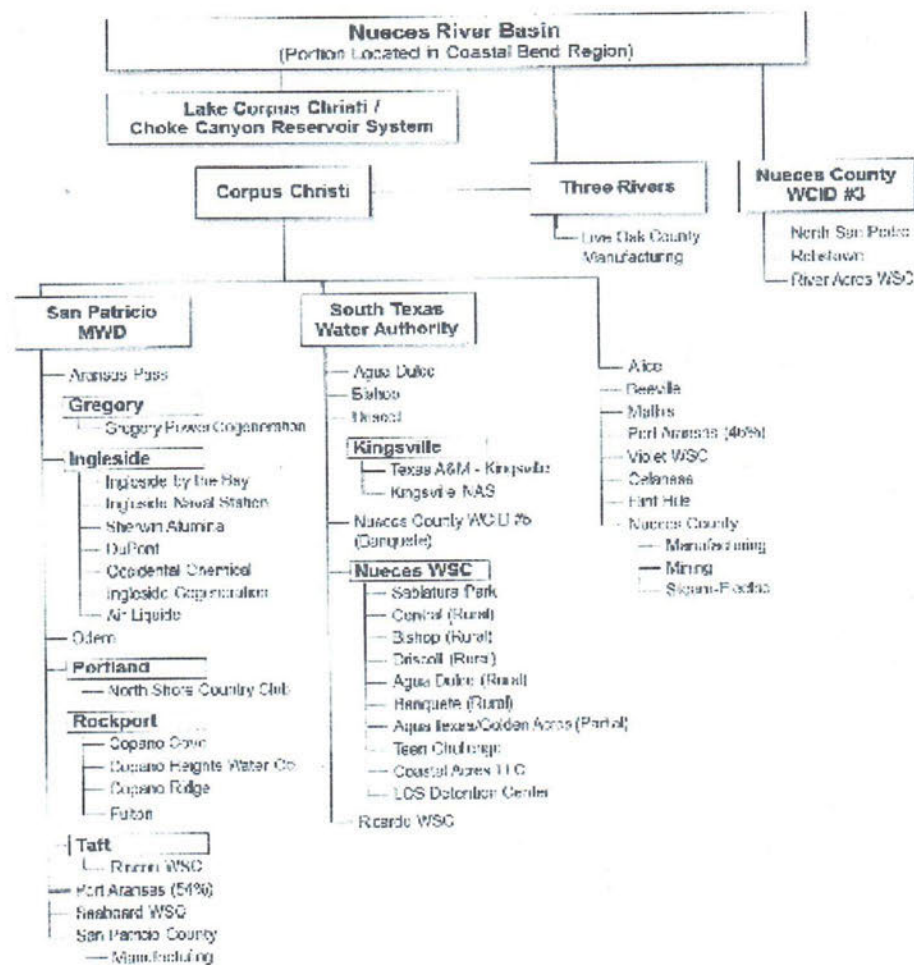


Figure 3.3.  
Major Surface Water Supply Contract Relationships in the Coastal Bend Region

## APPENDIX E

12/1/2019

Water Utility Detail

### Public Utility Commission of Texas



Back



New Search (/WaterSearch/)

## Water Utility Details for NUECES COUNTY WCID 3

### Site Details

#### Properties

Name	NUECES COUNTY WCID 3
CCN/Regnum	10550
Utility Type	WATER UTILITY
Ownership Type	DISTRICT AUTHORITY
Primary County	NUECES
AIS Number	

#### Official Address

PO BOX 1147  
ROBSTOWN TX 78380

#### Responsible Party

Organization Name  
NUECES COUNTY WCID 3  
Address  
PO BOX 1147  
ROBSTOWN TX 78380

www.puc.texas.gov/WebContent/Utilities.html?id=14491

102

## **APPENDIX F**



## **APPENDIX G**

**NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT #3**

**RESOLUTION 166**

**A RESOLUTION AMENDING THE DISTRICT'S WATER CONSERVATION PLAN.**

WHEREAS, the general welfare of the DISTRICT depends on good stewardship of the water resources available to the DISTRICT; and

WHEREAS, it is the policy of the DISTRICT'S Board of Directors to promote conservation of such water resources.

NOW, THEREFORE, BE IT RESOLVED that the DISTRICT hereby amends its Water Conservation Plan in order to fully comply with the requirements of TAC30, Part 1, Chapter 288, Subchapter A, Rule 288.2.

Duly adopted this 8<sup>th</sup> day of October 2019.



Marcos Alaniz, President

ATTEST:



Rene Vela, Secretary



Texas Commission on Environmental Quality

## Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

### Section 1. Preliminary Screening

- ☐ New Permit or Registration Application  
☒ New Activity - modification, registration, amendment, facility, etc. (see instructions)

**If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.**

### Section 2. Secondary Screening

- ☒ Requires public notice,  
☒ Considered to have significant public interest, and  
☐ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.  
Stop after Section 2 and submit the form.**

- ☒ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

Located within the Corpus Christi Area and not near any locations provided above.

### Section 3. Application Information

#### Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V  
Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire  
☐ Radioactive Material Licensing ☐ Underground Injection Control

#### Water Quality

- ☐ Texas Pollutant Discharge Elimination System (TPDES)
  - ☐ Texas Land Application Permit (TLAP)
  - ☐ State Only Concentrated Animal Feeding Operation (CAFO)
  - ☐ Water Treatment Plant Residuals Disposal Permit
- ☐ Class B Biosolids Land Application Permit
- ☐ Domestic Septage Land Application Registration

#### Water Rights New Permit

- ☐ New Appropriation of Water
- ☐ New or existing reservoir

#### Amendment to an Existing Water Right

- ☐ Add a New Appropriation of Water
- ☐ Add a New or Existing Reservoir
- ☐ Major Amendment that could affect other water rights or the environment

### Section 4. Plain Language Summary

Provide a brief description of planned activities.



## Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

**Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.**

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

☐

City

☐

County

☐

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

## Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☐ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☐ Yes ☐ No

If Yes, please describe.

**If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.**

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

**Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.**

If yes, how will you provide notice in alternative languages?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

- ☐ TCEQ Regional Office ☐ TCEQ Central Office
- ☐ Public Place (specify)

## Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

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Re: Nueces\_County\_WCID\_3\_21-2466B\_Request\_for\_Information\_10.10.2024

---

From Hector Castaneda <[REDACTED]>

Date Thu 10/10/2024 6:02 PM

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

Cc Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

Received. I will get you the requested information prior to November 11.

Sent from my iPhone

On Oct 10, 2024, at 5:58 PM, Lillian Beerman <Lillian.Beerman@tceq.texas.gov> wrote:

Mr. Castaneda,  
Attached is a Request for Information regarding Nueces County WCID 3's application to amend application no. 21-2466B. Your response is due COB Monday, November 11, 2024.  
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](mailto:lillian.beerman@tceq.texas.gov)

<Nueces\_County\_WCID\_3\_21-2466B\_Request\_for\_Information\_10.10.2024.pdf>



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## Nueces\_County\_WCID\_3\_21\_2466B\_Request\_for\_Information\_10.10.2024

---

**From** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

**Date** Thu 10/10/2024 5:55 PM

**To** Hector Castaneda <[REDACTED]>

**Cc** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

 1 attachments (452 KB)

Nueces\_County\_WCID\_3\_21-2466B\_Request\_for\_Information\_10.10.2024.pdf;

Mr. Castaneda,

Attached is a Request for Information regarding Nueces County WCID 3's application to amend application no. 21-2466B. Your response is due COB Monday, November 11, 2024.

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](mailto:lillian.beerman@tceq.texas.gov)

Jon Niermann, *Chairman*  
Bobby Janecka, *Commissioner*  
Catarina R. Gonzales, *Commissioner*  
Kelly Keel, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 10, 2024

Mr. Hector Castaneda, Engineer  
Ardurra  
801 Navigation Blvd., Ste. 200  
Corpus Christi, TX 78408-2600

VIA E-MAIL

RE: Nueces County Water Control and Improvement District 3  
ADJ 2466  
CN600689202, RN101293116  
Application No. 21-2466B to Amend Certificate of Adjudication No. 21-2466  
Texas Water Code § 11.122, Not Requiring Notice  
Nueces River, Nueces River Basin  
Nueces County

Dear Mr. Castaneda:

This acknowledges receipt, on September 25, 2024, of the referenced application and fees in the amount of \$112.50 (Receipt No. M540732, copy attached).

Additional information is required before the application can be declared administratively complete.

1. 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 (Section 4.a. of the *Technical Information Report*). For examples, see page 15 of the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst).
2. Provide a completed Industrial Water Conservation Plan that complies with Title 30 Texas Administrative Code (TAC) § 288.3, or as an alternative, provide a Water Conservation Plan for a Wholesale Water Supplier that addresses the request for industrial use. If the Applicant does not intend to divert the water for industrial use or has not identified a contract customer for the water, provide a statement indicating this, and a special condition will be included in the amendment requiring submission of a water conservation plan prior to diversion of water for that use.

Please submit the requested information by November 11, 2024, or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

Additional information will be required prior to completion of technical review.

1. Provide a completed *Public Involvement Plan Form for Permit and Registration Applications* (TCEQ-20960), copy attached.



Mr. Hector Castaneda  
Application No. 21-2466B  
October 10, 2024  
Page 2 of 2

If you have any questions concerning this matter, please contact me via email at [lillian.beerman@tceq.texas.gov](mailto: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

Attachment



Texas Commission on Environmental Quality

## Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

### Section 1. Preliminary Screening

- ☐ New Permit or Registration Application  
☐ New Activity – modification, registration, amendment, facility, etc. (see instructions)

**If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.**

### Section 2. Secondary Screening

- ☐ Requires public notice,  
☐ Considered to have significant public interest, and  
☐ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.  
Stop after Section 2 and submit the form.**

- ☐ Public Involvement Plan not applicable to this application. Provide **brief** explanation.

### Section 3. Application Information

#### Type of Application (check all that apply):

Air ☐ Initial ☐ Federal ☐ Amendment ☐ Standard Permit ☐ Title V  
Waste ☐ Municipal Solid Waste ☐ Industrial and Hazardous Waste ☐ Scrap Tire  
☐ Radioactive Material Licensing ☐ Underground Injection Control

#### Water Quality

☐ Texas Pollutant Discharge Elimination System (TPDES)  
☐ Texas Land Application Permit (TLAP)  
☐ State Only Concentrated Animal Feeding Operation (CAFO)  
☐ Water Treatment Plant Residuals Disposal Permit  
☐ Class B Biosolids Land Application Permit  
☐ Domestic Septage Land Application Registration

#### Water Rights New Permit

☐ New Appropriation of Water  
☐ New or existing reservoir

#### Amendment to an Existing Water Right

☐ Add a New Appropriation of Water  
☐ Add a New or Existing Reservoir  
☐ Major Amendment that could affect other water rights or the environment

### Section 4. Plain Language Summary

Provide a brief description of planned activities.

## Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

**Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.**

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

☐

City

☐

County

☐

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement



## Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

☐ Yes ☐ No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

☐ Yes ☐ No

If Yes, please describe.

**If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.**

(c) Will you provide notice of this application in alternative languages?

☐ Yes ☐ No

**Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.**

If yes, how will you provide notice in alternative languages?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

☐ Yes ☐ No

(e) If a public meeting is held, will a translator be provided if requested?

☐ Yes ☐ No

(f) Hard copies of the application will be available at the following (check all that apply):

- ☐ TCEQ Regional Office ☐ TCEQ Central Office
- ☐ Public Place (specify)

## Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

☐ Yes ☐ No

What types of notice will be provided?

- ☐ Publish in alternative language newspaper
- ☐ Posted on Commissioner's Integrated Database Website
- ☐ Mailed by TCEQ's Office of the Chief Clerk
- ☐ Other (specify)





26-SEP-24 03:34 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

Fee Description	Fee Code		Ref#1		Check Number		CC Type		SLIP Key		Tran Date	Tran Amount
	Account#	Account Name	Ref#2	Paid In By	Card Auth.	User Data	Tran Code	Rec Code	Document#			
WTR USE PERMITS	WUP		M540732		12006				BS0011135		26-SEP-24	-\$112.50
	WUP		ADJ212466		092624		N		D5800191			
WATER USE PERMITS			NUECES		RHDAVIS		CK					
			COUNTY WCID									
			3									

Total (Fee Code) : -\$112.50

Grand Total: -\$85,801.50

RECEIVED  
SEP 27 2024  
Water Availability Division

RECEIVED  
SEP 27 2024  
Water Availability Division

**RECEIVED**

By Eddie Valencia at 9:16 am, Sep 25, 2024

# 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): Nueces County WCID No. 3

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**

Y

**Written Evidence of Signature Authority**

Y

**Technical Information Report**

Y

**USGS Map (or equivalent)**

N

**Map Showing Project Details**

N

**Original Photographs**

N

**Water Availability Analysis**

Y

**Worksheet 1.0**

N

**Recorded Deeds for Irrigated Land**

N

**Consent for Irrigated Land**

N

**Worksheet 1.1**

N

**Addendum to Worksheet 1.1**

Y

**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 Inundated Land**

Y/N

N

**Worksheet 3.0**

N

**Additional W.S. 3.0 for each Point**

N

**Recorded Deeds for Diversion Points**

N

**Consent for Diversion Access**

N

**Worksheet 4.0**

N

**TPDES Permit(s)**

N

**WWTP Discharge Data**

N

**Groundwater Well Permit**

N

**Signed Water Supply Contract**

N

**Worksheet 4.1**

N

**Worksheet 5.0**

N

**Addendum to Worksheet 5.0**

Y

**Worksheet 6.0**

Y

**Water Conservation Plan(s)**

Y

**Drought Contingency Plan(s)**

Y

**Documentation of Adoption**

N

**Worksheet 7.0**

N

**Accounting Plan**

Y

**Worksheet 8.0**

Y

**Fees**

N

**Public Involvement Plan**

# ADMINISTRATIVE INFORMATION REPORT

The following information is **required** for **all** new applications and amendments.

**\*\*\*Applicants are REQUIRED 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) 239-4600.**

## 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."

The Nueces WCID No. 3 is requesting to amend their Water Rights Permit from Irrigation/Municipal Use to Industrial Use in accordance with Texas Administrative Code (TAC) §295.16 to Application No. 21-2466A; Certificate No. 21-2466. Request is not consistent with the State & Regional Wate Plans.

## 2. APPLICANT INFORMATION (Instructions, Page. 6 )

### a. Applicant

Indicate the number of Applicants/Co-Applicants 1  
(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?

Nueces County WCID No. 3

*(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: 600689202 (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: Ronnie Salinas

Title: Board President

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

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: Nueces County WCID No. 3

Mailing Address: 501 East Main Street

City: Robstown State: Texas ZIP Code: 78380

Indicate an X next to the type of Applicant:

☐ Individual ☐ Sole Proprietorship-D.B.A.

☐ Partnership ☐ Corporation

☐ Trust ☐ Estate

☐ Federal Government ☐ State Government

☐ County Government ☐ City Government

☒ Other Government ☐ 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: Hector Castaneda

Title: Engineer

Organization Name: Ardurra

Mailing Address: 801 Navigation Blvd, Suite 200

City: Corpus Christi State: Texas ZIP Code: 78408

Phone Number: 361-883-1984

Fax Number: 361-883-1986

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: NOT APPLICABLE \_\_\_\_\_

Title: \_\_\_\_\_

Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

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) 239-4600, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? Yes / No 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 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). Applicants should check survey status on the TWDB website prior to filing:

[https://www3.twdb.texas.gov/apps/reports/WU/SurveyStatus\\_PriorThreeYears](https://www3.twdb.texas.gov/apps/reports/WU/SurveyStatus_PriorThreeYears)

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

## 6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

Ronnie Salinas,

Nueces County WCID No. 3, Board President

(Typed or printed name)

(Title)

I 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:

*Ronnie Salinas*

Date: 09-17-2024

(Use blue ink)

Subscribed and Sworn to before me by the said

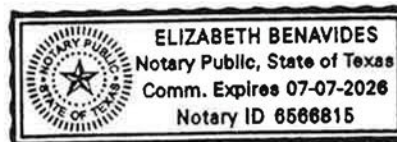
on this 17th day of September, 2024 My

commission expires on the 7th day of July, 2026

*Eliz. Benavides*  
Notary Public

[SEAL]

Nueces County, Texas



**If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page**



**RESOLUTION 172**

**A RESOLUTION AUTHORIZING THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3 TO FILE AN APPLICATION WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY TO AMEND ITS WATER RIGHTS**

WHEREAS the Nueces County Water Control and Improvement District No. 3 desires to develop a viable community, including decent housing and suitable living environment and expanding economic opportunities; and,

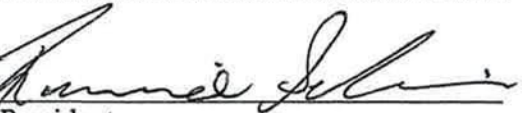
WHEREAS certain conditions exist which represent a threat to public health and safety; and,

WHEREAS it is necessary and in the best interests of the Nueces County Water Control and Improvement District No. 3 (the "District") to file an application with the Texas Commission on Environmental Quality to amend its water rights.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Nueces County Water Control and Improvement District No. 3 that the District is authorized to submit an application to the Texas Commission on Environmental Quality to amend its water rights and further, that the President of the Board of Directors is authorized to execute said application on behalf of the District.

PASSED AND APPROVED this the 1st day of August 2024.

**NUECES COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT NO. 3**

By   
President

ATTEST:

  
Secretary

**Special Meeting** of the Board of Directors of Nueces County Water Control and Improvement District #3 held in their office at 501 East Main Street, Robstown, Texas, on **Thursday, August 1, 2024, 2024 at 12:00 p.m.**

**Present:**

Ronnie Salinas, President  
Richard Villarreal, Vice-President  
~~Ramiro Alejandro, Secretary~~  
Joey Rodriguez, Director  
Rene Vela, Director

Marcos Alaniz, District Manager  
Lisa Benavides, Admin Assistant  
Addie Salinas-Hollers, Mgr of Finance & Admn Svc  
Charlie Zahn, Attorney

**ABSENT:** Ramiro Alejandro, Secretary, Armando Gonzalez, Attorney,  
Addie Salinas-Hollers, Mgr of Finance

Meeting was called to order by President Ronnie Salinas at 12:05 p.m.

Public comments were heard until 12:14 p.m.

1. A motion was made by Director Rodriguez with a second by Director Vela for the Board of Directors to **approve** Resolution 172 of Nueces County Water Control and Improvement District #3 authorizing the filing of an application with the TCEQ to amend the District's water rights and authorizing a representative to sign on behalf of the District. **Resolution passed with 3 ayes: Director Rodriguez, Director Vela, Director Salinas. 1 nay, Director Villarreal.**

Board of Directors **Enter** Executive Session at 12:25 p.m. *All voted aye.*

2. Election of Officers. *No Action.*

*Meeting adjourned at 12:46 p.m.*

Read and approved this 18 day of August, 2024.

  
President

**ATTEST:**

  
Secretary

**CERTIFIED AGENDA FOR CLOSED MEETING OF THE BOARD OF DIRECTORS  
OF  
THE NUECES COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 3**

**Meeting Date:** August 1, 2024

**Starting Time and Date of Meeting:** 12:25 p.m. on the Meeting Date

**Ending Time and Date of Meeting:** 12:40 p.m. on the Meeting Date

**Presiding Officer:** Ronnie Salinas

**In Attendance for all or part of the meeting:**

**Directors:**

**Staff:**

**Others:**

Ronnie Salinas  
Richard Villarreal  
Rene Vela  
Joey Rodriguez

Charles W. Zahn, Jr.

Absent: Ramiro Alejandro

The Presiding Officer announced the Starting Time and Date of Meeting. The following is a statement of the subject matter of each topic deliberated at the meeting, along with a record of any further action taken with respect to each topic:


- 6.a. The Board of Directors will receive legal advice from Counsel regarding the Election of Officers. (§551.071)

**RECONVENE IN OPEN SESSION**

7. At 12:55 p.m. the Presiding Officer reconvened in Open Session.

No action was taken as a result of the deliberations in Executive Session.

There being no further business for this closed meeting of the Board of Directors, the Presiding Officer announced the Ending Time and date of Meeting. I hereby certify that this Certified Agenda is a true and correct record of the proceedings of this meeting.

  
Ronnie Salinas, Presiding Officer

**Confidential:** No one shall, without lawful authority, knowingly make public this certified agenda of a closed or executive session. A person who violates this subsection shall be guilty of a Class B misdemeanor and further shall be liable to any party injured or damaged thereby. Texas Revised Civil Statutes, G.C. § 551.071.



# 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 REQUIRED 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 contact the Water Availability Division at (512) 239-4600 or [WRPT@tceq.texas.gov](mailto:WRPT@tceq.texas.gov) to schedule a meeting.**

Date of pre-application meeting: March 27, 2024

### 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 NO
- 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? Y / N NO (If yes, indicate the Certificate or Permit number: \_\_\_\_\_)

*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* NO

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N NO (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. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 21-2466

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? **Y / N**NO (if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right

- 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**NO

*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**NO

*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**YES  
*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**NO  
*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)
- **Worksheet 5.0 – Environmental Information** (Required for any new diversion points that are not already authorized in a water right)

- e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? **Y / N**NO

*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<sup>NO</sup>\_\_\_\_\_. If yes, call the Water Availability Division at (512) 239-4600 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<sup>NO</sup>\_\_\_\_\_

*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<sup>NO</sup>\_\_\_\_\_

*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<sup>NO</sup>\_\_\_\_\_

*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<sup>NO</sup>\_\_\_\_\_

*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<sup>NO</sup>\_\_\_\_\_

*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).

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

- 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”:

The Nueces WCID No. 3 is requesting to amend their Water Rights Permit from Irrigation/Municipal Use to Industrial Use in accordance with Texas Administrative Code (TAC) §295.16 to Application No. 21-2466A; Certificate No. 21-2466. Request is not consistent with the State & Regional Water Plans.

- b. Did the Applicant perform its own Water Availability Analysis? Y / N NO

*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 YES

# 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) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source <i>*each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0</i>	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>
N/A			

N/A \_\_\_\_\_ 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:

a. Location Information Regarding the Lands to be Irrigated

- i) Applicant proposes to irrigate a total of N/A 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.
- ii) Location of land to be irrigated: In the N/A \_\_\_\_\_ Original Survey No. \_\_\_\_\_, 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**
11,546	Irrigation & Municipal Use	Irrigation, Municipal & Industrial Use	Nueces County/ NCWCID No. 3	Nueces County/ NCWCID No. 3

\*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 N/A 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 N/A 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.***

- Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- See Worksheet 1.2, Marshall Criteria, and submit if required.
- See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

## WORKSHEET 1.1 INTERBASIN TRANSFERS, TWC § 11.085

N/A

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)

- a. Provide the Basin of Origin. \_\_\_\_\_
- b. Provide the quantity of water to be transferred (acre-feet). \_\_\_\_\_
- c. 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:

- a. 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\_\_
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N\_\_
- c. 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\_\_
- d. 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":

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

N/A

## 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 amendments 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 the 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

N/A

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)
  - i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N \_\_\_\_\_
  - ii. 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) 239-4600).

## 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***

- i. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):\_\_\_\_\_
- ii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N\_\_\_\_\_



N/A

## 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 \_\_\_\_\_ 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 type="checkbox"/>	Directly from stream	
<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) 239-4600, prior to submitting application)*

## 2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): \_\_\_\_\_
- b. Zip Code: \_\_\_\_\_
- c. Location of point: 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 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 \_\_\_\_\_°N, Longitude \_\_\_\_\_°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): \_\_\_\_\_
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 15.
- 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

N/A

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 \_\_\_\_\_.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses \_\_\_\_\_ (% or amount) and explain the method of calculation: \_\_\_\_\_
- c. 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 \_\_\_\_

*PLEASE NOTE: If Applicant is not the discharger of the return flows, or the Applicant is not the water right owner of the underlying surface water right, or the Applicant does not have a contract with the discharger, 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, the surface water right holder, or the contract holder, 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) \_\_\_\_\_.
- d. 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. 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/gwdbrrpt.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.

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

dii. Identify any other source of the water \_\_\_\_\_

## WORKSHEET 4.1 DISCHARGE POINT INFORMATION

N/A

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.**

**For water discharged at this location provide:**

- a. The amount of water that will be discharged at this point is \_\_\_\_\_ 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 \_\_\_\_\_ gpm.
- c. Name of Watercourse as shown on Official USGS maps: \_\_\_\_\_
- d. Zip Code \_\_\_\_\_
- e. Location of point: In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. \_\_\_\_\_, \_\_\_\_\_ County, Texas.
- f. Point is at:  
Latitude \_\_\_\_\_°N, Longitude \_\_\_\_\_°W.  
*\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- g. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): \_\_\_\_\_

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

## WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

N/A

### 1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 28.**

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

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

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

☐ 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)
- ☐ Non-contact recreation

e. 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 maps submitted with the application indicating the location of the photograph and the direction of the shot.
2. 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.

### 3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. **Instructions, page 31.**

a. For all bed and banks applications:

- i. Submit 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.

b. For all alternate source applications:

- i. If the alternate source is treated return flows, provide the TPDES permit number \_\_\_\_\_
- ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:  
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.

- iii. 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 512-239-4600, or e-mail [wras@tceq.texas.gov](mailto: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. X Municipal Uses by public water suppliers. See 30 TAC § 288.20.
  2. X Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
  3. X 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\_\_\_\_

N/A

## 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 512-239-4600 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 (\$)
<b>Filing Fee</b>	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 <b>Amount (\$)</b> . <u>In Acre-Feet</u> a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	
<b>Recording Fee</b>		\$25.00
<b>Agriculture Use Fee</b>	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
<b>Use Fee</b>	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
<b>Recreational Storage Fee</b>	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
<b>Storage Fee</b>	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
<b>Mailed Notice</b>	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
<b>TOTAL</b>		\$

### 2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
<b>Filing Fee</b>	Amendment: \$100 OR Sever and Combine: \$100 x _____ of water rights to combine	\$100.00
<b>Recording Fee</b>		\$12.50
<b>Mailed Notice</b>	Additional notice fee to be determined once application is submitted.	
<b>TOTAL INCLUDED</b>		\$112.50

### 3. BED AND BANKS

	Description	Amount (\$)
<b>Filing Fee</b>		\$100.00
<b>Recording Fee</b>		\$12.50
<b>Mailed Notice</b>	Additional notice fee to be determined once application is submitted.	
<b>TOTAL INCLUDED</b>		\$

**NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT NO. 3**

P.O. BOX 1147  
ROBSTOWN, TEXAS 78380  
(361) 387-4549

12006

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY \*\*

03/14/2024

DATE

I.D.

PO #

AMOUNT

03/14/2024

G/L DISTRIBUTION

TEXAS COMMISSION ON ENVIRONMEN

112.50

APPLICATION FOR WATER RIGHTS PERMIT

CHECK TOTAL 112.50

**NUECES COUNTY WATER CONTROL  
& IMPROVEMENT DISTRICT NO. 3**

P.O. BOX 1147  
ROBSTOWN, TEXAS 78380  
(361) 387-4549

12006

DATE 03/14/2024 712006

AMOUNT \*\*\*\*\*112.50

PAY ----- ONE HUNDRED TWELVE & 50/100 DOLLARS -----

VOID AFTER 90 DAYS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY \*\*

ATTN:CASHIER'S OFFICE, MC 214  
P O BOX 13088  
AUSTIN, TX 78711-3088

TO THE  
ORDER  
OF

MP



# **WATER CONSERVATION PLAN**

**501 E. MAIN ST.  
PO BOX 1147  
ROBSTOWN, TX 78380  
(361) 387-4549  
[www.nueceswater03.com](http://www.nueceswater03.com)**

## **A. Record Management System**

The District has a record management system which records the following:

1. Water Pumped: The District's source of supply is a raw water pump station located on the Nueces River approximately five miles north of the water treatment plant in Robstown, TX. Meter at raw water diversion point is tested and calibrated annually.
2. Water Deliveries: Based on meter reading at the water treatment plant where meters are tested and calibrated annually.
3. Water Sales: Divided into residential, commercial, public, and institutional users.

## **B. Specific, Quantified 5 & 10-Year Targets**

(SEE ATTACHEMENT A)

## **C. Measuring and Accounting for Diversions**

Master meter at the raw water point of diversion and at the filter plant are tested and calibrated annually within an accuracy of plus or minus 2%.

## **D. Universal Metering**

All water users taking water from the District's treated water system are metered.

The District has four raw water meters which supplies two customers for agriculture/irrigation purposes. These two customers, (Turfco and Rigo Corp), use 500 acre feet of water annually. These water meters are located on our 24" raw water line feeding the water treatment plant.

Water from fire hydrants used by contractors on a temporary basis is metered. Metering provides an accurate accounting of water used in the system and is essential for establishing conservation-oriented rate structures.

The District has gone to Automated Meter Reading (AMR) system, and implementation is about 75% complete.

All meters less than two inches are tested on a regular basis as they are returned to the shop for repairs. They are also tested when it appears that there is a problem with the meter or if a special test is requested by the billing office or the customer.

In addition to the actual testing of the water meters, the accuracy of meters is also tracked using consumption reports generated by the billing office. Using these reports, the District personnel can spot meters that appear to be registering inaccurately and can then generate a work order for the testing of the meter. Also, the District's computer billing system has a built-in check whereby individual meter usage is monitored monthly. If the usage is excessively high or excessively low as compared to previous usage, a work order for the testing of the meter is generated.



#### **E. Measures to Determine and Control Water Loss**

The District practices the following measures to determine and control water loss:

- (a) Standard operating procedures of the District's water treatment plant operations staff include observations of daily water usage to identify any abnormalities that might indicate the existence of water system leaks.
- (b) District supervisory personnel and meter readers make visual observations on a daily basis throughout the District's service area to check for system leaks.
- (c) District accounting staff review printouts of meter readings for any abnormalities that could indicate possible leaks or malfunctions.

#### **F. Continuing Public Education & Information**

Nueces County WCID #3 conducts a program of ongoing public education that includes an annual Water Awareness Kid's Fish event where water conservation information is distributed. The District's website lists many conservation tips for indoor and outdoor activities. Flyers, brochures, and verbal advice from District personnel is also available for our customers.

#### **G. Non-Promotional Water Rate Structure**

(SEE ATTACHEMENT RATE AND FEES SCHEDULE)

#### **H. Reservoir Systems Operations Plan**

Nueces County WCID #3 does not own or operate a reservoir at the diversion point on the Nueces River. The only reservoirs are located at the Water Treatment Facility which is approximately 5 miles from the Nueces River. The reservoirs levels are maintained on a daily basis for controlled draws the from the river. The concept of a reservoir location between the plant and the Nueces River has been in a study as of recent years. No firm action has taken place at this time.

#### **I. Enforcement Procedure and Plan Adoption**

The Water Conservation plan will be reviewed on an ongoing basis and revised as needed with updates and changes submitted to the Texas Commission on Environmental Quality, Texas Water Development Board, and the Coastal Bend Regional Planning Group N.

#### **J. Coordination with the Regional Water Planning Group(s)**

Copies of the Water Conservation Plan and the Drought Contingency Plan, including the dates of adoption by the Board of Directors, will be furnished to the Region "N" Water Planning Group in order to insure consistency with the regional water plan.



## **K. Plan Review and Update**

The Water Conservation plan will be reviewed on an ongoing basis and revised as needed with updates and changes submitted to the Texas Commission on Environmental Quality, Texas Water Development Board, and the Coastal Bend Regional Planning Group N.

## **ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS**

### **A. Leak Detection and Repair**

The District maintains an ongoing leak detection and repair program. Water lines found to have leaks are repaired in a timely manner. Visual inspection of water line easements is accomplished by the District's meter readers, service crews, neighboring utilities, and citizens in our area. Major leaks are discovered by the filter plants SCADA system which is manned by an operator 24/7.

### **B. Contract Requirements**

The District currently serves one wholesale customer (River Acres Water Supply Corporation). The water supply contract states that it is "subject to such rules, regulations, or laws as may be applicable to similar agreements in the State of Texas and the District and Corporation will collaborate in obtaining such permits, certificates, or the like, as may be required to comply therewith." Any future wholesale contracts will include provisions that require the wholesale customer to develop and implement a water conservation plan or water conservation measures using the applicable elements of Chapter 288.



501 East Main Street

P. O. Box 1147


Robstown, TX 78380

# **DROUGHT CONTINGENCY PLAN**

**FOR RETAIL, WHOLESALE, AND INDUSTRIAL  
CUSTOMERS**

**Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan.** For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

**Certification:**

<b>Name:</b>	Nueces County WCID #3
<b>Address:</b>	501 East Main, Robstown, TX 78380
<b>Telephone Number:</b>	361-387-4549 Fax: 361-387-4717
<b>Water Right No.(s):</b>	2466-200
<b>Regional Water Planning Group:</b>	N
<b>Date adopted:</b>	May 12, 2021
<b>Person responsible for implementation:</b>	Marcos Alaniz
<b>Title:</b>	District Manager
<b>Signature:</b>	

## **Section 1: Declaration of Policy, Purpose, and Intent**

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Nueces County Water Control and Improvement District #3 (District) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section 14.0 of this Plan.

## **Section 2: Public Involvement**

Public Involvement Opportunities for public input into the preparation of the Plan are provided at regular meetings of the Board of Directors, which are held once a month every second Tuesday at 6:00 p.m. unless otherwise specified. Public notices of the meetings are posted at the District's Administrative Building at 501 East Main, Robstown, TX. The meetings are open to the public and any member of the public may speak to the Board of Directors at these meetings.

## **Section 3: Public Education**

The District will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of:

- (a) Distribution of education materials. Printed information on water conservation practices is available at the District's office.
- (b) Regular articles will be published on the website as warranted by conditions that affect the District's water supply and delivery capabilities.
- (c) New customers will receive general conservation information when applying for service.

## **Section 4: Coordination with Regional Water Planning Groups**

The water service area of the District is located within the Region "N" Water Planning Group and the District has provided a copy of its amended Drought Contingency Plan to the Region "N" Water Planning Group.

## **Section 5: Authorization**

The District Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The District Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

## **Section 6: Application**

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the District. The terms "persons" and "customer" as used in the Plan include individuals, corporations, partnerships, associations and all other legal entities.

## **Section 7: Definitions**

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by Nueces County Water Control and Improvement District #3.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;



- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd numbered address: street addresses, box numbers, or rural postal route numbers ending in 1, 3, 5, 7, or 9.

## **Section 8: Criteria for Initiation and Termination of Drought Response Stages**

The District Manager or his designee shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

The following steps will be taken starting when the combined water supply in lake Corpus Christi and Choke Canyon reservoirs reach a level where water storage is 40% or less of total storage capacity. The Plan proposes to meet a water shortage situation through series of water demand reduction measures. The same triggers may be used for initiation as termination in the appropriate order.

### **8.1 Stage 1 Triggers -- MILD Water Shortage Conditions**

#### Requirement for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses described in Section 10 when the combined storage level decline is at 40 percent or below.

#### Requirements for termination:

Stage 1 of the DCP may be rescinded when the combined storage level increases above 50 percent.

### **8.2 Stage 2 Triggers – MODERATE Water Shortage Conditions**

#### Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 2 of this DCP when the combined storage levels decline is at 35 percent or below.

#### Requirements for termination:

Stage 2 of the DCP may be rescinded when the combined storage level increases above 40 percent. Upon termination of Stage 2, Stage 1 becomes operative.

### **8.3 Stage 3 Triggers – CRITICAL Water Shortage Conditions**

#### Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of the DCP when the combined storage levels decline is at 30 percent or below.

#### Requirements for termination:

Stage 3 of the DCP may be rescinded when the combined storage level increases above 35 percent. Upon termination of Stage 3, Stage 2 becomes operative.

### **8.4 Stage 4 Triggers – EMERGENCY Water Shortage Conditions**

#### Requirements for initiation:

Customers shall be required to comply with requirements and restrictions for Stage 4 of the DCP when the District Manager, or designee, determines that a water supply emergency exists based on:

- A major water line breaks, or pump or system failures occur, which causes unprecedented loss of capability to provide water service; or
- Water production or distribution systems limitations; or
- Natural or man-made contamination of the water supply occurs.

#### Requirements for termination:

The emergency water shortage condition may be rescinded when the District Manager, or designee, deems appropriate.

### **Section 9: Reservoir System Stage Response Notification**

The District Manager, or designee, shall monitor water supply and/or demand conditions on a weekly basis and, in accordance with the triggering criteria set forth in Section 8 of this Chapter, shall determine that a mild, moderate, critical or emergency water shortage condition exists and shall implement the following notification procedures.

#### **Notification**

##### Notification of the Public:

The District Manager, or designee, shall notify the public for every change in drought stage status by any or all of the following:

- District's website
- Notice on the monthly billing
- Signs posted in public places

##### Additional Notification:

- Robstown Mayor and members of the City Council
- Fire Chief
- City and/or County Emergency Management Coordinator
- County Judge and Commissioner(s)
- Major water users
- Critical water users (such as hospitals)
- Texas Commission on Environmental Quality (TCEQ) – note TCEQ executive director MUST be informed within five (5) business days of mandatory water use restrictions being imposed.

## Section 10: Reservoir System, Best Management Practices per Stage

A summary of water use reduction targets for each reservoir system stage response is presented in the following table. Further discussion on best management practices and implementation practices associated with each stage of response is included below. During Stages 2, 3, and 4, requests for exceptions may be presented to the District Manager.

Reservoir System Stage Response	Combined Reservoir Storage Level	Target Demand Reduction Levels
Stage 1 - Mild	40%	10%
Stage 2 - Moderate	35%	20%
Stage 3 - Critical	30%	30%
Stage 4 - Emergency	Not Applicable	50%

### 10.1 Stage 1 Response - Mild Water Shortage Watch

Target: During Stage 1, achieve a 10% reduction in daily treated water demand relative to treated water demand with the water use restrictions below. An additional surcharge will be added to each utility during Stage 1 water shortage conditions.

Best Management Practices for Supply Management:

Under Stage 1, the District will:

- Use more repair crews if necessary to allow for a quicker response time for water-line leak repair; and
- District crews begin monitoring customers' compliance with Stage 1 restrictions during the course of their daily rounds.

#### Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursday for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with street address ending in an odd number (1, 3, 5, 7 or 9, and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated water days.
- (b) All operations of the District shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

### Stage 2 Response - MODERATE Water Shortage Conditions

Target: During Stage 2, achieve a 20% reduction in total daily treated water demand relative to treated water demand with the water use restrictions below. An additional surcharge will be added to each utility bill during Stage 2 water shortage conditions.

Best Management Practices for Supply Management:

In addition to the best management practices for supply management listed under Stage 1, the District will also do the following during Stage 2:

- Eliminate the flushing of water mains unless required for decontamination and/or public safety; and
- Review customer's water usage for compliance based on the previous month's water usage.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited for firefighting, related activities or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the District, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
  - 1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard surfaced areas;
  - 2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - 3. Use of water for dust control;
  - 4. Flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - 5. Failure to repair a controllable leak(s) within a reasonable period after having been notice directing the repair of such leak(s).

**10.3 Stage 3 Response – CRITICAL Water Shortage Conditions**

Target: During Stage 3, achieve a 30% or greater reduction in daily treated water demand relative to treated water demand with the water use restrictions below. An additional surcharge will be added to each utility bill during Stage 3 water shortage conditions.

**Best Management Practices for Supply Management:**

In addition to the best management practices for supply management listed under Stage 2, the District will also do the following during Stage 3;

- \* Upon written notice, disconnect the water meters of willful violators if absolutely necessary to prevent the deliberate wasting of water.

#### Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be means of hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf courses tees is prohibited unless the golf course utilizes a water source other than that provided by the District.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

#### **10.4 Stage 4 Response – EMERGENCY Water Shortage Conditions**

Target: During Stage 4, achieve a 50% or greater reduction in daily treated water demand relative to treated water demand with the below water use restrictions. Surcharges and reduced allocations are enforceable during Stage 4 water shortage conditions, as described in Section 11 and Section 12.

Best Management Practices for Supply Management:

In addition to the best management practices for supply management listed under Stage 3, the District will also do the following:

- Call the 10 largest water customers in the area affected by the emergency condition, and if necessary, use runners in key areas to begin spreading the message of a major outage.

#### Water Use Restrictions for Demand Reduction:

During Stage 4, all requirements of Stage 1, 2, and 3 shall remain in effect except as modified below:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle is absolutely prohibited.
- (c) Associated uses of water not related to business process which is discretionary, such as equipment washing, shall be deferred until the Stage 5 emergency has been terminated.

#### **Section 11: Surcharges**

Surcharges levied by the District during the different triggers listed on the current rate schedule will be in effect. Variances will be determined by the District Manager and/or the Board of Directors on a case-by-case basis.

#### **Section 12: Wholesale Customers**

In the event that the triggering criteria for Stage 4 water shortage emergency have been met, the District Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code and according to the following procedures.

The District Manager, or his/her designee, will maintain a monthly water usage baseline for each wholesale customer. The wholesale customer's water usage baseline will be computed on the average water usage by month for the previous five calendar year period.

A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the District's Board based on the District Manager's assessment of the severity of the water shortage condition and the need to curtail water deliveries and may be adjusted periodically by resolution of the District's Board as conditions warrant. Once pro rata allocation is in effect, water deliveries to each wholesale customer shall be limited to the allocation established for each month.



The District Manager shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media and the executive director of the Texas Commission of Environmental Quality upon initiation of pro rata water allocation.

Upon request of the customer or the initiative of the District Manager, the allocation may be reduced or increased if objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the District's Board of Directors.

For all wholesale water contracts entered into or renewed after adoption of this Drought Contingency Plan, including contract extensions, in the event of shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, 11.039.

### **13.0 Variances to the Plan**

The District Manager, or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by the Plan if it is determined that failure to grant such a variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

District customers requesting an exemption from the provisions of this Plan shall file a petition for variance with the District Manager within 10 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the District Board, and shall include the following:

- (a) Name and service address of customer
- (b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage and harm will occur to the petitioner or others if petitioner complies with this Plan.
- (c) Description of the relief requested
- (d) Period of time for which the variance is sought
- (e) Alternative measures the petitioner is taking or proposing to take to meet the intent of this Plan and the compliance date
- (f) Other pertinent information

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

### **14.0 Violations, Penalty and Enforcement**

- (a) Stage 1 - Stage bracket water rates have been established with built in penalties for excessive water usage during drought conditions. As a drought becomes more severe, water costs for usage over the monthly minimum become more expensive.
- (b) Multiple violations of excessive monthly consumption may result in the discontinuation of service.

### **15.0 Resolution of Board of Directors**

SEE APPENDICES