

# 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: May 31, 2023

SUBJECT: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

The application was received on October 28, 2022. Additional information and fees were received on February 2, February 10, May 11, May 15, and May 19, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on May 31, 2023. Mailed notice to the downstream water right holders of record in the Brazos-Colorado Coastal Basin is required pursuant to Title 30 Texas Administrative Code § 295.154(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*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 31, 2023

Ms. Katherine Mareno  
Environmental Director  
Phillips 66 Company  
8189 Old FM 524  
Old Ocean, TX 77463

VIA EMAIL

RE: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit Texas  
Water Code § 11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

Dear Ms. Mareno:

This acknowledges receipt, on May 11, May 15, and May 19, 2023, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on May 31, 2023. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning 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 Section

## Re: Signature Authorization

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

Fri 5/19/2023 2:49 PM

To: Jaini, Vinod K <[REDACTED]>

Mr. Vinod K Jaini,

I have received your updated signature authority and will distribute to section.

Thank you,

Lillian E. Beerman, Ph.D.  
Water Rights Permitting Team  
Water Availability Division  
512-239-4019  
lillian.beerman@tceq.texas.gov

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**From:** Jaini, Vinod K <[REDACTED]>

**Sent:** Friday, May 19, 2023 2:28 PM

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

**Cc:** Mareno, Katie <[REDACTED]>

**Subject:** Signature Authorization

Hello Dr Beerman,

Here is the designation letter. If you have any questions, please call me at (979)491-2125. Have a great weekend!

VKJ



## SECRETARY'S CERTIFICATE

I, Eunice Fuentes, Assistant Secretary of Phillips 66 Company, a corporation organized and existing under and by virtue of the laws of the State of Delaware, United States of America (the "Company"), hereby certify that I am duly authorized to execute this Certificate on behalf of the Company, and on behalf of the Company certify that:

1. Attached hereto as ***Exhibit A*** is a true copy of resolutions, adopted by the Board of Directors of the Company by unanimous written consent on June 7, 2013. Said resolutions have not been amended, revoked or rescinded and remain in full force and effect as of the date hereof.
2. **Richard Harbison** is and has been, at all times since June 1, 2022, the duly appointed, qualified and acting Vice President, Refining.
3. Attached hereto as ***Exhibit B*** is a Designation of Signature Authority dated June 1, 2022, authorizing the Manager, Sweeny Refinery to sign documents submitted in compliance with local, state, and federal environmental and safety laws and regulations, including but not limited to permit applications, Discharge Monitoring Reports, Notifications of Regulated Waste Activity, Air Emission Inventories, Title V Operating Permit Applications and Certifications, Air Emission Related Construction Permit Applications, Solid and Hazardous Waste Reports and Chemical Inventory Reports under SARA 311, 312, and 313, documents required under Toxic Substances Control Act, documents required under Occupational Safety and Health Administration and state laws, including but not limited to 29 CFR 1904 and 1910, Risk Management Plan submittals required under 40 CFR 68, and security laws and regulations, including but not limited to Section 550 of the Homeland Security Appropriations Act of 2007, 6 CFR Part 27, 33 CFR Subchapter H, 49 CFR Subpart I, and security regulations promulgated by the Department of Homeland Security, Federal Emergency Management Administration and other agencies.
4. **Mark E. Evans** is the Phillips 66 Company Manager, Sweeny Refinery. In his capacity as Manager, Sweeny Refiner, Mr. Evans has the requisite authority to execute submitted in compliance with local, state, and federal environmental and safety laws and regulations, including but not limited to permit applications, Discharge Monitoring Reports, Notifications of Regulated Waste Activity, Air Emission Inventories, Title V Operating Permit Applications and Certifications, Air Emission Related Construction Permit Applications, Solid and Hazardous Waste Reports and Chemical Inventory Reports under SARA 311, 312, and 313, documents required under Toxic Substances

Control Act, documents required under Occupational Safety and Health Administration and state laws, including but not limited to 29 CFR 1904 and 1910, Risk Management Plan submittals required under 40 CFR 68, and security laws and regulations, including but not limited to Section 550 of the Homeland Security Appropriations Act of 2007, 6 CFR Part 27, 33 CFR Subchapter H, 49 CFR Subpart I, and security regulations promulgated by the Department of Homeland Security, Federal Emergency Management Administration and other agencies.

IN WITNESS WHEREOF, I have hereunto set my hand as Assistant Secretary and affixed the corporate seal of said Company this 16<sup>th</sup> day of May 2023.

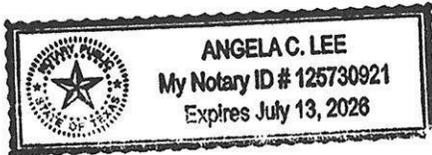


A handwritten signature in blue ink, appearing to read "Eunice Fuentes", written over a horizontal line.

Eunice Fuentes  
Assistant Secretary  
Phillips 66 Company

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on May 16, 2023, by Eunice Fuentes, Assistant Secretary of Phillips 66 Company, a Delaware corporation, on behalf of the Corporation.



A handwritten signature in blue ink, appearing to read "Angelac C Lee", written over a horizontal line.

Notary Public

**EXHIBIT A**  
**RESOLUTIONS**

JUNE 7, 2013

**Officer Execution Authority**

RESOLVED, that the president and vice presidents of this Company be, and each of them hereby is, authorized to execute and deliver on behalf of this Company any and all agreements, deeds, mortgages, assignments, leases, releases, bids, offers, applications, powers of attorney and other legal documents and instruments which may be necessary or expedient in, or incident to, the conduct of the ordinary business of this Company, with the exception of letters of credit, guarantees, bonds, and other matters addressed in the global banking resolutions most recently adopted by the Board.

FURTHER RESOLVED, that the secretary and the assistant secretaries of this Company be, and each of them hereby is, authorized to affix the corporate seal of this Company, if required, to any such document or instrument and to attest said seal when the same is so affixed.

**EXHIBIT B**  
**DESIGNATION OF SIGNATURE AUTHORITY**

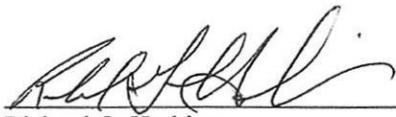
**PHILLIPS 66 COMPANY  
DESIGNATION OF SIGNATURE AUTHORITY**

I, Richard G. Harbison, Senior Vice President, Refining, of Phillips 66 Company, pursuant to the authority granted to me by the Board of Directors of Phillips 66 Company do hereby designate the persons holding the following positions (or equivalent regardless of job title) as authorized to sign, on behalf of Phillips 66 Company, documents submitted in compliance with local, state, and federal environmental and safety laws and regulations, including but not limited to permit applications, Discharge Monitoring Reports, Notifications of Regulated Waste Activity, Air Emission Inventories, Title V Operating Permit Applications and Certifications, Air Emission Related Construction Permit Applications, Solid and Hazardous Waste Reports and Chemical Inventory Reports under SARA 311, 312, and 313, documents required under Toxic Substances Control Act, documents required under Occupational Safety and Health Administration and state laws, including but not limited to 29 CFR 1904 and 1910, Risk Management Plan submittals required under 40 CFR 68, and security laws and regulations, including but not limited to Section 550 of the Homeland Security Appropriations Act of 2007, 6 CFR Part 27, 33 CFR Subchapter H, 49 CFR Subpart I, and security regulations promulgated by the Department of Homeland Security, Federal Emergency Management Administration and other agencies.

- Manager, Bayway Refinery
- Manager, Billings Refinery
- Manager, Borger Refinery
- Manager, Ferndale Refinery
- Manager, Lake Charles Refinery
- Manager, Los Angeles Refinery
- Manager, Ponca City Refinery
- Manager, Rodeo Refinery
- Manager, Santa Maria Refinery
- Manager, Sweeny Refinery
- Manager, Wood River Refinery

To the extent allowed by law and consistent with Phillips 66 Company procedures, these individuals may further delegate this authority to individuals at their facilities.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 1<sup>st</sup> day of June 2022.

  
\_\_\_\_\_  
Richard G. Harbison

State of Texas            )  
County of Harris        )

Subscribed and sworn to before me on this 1<sup>st</sup> day of June, 2022.



  
\_\_\_\_\_  
Notary Public  
My commission expires: Feb. 6, 2025

PHONE MEMO

From: Kathleen Weir Bertolatus	TO: Lillian E. Beerman, Ph.D.
Phone: 832.765.1661	Document: Phillips 66 WRTP No. 13883
Date: May 19, 2023	RE: RFI 2/signature authority

Called Ms. Bertolatus to remind her to send the updated signature authority for Phillips 66. She sent it to her client, Phillips 66, and will remind them to provide the information.

*Lillian E. Beerman, Ph.D. May 15, 2023*

PHONE MEMO

From: Kathleen Weir Bertolatus	TO: Lillian E. Beerman, Ph.D.
Phone: 832.765.1661	Document: Phillips 66 WRTP No. 13883
Date: May 15, 2023	RE: RFI 2/signature authority

Attorney for Phillips 66 wanted clarification of documentation needed for signature authority. The affidavit should mention the signatory's name and title.

*Lillian E. Beerman, Ph.D. May 15, 2023*

## RE: Sweeny Water Rights Application

Bertolatus, Kathleen W (LDZX) [REDACTED]

Mon 5/15/2023 10:46 AM

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

Sounds good. Thanks very much, Lillian.

### **Kathleen Weir Bertolatus** **Managing Counsel, Environmental & Regulatory**

O: 832.765.1661 | M: 713.609.3211 | F: 832.765.0112

HQ-N1358 | 2331 CityWest Blvd | Houston, TX 77042-2862

**PHILLIPS66.COM**



PROVIDING ENERGY.  
IMPROVING LIVES.

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

**Sent:** Monday, May 15, 2023 10:36 AM

**To:** Bertolatus, Kathleen W (LDZX) [REDACTED]

**Subject:** [EXTERNAL]Re: Sweeny Water Rights Application

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**This Message Is From an External Sender**

[Report Suspicious](#)

This message came from outside your organization.

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Ms. Bertolatus,  
I will give you a call this afternoon.  
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)

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**From:** Bertolatus, Kathleen W (LDZX) [REDACTED]

**Sent:** Monday, May 15, 2023 10:24 AM

**To:** Lillian Beerman <[Lillian.Beerman@Tceq.Texas.Gov](mailto:Lillian.Beerman@Tceq.Texas.Gov)>

**Cc:** Jaini, Vinod K <[REDACTED]>  
**Subject:** Sweeny Water Rights Application

Lillian –

I'm Kathleen Bertolatus and I'm the lawyer who supports the Phillips 66 Sweeny Refinery on environmental issues.

I understand from Vinod Jaini that TCEQ is looking for an additional affidavit or other substantiation of Mark Evans status as a duly authorized official for application signature purposes.

Let me know if there's a good time later today (5/15) or tomorrow (5/16) for me to touch base with you to better understand what is needed beyond the delegation of authority letter from the Executive Vice President of Refining that we've provided.

Thanks,  
Kathleen

**Kathleen Weir Bertolatus**  
**Managing Counsel, Environmental & Regulatory**

O: 832.765.1661 | M: 713.609.3211 | F: 832.765.0112

HQ-N1358 | 2331 CityWest Blvd | Houston, TX 77042-2862

**PHILLIPS66.COM**



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IMPROVING LIVES.**



**Katherine Mareno**  
Environmental Director  
Phillips 66  
Sweeny Refinery  
P. O. Box 866  
Sweeny, TX 77480  
phone 979-491-2111

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**  
**#7022 3330 0000 7927 3039**

**RECEIVED**

**MAY 15 2023**

**Water Availability Division**

May 9, 2023

Lillian E. Beerman, PhD  
Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
TCEQ  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Phillips 66 Company  
WRTP 13883  
CN604065912, RN1115965565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code §11.138, Requiring Limited Mail Notice  
Jones Creek, Brazos Colorado Coastal Basin  
Brazoria County

Dear Dr Beerman:

This is in response to the latest request for information dated April 11, 2023.

**Question 1**--Confirm the location of the diversion point. Staff has calculated coordinates to be Latitude 28.951157° N, Longitude 95.425462° W. Staff notes the coordinates provided do not match the point indicated on the most recent map.

**P66 Response**— Our latitude and longitude in degrees is 28.95118°N and 95.42559°W.

**Question 2**--Provide an original signed and notarized Application for A Temporary Water Use Permit (Form TCEQ-10202). Staff notes Applicant's intent to submit a revised application with Mark Evans, VP Sweeny Refinery, as signatory.

**P66 Response**— Attached is an original signed and notarized Application for A Temporary Water Use Permit.

**Question No. 3**-- Provide documentation evidencing that Mark Evans, VP, has the authority to sign for Phillips 66 Company pursuant to Title 30 Texas Administrative Code (TAC) § 295.14(5). If the applicant is a corporation, public district, county, municipality, or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation

may file a corporate affidavit as evidence of the official's authority to sign.

**P66 Response**—Attached is the designation of signature authority.

If you have any questions, please call Vinod Jaini at (979) 491-2125.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katherine Mareno', written in a cursive style.

Katherine Mareno  
Environmental Director

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

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

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

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

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

1. Data on Applicant and Project: Social Security or Federal ID No. 3779385
A. Name: PHILLIPS 66 COMPANY
B. Mailing Address: 2189 OLD FM 524, OLD OCEAN, TEXAS 77463
C. Telephone Number: 979-491-2111 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? Yes No
E. Describe Use of Water: REMOVAL OF WATER FROM JONES CREEK TO HYDRO TEST TANKS
F. Description of Project (TDH Project No. if applicable): HYDRO TESTING WATER
G. Highway Designation No. County

2. Type of Diversion (check one): X From Stream From Reservoir - JONES CREEK
3. Rate of Diversion:
A. Maximum 4000 gpm (capacity of pump)

4. Amount and Source of Water:
55.40 acre-feet of water within a period of 3 YRS (specify term period not to exceed a three year term). The water is to be obtained from JONES CREEK, tributary of JONES LAKE, tributary of Basin.

5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 28.951158 N, Longitude 95.42559 W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) (R-O-W) (Highway), located in Zip Code, located miles in a direction from (County Seat), BRAZORIA County, and miles in a direction from, a nearby town shown on County road map. Note: Distance in straight line miles.

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

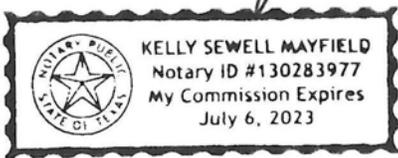
6. Access to Diversion Point (check one): Public right-of-way Private property Other (Explain)
7. Fees Enclosed: Filing \$ 100.00 Recording \$ 1.25 Use (\$1.00 per ac-ft or fraction thereof) \$ 55.40 Total \$ 156.65
10 ac-ft or less greater than 10 ac-ft
308.53

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

Name (sign) Name (print) MARIC GUANO

Subscribed and sworn to me as being true and correct before me this 9th day of May, 2023

Kelly Sewell Mayfield Notary Public, State of Texas



**PHILLIPS 66 COMPANY  
DESIGNATION OF SIGNATURE AUTHORITY**

I, Richard G. Harbison, Senior Vice President, Refining, of Phillips 66 Company, pursuant to the authority granted to me by the Board of Directors of Phillips 66 Company do hereby designate the persons holding the following positions (or equivalent regardless of job title) as authorized to sign, on behalf of Phillips 66 Company, documents submitted in compliance with local, state, and federal environmental and safety laws and regulations, including but not limited to permit applications, Discharge Monitoring Reports, Notifications of Regulated Waste Activity, Air Emission Inventories, Title V Operating Permit Applications and Certifications, Air Emission Related Construction Permit Applications, Solid and Hazardous Waste Reports and Chemical Inventory Reports under SARA 311, 312, and 313, documents required under Toxic Substances Control Act, documents required under Occupational Safety and Health Administration and state laws, including but not limited to 29 CFR 1904 and 1910, Risk Management Plan submittals required under 40 CFR 68, and security laws and regulations, including but not limited to Section 550 of the Homeland Security Appropriations Act of 2007, 6 CFR Part 27, 33 CFR Subchapter H, 49 CFR Subpart I, and security regulations promulgated by the Department of Homeland Security, Federal Emergency Management Administration and other agencies.

- Manager, Bayway Refinery
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To the extent allowed by law and consistent with Phillips 66 Company procedures, these individuals may further delegate this authority to individuals at their facilities.

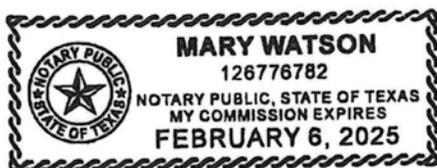
IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 1<sup>st</sup> day of June 2022.



Richard G. Harbison

State of Texas            )  
County of Harris        )

Subscribed and sworn to before me on this 1<sup>st</sup> day of June, 2022.



  
Notary Public  
My commission expires: Feb. 6, 2025

Name:  

Latitude:

Longitude:



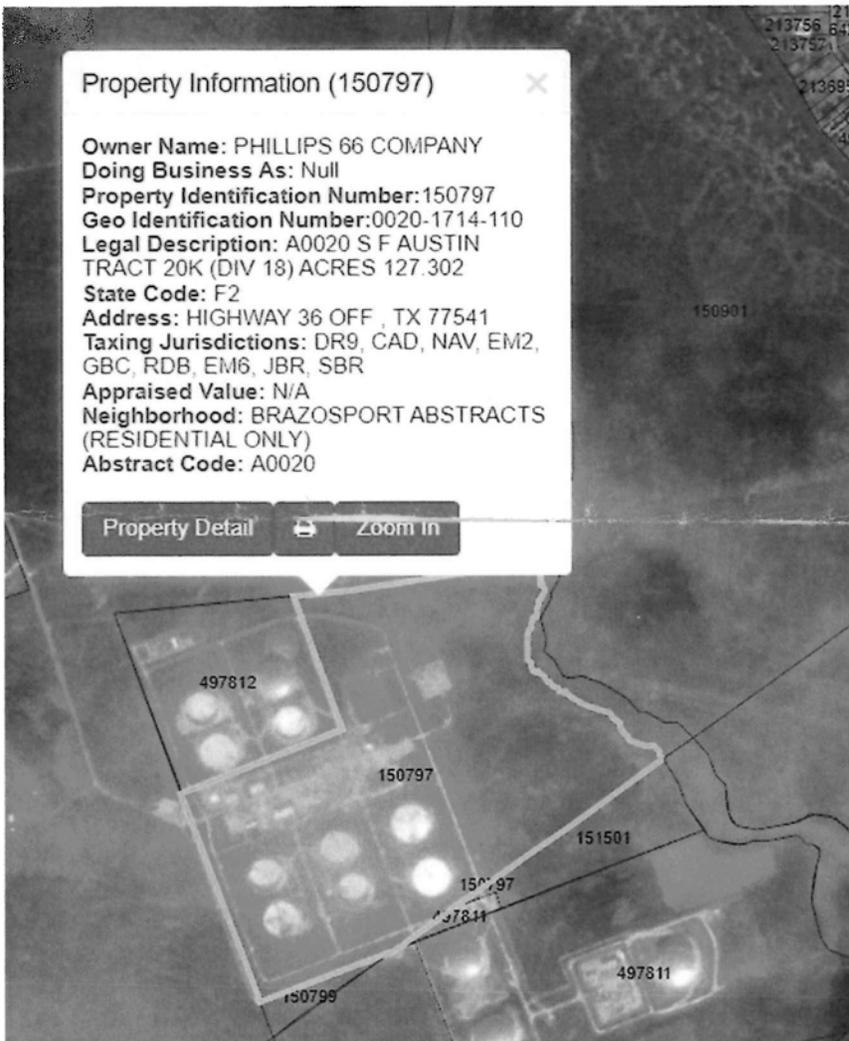
Property Information (150797) ✕

**Owner Name:** PHILLIPS 66 COMPANY  
**Doing Business As:** Null  
**Property Identification Number:** 150797  
**Geo Identification Number:** 0020-1714-110  
**Legal Description:** A0020 S F AUSTIN  
TRACT 20K (DIV 18) ACRES 127.302  
**State Code:** F2  
**Address:** HIGHWAY 36 OFF , TX 77541  
**Taxing Jurisdictions:** DR9, CAD, NAV, EM2,  
GBC, RDB, EM6, JBR, SBR  
**Appraised Value:** N/A  
**Neighborhood:** BRAZOSPORT ABSTRACTS  
(RESIDENTIAL ONLY)  
**Abstract Code:** A0020

Property Detail



Zoom In



PHONE MEMO

From: Lillian E. Beerman, Ph.D.	TO: Vinod Jaini
Phone: 979-491-2125	Document: Phillips 66 WRTP No. 13883
Date: May 15, 2023	RE: RFI 2/signature authority

Called Mr. Jaini to inform him that the signature authority provided in RFI #2 was insufficient and should reference the signatory. He referred the question of their legal department.

*Lillian E. Beerman, Ph.D. May 15, 2023*

## Jones Creek NOD response

Jaini, Vinod K [REDACTED]

Thu 5/11/2023 8:35 AM

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

Cc: Mareno, Katie <[REDACTED]>

 2 attachments (3 MB)

RE: Final Response to NOD; Jones Creek Water Use Application.pdf;

Good Morning,

The revised application notice of deficiency response was mailed on May 9.



Katherine Mareno  
Environmental Director  
Phillips 66  
Sweeny Refinery  
P. O. Box 866  
Sweeny, TX 77480  
phone 979-491-2111

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**  
**#7022 3330 0000 7927 3039**

May 9, 2023

Lillian E. Beerman, PhD  
Project Manager  
Water Rights Permitting Team  
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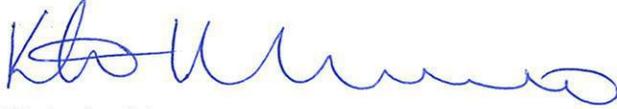
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may file a corporate affidavit as evidence of the official's authority to sign.

**P66 Response**—Attached is the designation of signature authority.

If you have any questions, please call Vinod Jaini at (979) 491-2125.

Sincerely,

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Katherine Mareno  
Environmental Director

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

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

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

- 1. Data on Applicant and Project: Social Security or Federal ID No. 3779385
A. Name: PHILLIPS G6 COMPANY
B. Mailing Address: 8189 OLD FM 524, OLD OCEAN, TEXAS 77463
C. Telephone Number: 979-491-2111 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? [ ] Yes [X] No
If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

- E. Describe Use of Water: REMOVAL OF WATER FROM JONES CREEK TO HYDROTEST TANKS
F. Description of Project (TDH Project No. if applicable): HYDRO TESTING WATER
G. Highway Designation No. County

- 2. Type of Diversion (check one): [X] From Stream [ ] From Reservoir - JONES CREEK
3. Rate of Diversion:
A. Maximum 4000 gpm (capacity of pump)

- 4. Amount and Source of Water:
55.40 acre-feet of water within a period of 3 YRS (specify term period not to exceed a three year term). The water is to be obtained from JONES CREEK, tributary of JONES LAKE, tributary of Basin.

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 28.951158 °N, Longitude 95.42559 °W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) (R-O-W) (Highway), located in Zip Code, located miles in a direction from (County Seat), BRAZORIA County, and miles in a direction from, a nearby town shown on County road map. Note: Distance in straight line miles.

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

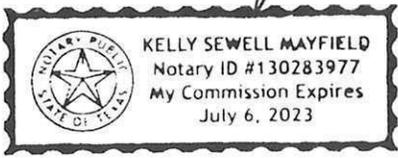
- 6. Access to Diversion Point (check one): [ ] Public right-of-way [ ] Private property (A letter of permission from landowner is attached) [ ] Other (Explain)
7. Fees Enclosed:
10 ac-ft or less greater than 10 ac-ft
Filing \$ 100.00 \$ 250.00
Recording \$ 1.25 \$ 1.25
Use (\$1.00 per ac-ft or fraction thereof) \$ 55.40 \$ 55.40
(Note: 1 ac-ft = 325,851 gals. Total \$ 1.88 \$ 1.88
1 ac-ft = 7758.35 bbls.) 308.53

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

Name (sign) Name (print) MARIC GUANO

Subscribed and sworn to me as being true and correct before me this 9th day of May, 2023

Kelly Sewell Mayfield
Notary Public, State of Texas



**PHILLIPS 66 COMPANY  
DESIGNATION OF SIGNATURE AUTHORITY**

I, Richard G. Harbison, Senior Vice President, Refining, of Phillips 66 Company, pursuant to the authority granted to me by the Board of Directors of Phillips 66 Company do hereby designate the persons holding the following positions (or equivalent regardless of job title) as authorized to sign, on behalf of Phillips 66 Company, documents submitted in compliance with local, state, and federal environmental and safety laws and regulations, including but not limited to permit applications, Discharge Monitoring Reports, Notifications of Regulated Waste Activity, Air Emission Inventories, Title V Operating Permit Applications and Certifications, Air Emission Related Construction Permit Applications, Solid and Hazardous Waste Reports and Chemical Inventory Reports under SARA 311, 312, and 313, documents required under Toxic Substances Control Act, documents required under Occupational Safety and Health Administration and state laws, including but not limited to 29 CFR 1904 and 1910, Risk Management Plan submittals required under 40 CFR 68, and security laws and regulations, including but not limited to Section 550 of the Homeland Security Appropriations Act of 2007, 6 CFR Part 27, 33 CFR Subchapter H, 49 CFR Subpart I, and security regulations promulgated by the Department of Homeland Security, Federal Emergency Management Administration and other agencies.

Manager, Bayway Refinery  
Manager, Billings Refinery  
Manager, Borger Refinery  
Manager, Ferndale Refinery  
Manager, Lake Charles Refinery  
Manager, Los Angeles Refinery  
Manager, Ponca City Refinery  
Manager, Rodeo Refinery  
Manager, Santa Maria Refinery  
Manager, Sweeny Refinery  
Manager, Wood River Refinery

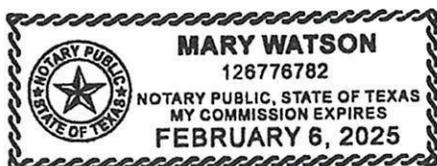
To the extent allowed by law and consistent with Phillips 66 Company procedures, these individuals may further delegate this authority to individuals at their facilities.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 1<sup>st</sup> day of June 2022.

  
\_\_\_\_\_  
Richard G. Harbison

State of Texas            )  
County of Harris        )

Subscribed and sworn to before me on this 1<sup>st</sup> day of June, 2022.

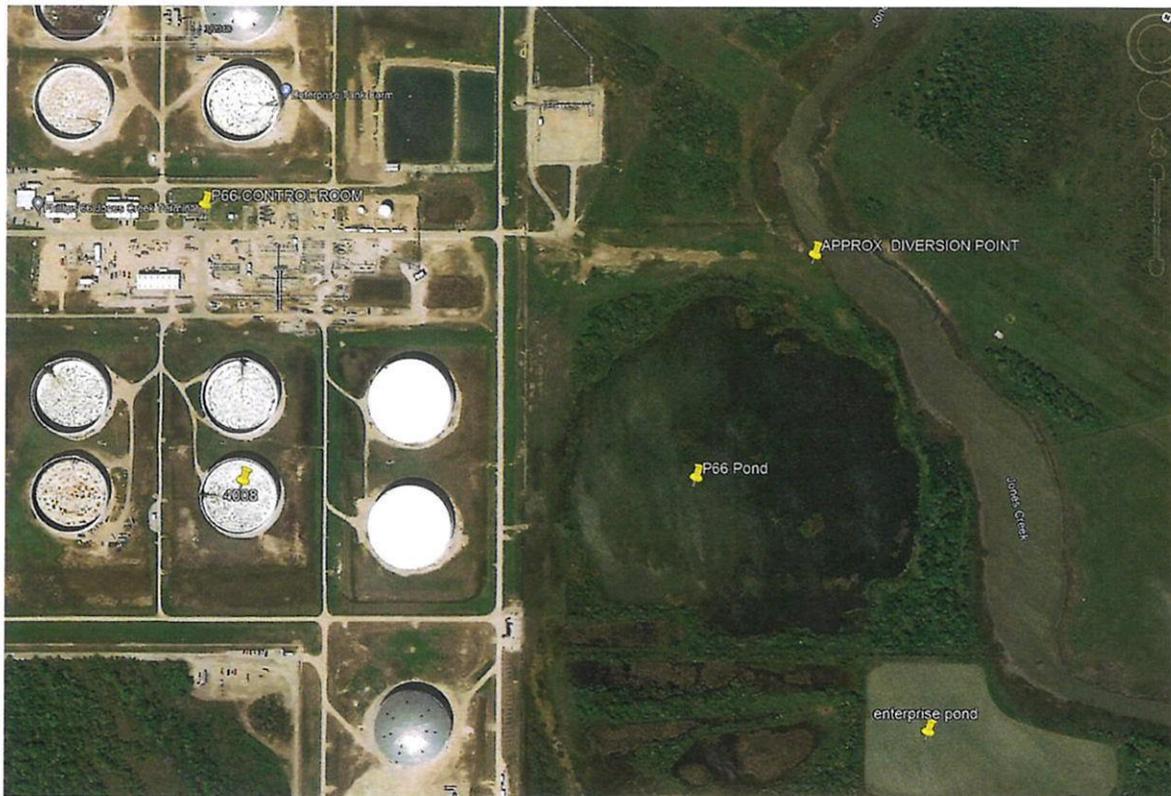


  
\_\_\_\_\_  
Notary Public  
My commission expires: Feb. 6, 2025

Name:  

Latitude:

Longitude:





**Re: Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023**

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

Fri 5/12/2023 11:12 AM

To: Mareno, Katie <[REDACTED]>

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Katie,

I found the response in My Thursday email

Thank you,

Lillian E. Beerman, Ph.D.  
Water Rights Permitting Team  
Water Availability Division  
512-239-4019  
lillian.beerman@tceq.texas.gov

---

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

**Sent:** Friday, May 12, 2023 9:56 AM

**To:** Mareno, Katie <[REDACTED]>

**Cc:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

**Subject:** Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023

Ms. Katie Mareno,

The due date for Phillips 66's response to TCEQ's request for information regarding water rights application no. 13883 was May 11, 2023. Please let us know if you have any questions or concerns.

Thank you,

Lillian E. Beerman, Ph.D.  
Water Rights Permitting Team  
Water Availability Division  
512-239-4019  
lillian.beerman@tceq.texas.gov

---

**From:** Lillian Beerman

**Sent:** Tuesday, April 11, 2023 10:12 AM

**To:** Mareno, Katie <[REDACTED]>

**Cc:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

**Subject:** Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023

Ms. Katie Mareno,

Attached is a second Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit.

Response is due COB Thursday, May 11, 2022.

Please send a quick email to confirm that you have received this document.

If you have any questions or concern, 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

PHONE MEMO

To: Lillian E. Beerman, Ph.D.	From: Vinoid Jaini
Date of Call: May 4, 2023	File No.: 13883
Phone Number: 979-491-2125	Subject: RFI #2

Informed Mr. Jaini that he did not need to send an advance copy of his RFI response.

*Lillian E. Beerman, Ph.D. May 5, 2023*

## Jones Creek Water Rights

Jaini, Vinod K [REDACTED] <[REDACTED]>

Wed 5/3/2023 1:34 PM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>; Neel, Phillip (SNC-Lavalin)

📎 2 attachments (4 MB)

FW: Phillips 66 Water Rights Permitting Inquiry; image001.png;

P66 will call Lillian Beerman on her cell [REDACTED]

Name:	<input type="text" value="APPROX. DIVERSION POINT"/>	
Latitude:	<input type="text" value="28°57'4.17\"/>	
Longitude:	<input type="text" value="95°25'32.13\"/>	

The discussion should not last more than 10 minutes.

Discussion of coordinates:

1) The latitude and longitude coordinates translate into latitude of 28.951151 N and longitude of 95.425589 E.

## RE: Can I call you?

Jaini, Vinod K [REDACTED]

Wed 5/3/2023 12:50 PM

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

Cc: Neel, Phillip (SNC-Lavalin) <[REDACTED]>

Yes, you are correct. I am calling about the P66 application No. 13883. I will call on your cell [REDACTED] at 3:30 PM or there after.

---

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

**Sent:** Wednesday, May 3, 2023 12:00 PM

**To:** Jaini, Vinod K <[REDACTED]>

**Cc:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

**Subject:** [EXTERNAL]Re: Can I call you?

---

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This message came from outside your organization.

Yes, of course, Mr. Jaini,

I was going to call you, but I do not have your phone number for Phillips 66. I am in meetings this morning and late afternoon, but I will be available from 3:30 to 6 today. You can reach me on my cell phone [REDACTED]

Or you can send me your phone number and I can call you back.

I assume you are calling in regard to Phillips 66's application no. 13883 which has a Request for Information due on May 11th.

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)

---

**From:** Jaini, Vinod K <[REDACTED]>

**Sent:** Wednesday, May 3, 2023 10:38 AM

**To:** Lillian Beerman <[Lillian.Beerman@Tceq.Texas.Gov](mailto:Lillian.Beerman@Tceq.Texas.Gov)>

**Subject:** Can I call you?

PHONE MEMO

To: Lillian E. Beerman, Ph.D.	From: Vinoid Jaini
Date of Call: May3, 2023	File No.: 13883
Phone Number: 979-491-2125	Subject: RFI #2

Mr. Jaini had questions about his response to the RFI #2. Informed Mr. Jaini that the requested fees had been paid.

*Lillian E. Beerman, Ph.D. May 5, 2023*

Re: Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023

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

Tue 4/11/2023 10:46 AM

To: Mareno, Katie <[REDACTED]>

Thank you.

Lillian E. Beerman, Ph.D.  
Water Rights Permitting Team  
Water Availability Division  
512-239-4019  
lillian.beerman@tceq.texas.gov

---

**From:** Mareno, Katie <[REDACTED]>

**Sent:** Tuesday, April 11, 2023 10:37 AM

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

**Subject:** RE: Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023

Ms. Beerman,

Your email has been received. We will respond by COB Thursday, May 11, 2023.

Thank you,  
Katie

---

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

**Sent:** Tuesday, April 11, 2023 10:13 AM

**To:** Mareno, Katie <[REDACTED]>

**Cc:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

**Subject:** [EXTERNAL]Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023

---

**This Message Is From an External Sender**

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Ms. Katie Mareno,

Attached is a second Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit.

Response is due COB Thursday, May 11, 2022.

Please send a quick email to confirm that you have received this document.

If you have any questions or concern, 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)

## Phillips\_66\_13883\_Second\_Request\_for\_Information\_04.11.2023

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

Tue 4/11/2023 10:12 AM

To: Mareno, Katie

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

 1 attachments (246 KB)

Phillips\_66\_13883\_RFI#2\_Sent\_02.14.2023.pdf;

Ms. Katie Mareno,

Attached is a second Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit. Response is due COB Thursday, May 11, 2022.

Please send a quick email to confirm that you have received this document.

If you have any questions or concern, 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

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin E. Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 11, 2023

Ms. Katherine Mareno  
8189 Old FM 524  
Old Ocean, TX 77463

VIA E-MAIL

RE: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

Dear Ms. Mareno:

This acknowledges receipt, on February 2, 2023, of additional information and, on February 10, 2023, of fees in the amount of \$ 308.53 (Receipt No. M311498, copy attached).

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

1. Confirm the location of the diversion point. Staff has calculated coordinates to be Latitude 28.951157° N, Longitude 95.425462° W. Staff notes the coordinates provided do not match the point indicated on the most recent map.
2. Provide an original signed and notarized *Application for A Temporary Water Use Permit* (Form TCEQ-10202). Staff notes Applicant's intent to submit a revised application with Mark Evans, VP Sweeny Refinery, as signatory.
3. Provide documentation evidencing that Mark Evans, VP, has the authority to sign for Phillips 66 Company pursuant to Title 30 Texas Administrative Code (TAC) § 295.14(5).

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

Please submit the requested information and fees by May 11, 2023 or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at [lillian.beerman@tceq.texas.gov](mailto:lillian.beerman@tceq.texas.gov) or by telephone at (512) 239-4019.

Katherine Marenco  
Phillips 66 Company  
Application No. 13883  
April 11, 2023  
Page 2 of 2

Sincerely,

*Lillian E. Beerman, Ph.D.*

Lillian E. Beerman, Ph.D., Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Attachment



## RE: Phillips 66 Water Rights Permitting Inquiry

Mareno, Katie <[REDACTED]>

Thu 2/2/2023 2:32 PM

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

Cc: Jaini, Vinod K <[REDACTED]>

 4 attachments (2 MB)

Jones Creek Temporary Water Use Permit Request For Information Response\_2.2.23.docx; Ownership details.pdf; Topo Map.pdf; Jones Creek Temporary Water Use Permit Fee.pdf;

Dr. Beerman,

Please find attached the Response to the Notice of Deficiency on the Jones Creek Temporary Water Use Permit Application. Additionally, the fee is being mailed via certified mail today. A copy of this is also included as an attachment.

Thank you,  
Katie

---

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

**Sent:** Tuesday, January 3, 2023 2:42 PM

**To:** Mareno, Katie <[REDACTED]>

**Subject:** [EXTERNAL]Re: Phillips 66 Water Rights Permitting Inquiry

---

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---

Ms. Mareno,

Attached is a follow-up Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit. The due date for a response is February 2, 2023.

Please send me an email when you receive the document.

If you have any questions or concerns do on 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)

---

**From:** Mareno, Katie [REDACTED]  
**Sent:** Monday, January 2, 2023 5:01 PM  
**To:** Lillian Beerman <[Lillian.Beerman@Tceq.Texas.Gov](mailto:Lillian.Beerman@Tceq.Texas.Gov)>  
**Subject:** Phillips 66 Water Rights Permitting Inquiry

My email is [REDACTED] Phone number is 979-491-2111.

Thank you,  
Katie

Katie Mareno  
Environmental Director

---

O: (+1) 979.491.2111 | M: (+1) 225.603.0777 |  
Sweeny Refinery | 8189 Old FM 524 | Old Ocean, TX 77463





Katherine Mareno  
Environmental Director  
Phillips 66  
Sweeny Refinery  
P. O. Box 866  
Sweeny, TX 77480  
phone 979-491-2111

February 2, 2023

**CERTIFIED MAIL #7022 3330 0000 7926 2262**

Lillian E. Beerman, PhD,  
Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
TCEQ  
P.O. Box 13087,  
Austin, Texas 78711-3087

Re: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code §11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

Dear Dr Beerman:

Please find enclosed in this submittal a check in the amount of \$308.53 for the above referenced Temporary Water Use Permit Application.

If you have any questions or need any additional information, please contact Vinod Jaini at 979-491-2125 or [REDACTED]

Sincerely,

  
Katherine Mareno  
Environmental Director

This check was issued by Phillips 66 Company



DATE	INVOICE (DESCRIPT)	CO. DOCUMENT NO.	GROSS	DISCOUNT	NET
10/01/23	13883	[REDACTED]	USD 308.53	0.00	308.53

PAYEE NUMBER	CHECK DATE	CHECK NO.	CHECK AMOUNT
0050166208	01/19/2023	[REDACTED]	308.53

If you have questions about this check, call (918)977-7909 or logon to <https://vis.ephillips66.com>.

Phillips 66 is currently adopting direct deposit (ACH) as our primary tool for payment in place of checks. Please access the following website <http://vendors.phillips66.com/EN/payment/Pages/index.aspx> for application instructions. Your prompt response is greatly appreciated.

WARNING: THIS DOCUMENT CONTAINS SEVERAL DOCUMENT SECURITY FEATURES - DO NOT CASH IF THE WORD VOID IS VISIBLE - SEE REVERSE SIDE FOR LIST OF SECURITY FEATURES

Phillips 66 Company

90-4150/1222

Check No: [REDACTED]

B [REDACTED]

[REDACTED] 01/19/2023 [REDACTED]

\$308.53

Three Hundred Eight And 53/100 Dollars

PAY TO THE ORDER OF

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
PO BOX 13089  
AUSTIN, TX 78711-3089

Treasurer [REDACTED]

SIGNATURE HAS A BLUE-GREEN BACKGROUND - BORDER CONTAINS MICROPRINTING MP



This is a response to the notice of additional information request received by email on January 3, 2023. The following are responses to each question as follows:

- **TCEQ Question 1:** 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). Refer to pages 28-29 from the Instructions for completing the Water Right permitting Application (Form TCEQ-10214A-inst) for assisting in developing your response.  
**P66 Response:** All efforts will be made to take reasonable measures to avoid impingement and entrainment of aquatic organisms. Our tentative plans are to bring in a portable diesel pump with feeding into a box holding a 5 mesh screen to avoid impingement and entrainment of aquatic organisms.
- **TCEQ Question No.2:** Confirm that water will be diverted from Jones Creek, tributary of the Intracoastal waterway, Brazos-Colorado Coastal Basin.  
**P66 Response:** We confirm that water will be diverted from Jones Creek, tributary of the intracoastal waterway.
- **TCEQ Question No.3:** Confirm the location of the diversion point. The latitude and longitude provided in the application does not plot on a watercourse. Coordinates need to be provided in decimal degrees to at least six decimal places.  
**P66 Response:**  
The latitude is 28°56'59" North. The longitude is 95°25'40"W.  
The latitude is 28.949688. The longitude is -95.42777.
- **TCEQ Question No. 4:** Provide a revised USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked.  
**P66 Response:** Please see the attached revised USGS map with location of the diversion point.
- **TCEQ Question No 5:** Confirm the mailing address of the applicant. The address provided in the application is 8189 Old FM 524, Old Ocean, TX 77463. Staff notes the address associated with Phillips 66 Company (CN604065912) in TCEQ's Central Registry is PO Box 866, Sweeny, TX 77480.  
**P66 Response:** The physical address is 8189 Old FM 524, Old Ocean, Texas 77463. The address listed in the Central Registry is mailing address. Both addresses are associated with Phillips 66.
- **TCEQ Question No. 6:** Provide the ZIP Code for the location of the proposed diversion point.  
**P66 Response:** The zip code is 77541.
- **TCEQ Question No. 7:** Confirm that the applicant will have access to the diversion point by public right-of-way, by private property, or by some other means (See Item 6 of the application (Form TCEQ – 10202). If access is thru private property, provide recorded copies of legal documents establishing ownership of the proposed diversion point or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant Texas Administrative Code (TAC) §295.10.

**P66 Response:** The portion of the land between the terminal edge and Jones Creek is owned by Phillips 66 according to Brazoria County Appraisal district records. Attached is proof of ownership of land whereby the applicant will have access to the diversion point.

- **TCEQ Question No. 8:** Provide documentation evidencing that Katherine Mareno has the authority to sign for Phillips 66 Company pursuant to Title 30 Texas Administrative Code (TAC) §295.14(5): If the applicant is a corporation, public district, county, municipality, or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

**P66 Response:** A revised application will be submitted with Mark Evans, VP Sweeny Refinery signing as the duly authorized official.

- **TCEQ Question No 9:** Before the application can be declared administratively complete, remit fees in the amount of \$308.53, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.
  - a. Filing Fees (WRTP > 10 acre-feet) \$ 250.00
  - b. Recording Fee \$ 1.25
  - c. Use Fees (\$1.00 x 55.4 acre-feet) \$ 55.40
  - d. Mailed Notice (\$0.94 X 2 WR Holders) \$ 1.88

TOTAL FEES DUE	\$ 308.53
----------------	-----------

**P66 Response:** The check (scanned image attached) will be sent via certified mail to TCEQ today.

**Owner Name:** PHILLIPS 66 COMPANY  
**Doing Business As:** Null  
**Property Identification Number:** 150797  
**Geo Identification Number:** 0020-1714-110  
**Legal Description:** A0020 S F AUSTIN TRACT 20K (DIV 18) ACRES 127.302  
**State Code:** F2  
**Address:** HIGHWAY 36 OFF , TX 77541  
**Taxing Jurisdictions:** DR9, RDB, EM6, GBC, SBR, EM2, JBR, NAV, CAD  
**Appraised Value:** N/A  
**Neighborhood:** BRAZOSPORT ABSTRACTS (RESIDENTIAL ONLY)  
**Abstract Code:** A0020

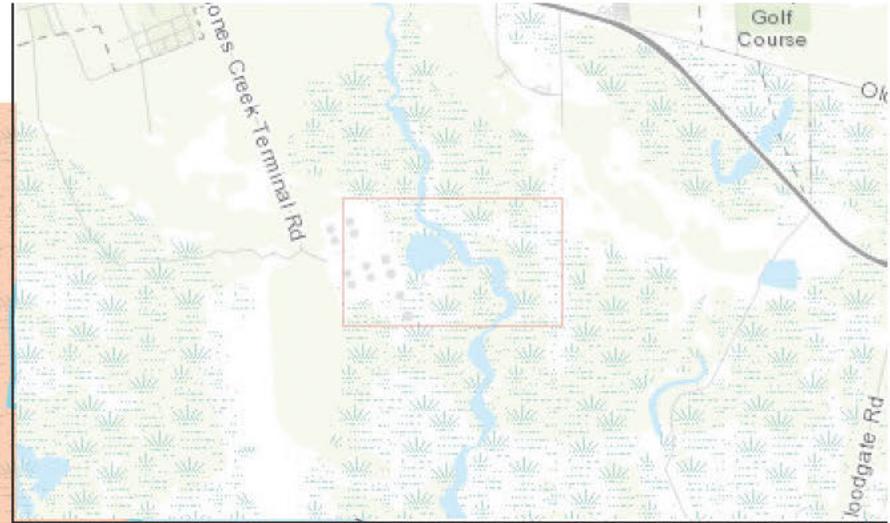
[Property Detail \(https://propaccess.trueauto.com/propertyDetail.html?cid=51&p=150797\)](https://propaccess.trueauto.com/propertyDetail.html?cid=51&p=150797)

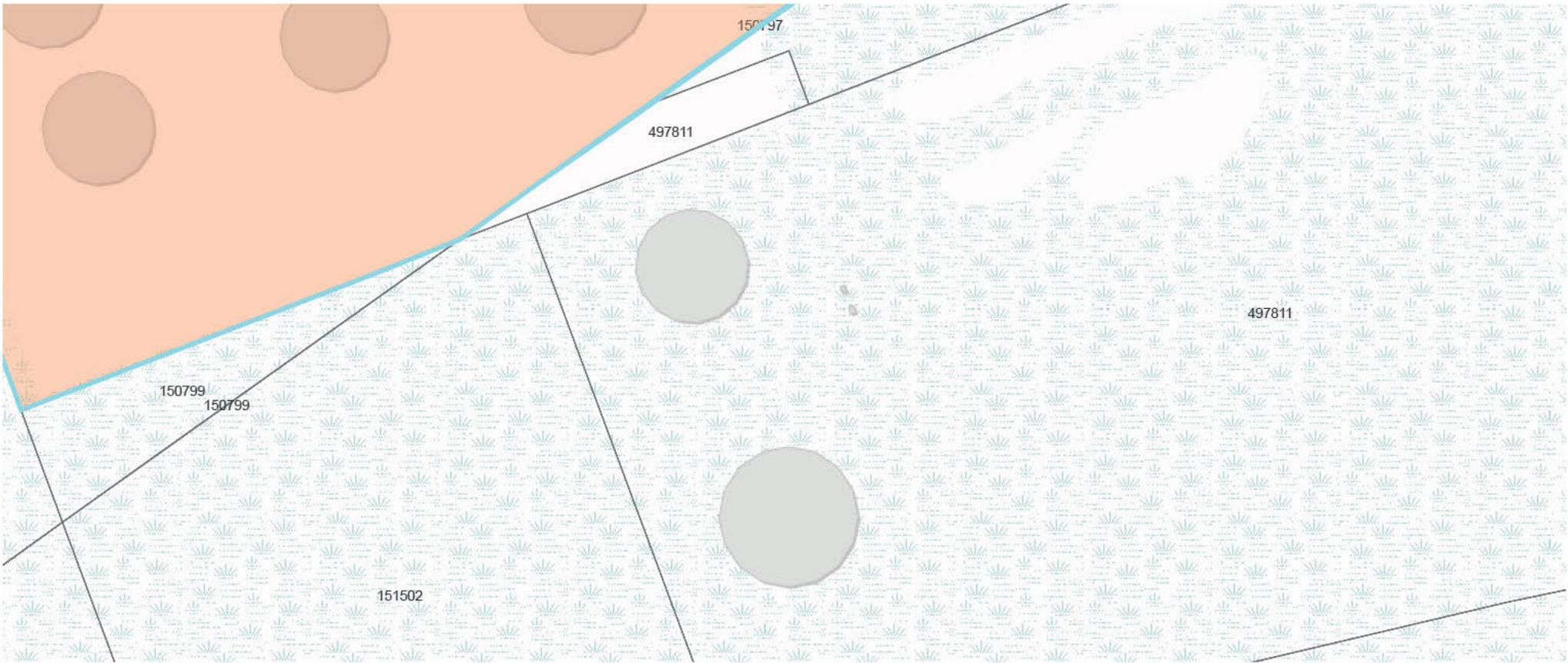
[Print \(propertyPrint.html?cid=51&p=150797\)](#)

150797

151501

100m  
300ft





150799  
150799

150797

497811

497811

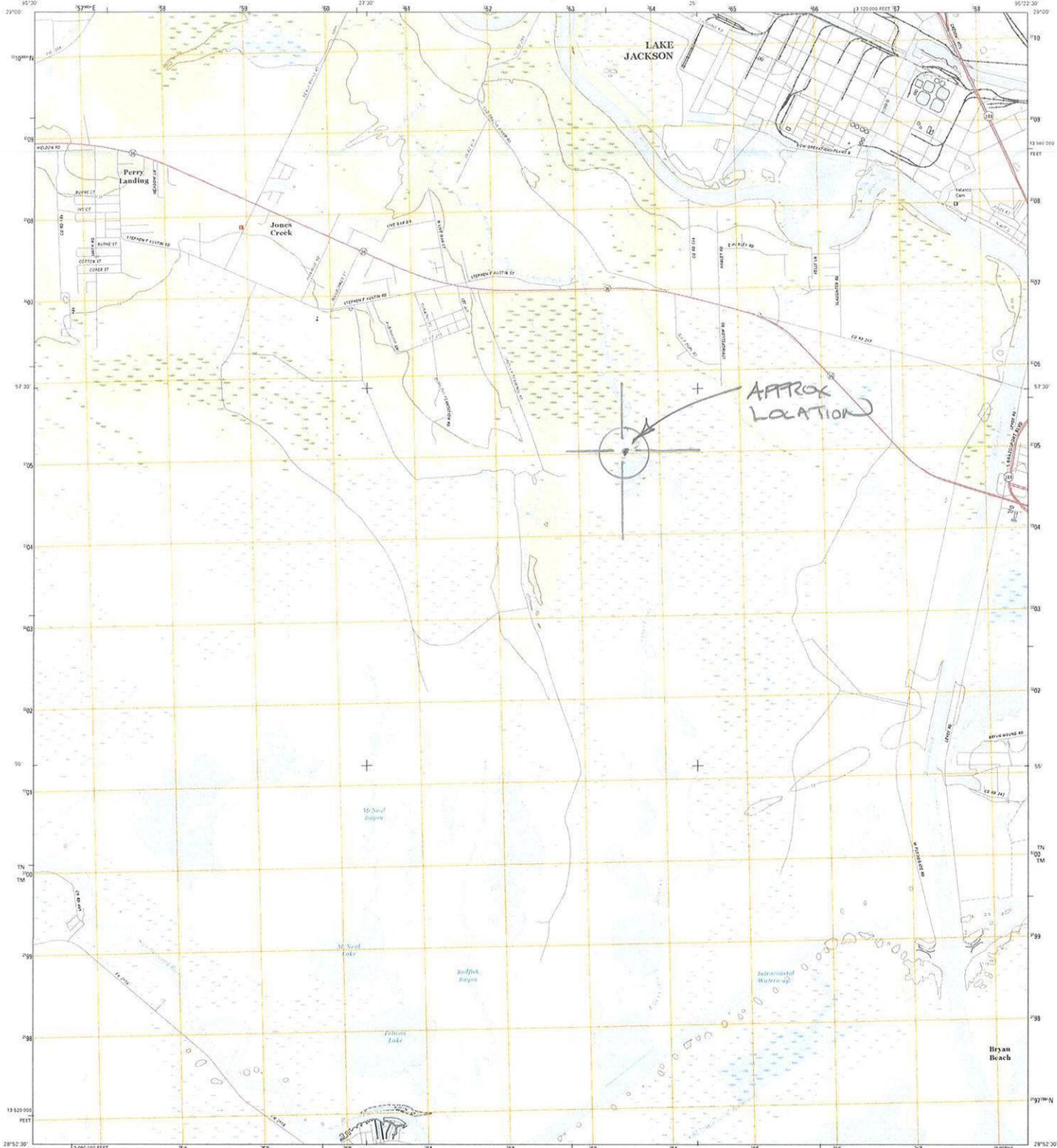
151502



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY



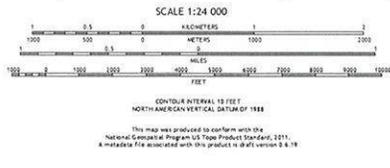
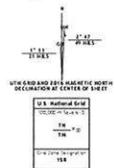
JONES CREEK QUADRANGLE  
TEXAS-BRAZORIA CO.  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84). Projection and  
1:25000 meter grid (Universal Transverse Mercator, Zone 18E  
13 200 feet ticks; Texas Coordinate System of 1983 south  
central zone)

This map is not a legal document. Boundaries may be  
generated for this map scale. Private lands within government  
reservations may not be shown. Obtain permission before  
entering private lands.

Imagery: NIP, October 2014  
Roads: U.S. Census Bureau, 2014, 2015  
Hydrography: National Hydrography Dataset, 2014  
Contours: National Elevation Dataset, 2010  
Boundaries: Multiple sources; see metadata file 1912\_2015  
Wetlands: FWS National Wetlands Inventory 1997 - 2014

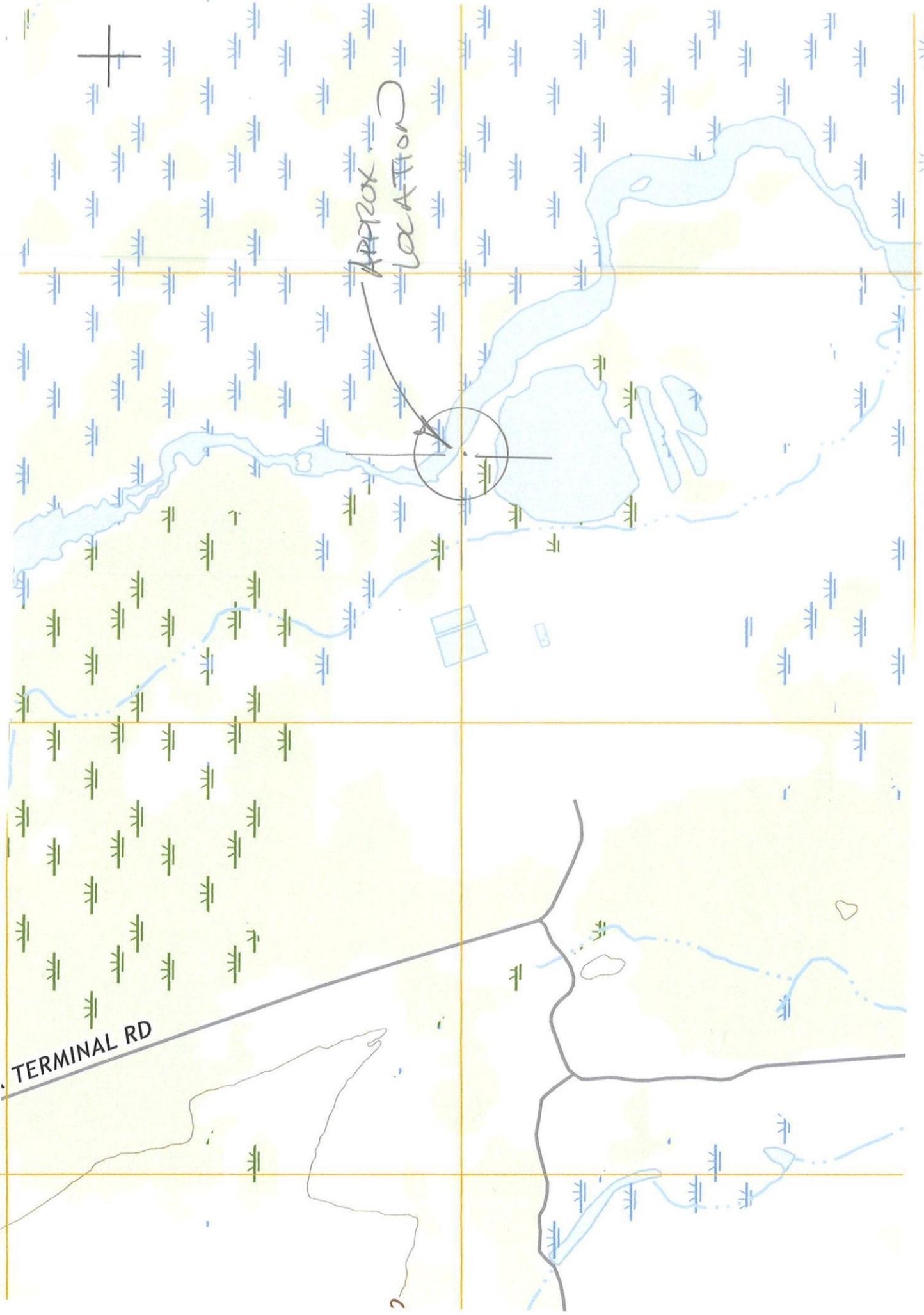


ROAD CLASSIFICATION

Expressway	Local Connector
Secondary Road	Local Road
Primary	end
Interstate Route	US Route
	State Route

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

JONES CREEK, TX  
2016



PHONE MEMO

To: Lillian E. Beerman	From: Vinod Jaini
Phone: 979-491-2125	Document: Phillips 66 Company WRTP No. 13883
Date: January 6, 2023	RE: Follow-up RFI

Spoke with Mr. Jaini and a colleague regarding the RFI. Went over each question. He did not anticipate problems with their response.

*Lillian E. Beerman, January 6, 2023*

PHONE MEMO

From: Lillian E. Beerman	To: Vinod Jaini
Phone: 979-491-2125	Document: Phillips 66 Company WRTP No. 13883
Date: January 5, 2023	RE: Follow-up RFI

Called Mr. Jaini to see if he had questions for the RFI. He said that the plant suffered failures during the December freeze and they were low on staff. We agreed to talk on Friday.

*Lillian E. Beerman, January 5, 2023*

## Re: Phillips 66 Water Rights Permitting Inquiry

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

Tue 1/3/2023 3:33 PM

To: Mareno, Katie [REDACTED]

Ms. Mareno,

Noted. Please do not hesitate to contact me if you have any questions regarding the RFI.

Thank you,

Lillian E. Beerman, Ph.D.  
Water Rights Permitting Team  
Water Availability Division  
512-239-4019  
lillian.beerman@tceq.texas.gov

---

**From:** Mareno, Katie [REDACTED]

**Sent:** Tuesday, January 3, 2023 2:52 PM

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

**Cc:** Jaini, Vinod K [REDACTED]

**Subject:** RE: Phillips 66 Water Rights Permitting Inquiry

Ms. Beerman,

This email is acknowledging receipt of the Request for Information for Phillips 66 Company's Application No. 13883. Please note that I do not have record of receiving the original request. We will provide the information requested in this Request for Information by February 2, 2023.

Thank you,

Katie Mareno

Katie Mareno  
Environmental Director

---

O: (+1) 979.491.2111 | M: (+1) 225.603.0777 |  
Sweeny Refinery | 8189 Old FM 524 | Old Ocean, TX 77463



---

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

**Sent:** Tuesday, January 3, 2023 2:42 PM

**To:** Mareno, Katie [REDACTED]

**Subject:** [EXTERNAL]Re: Phillips 66 Water Rights Permitting Inquiry

---

**This Message Is From an External Sender**

[Report Suspicious](#)

This message came from outside your organization.

Ms. Mareno,

Attached is a follow-up Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit. The due date for a response is February 2, 2023.

Please send me an email when you receive the document.

If you have any questions or concerns do on 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)

---

**From:** Mareno, Katie <[REDACTED]>

**Sent:** Monday, January 2, 2023 5:01 PM

**To:** Lillian Beerman <[Lillian.Beerman@Tceq.Texas.Gov](mailto:Lillian.Beerman@Tceq.Texas.Gov)>

**Subject:** Phillips 66 Water Rights Permitting Inquiry

My email is [REDACTED] Phone number is 979-491-2111.

Thank you,

Katie

Katie Mareno

Environmental Director

---

O: (+1) 979.491.2111 | M: (+1) 225.603.0777 |

Sweeny Refinery | 8189 Old FM 524 | Old Ocean, TX 77463



## FW: Phillips 66 Water Rights Permitting Inquiry

Jaini, Vinod K <[REDACTED]>

Tue 1/3/2023 3:37 PM

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

Can you please call me at (979)491-2125? Or perhaps can I call you tomorrow after 08:00AM?

---

**From:** Mareno, Katie <[REDACTED]>

**Sent:** Tuesday, January 3, 2023 2:52 PM

**To:** Jaini, Vinod K <[REDACTED]>

**Cc:** Millette, Griffin P <[REDACTED]>

**Subject:** FW: Phillips 66 Water Rights Permitting Inquiry

Vinod,

Can you work on drafting this response?

Thanks,  
Katie

---

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

**Sent:** Tuesday, January 3, 2023 2:42 PM

**To:** Mareno, Katie <[REDACTED]>

**Subject:** [EXTERNAL]Re: Phillips 66 Water Rights Permitting Inquiry

---

**This Message Is From an External Sender**

[Report Suspicious](#)

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Ms. Mareno,

Attached is a follow-up Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit. The due date for a response is February 2, 2023.

Please send me an email when you receive the document.

If you have any questions or concerns 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)

---

**From:** Mareno, Katie [REDACTED]  
**Sent:** Monday, January 2, 2023 5:01 PM  
**To:** Lillian Beerman <[Lillian.Beerman@Tceq.Texas.Gov](mailto:Lillian.Beerman@Tceq.Texas.Gov)>  
**Subject:** Phillips 66 Water Rights Permitting Inquiry

My email is [REDACTED] Phone number is 979-491-2111.

Thank you,  
Katie

Katie Mareno  
Environmental Director

---

O: (+1) 979.491.2111 | M: (+1) 225.603.0777 |  
Sweeny Refinery | 8189 Old FM 524 | Old Ocean, TX 77463



PHONE MEMO

From: Lillian E. Beerman	To: Vinod Jaini
Phone: 979-491-2125	Document: Phillips 66 Company WRTP No. 13883
Date: January 3, 2023	RE: Follow-up RFI

Mr. Jaini left an email and asked me to call him. I called him immediately. He has questions regarding the RFI. He asked me to call him on Wednesday morning, giving him an opportunity to review the questions.

*Lillian E. Beerman, January 3, 2023*

## Re: Phillips 66 Water Rights Permitting Inquiry

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

Tue 1/3/2023 2:42 PM

To: Mareno, Katie <[REDACTED]>

📎 1 attachments (374 KB)

Phillips\_66\_13883\_Followup\_RFI\_01.03.2022.pdf;

Ms. Mareno,

Attached is a follow-up Request for Information for Phillips 66 Company's Application No. 13883 for a Temporary Water Use Permit. The due date for a response is February 2, 2023.

Please send me an email when you receive the document.

If you have any questions or concerns 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)

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**From:** Mareno, Katie <[REDACTED]>

**Sent:** Monday, January 2, 2023 5:01 PM

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

**Subject:** Phillips 66 Water Rights Permitting Inquiry

My email is <[REDACTED]> phone number is 979-491-2111.

Thank you,

Katie

Katie Mareno

Environmental Director

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O: (+1) 979.491.2111 | M: (+1) 225.603.0777 |

Sweeny Refinery | 8189 Old FM 524 | Old Ocean, TX 77463



Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Erin Chancellor, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 3, 2023

Ms. Katherine Mareno  
8189 Old FM 524  
Old Ocean, TX 77463

**VIA E-MAIL**

RE: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

Dear Ms. Mareno:

This is a follow-up to our previous letter dated November 28, 2023 (copy attached) requesting additional information for the referenced application. To date, a response has not been received. Please submit the information requested by February 2, 2023, or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

If you have any questions concerning this matter, please contact me via email at [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

Attachment

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 28, 2022

Ms. Katherine Mareno  
8189 Old FM 524  
Old Ocean, TX 77463

VIA E-MAIL

RE: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

Dear Ms. Mareno:

This acknowledges receipt, on October 28, 2022, of the referenced application.

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

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

1. 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). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.
2. Confirm that water will be diverted from Jones Creek, tributary of the Intracoastal Waterway, Brazos-Colorado Coastal Basin.
3. Confirm the location of the diversion point. The latitude and longitude provided in the application does not plot on a watercourse. Coordinates need to be provided in decimal degrees to at least six decimal places.
4. Provide a revised USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked.
5. Confirm the mailing address of the applicant. The address provided in the application is 8189 Old FM 524, Old Ocean, TX 77463. Staff notes the address associated with Phillips 66 Company (CN604065912) in TCEQ's Central Registry is PO Box 866, Sweeny, TX 77480.
6. Provide the ZIP Code for the location of the proposed diversion point.

Katherine Maren  
Phillips 66 Company  
Application No. 13883  
November 28, 2022  
Page 2 of 2

7. Confirm that the applicant will have access to the diversion point by public right-of-way, by private property, or by some other means (See Item 6 of the application (Form TCEQ - 10202).

If access is thru private property, provide recorded copies of legal documents establishing ownership of the proposed diversion point or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant Texas Administrative Code (TAC) §295.10.

8. Provide documentation evidencing that Katherine Maren has the authority to sign for Phillips 66 Company pursuant to Title 30 Texas Administrative Code (TAC) §295.14(5):

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

9. Before the application can be declared administratively complete, remit fees in the amount of \$ 308.53, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fees	(WRTP $\geq$ 10 acre-feet)	\$ 250.00
Recording Fee		\$ 1.25
Use Fees	(\$1.00 x 55.4 acre-feet)	\$ 55.40
Mailed Notice	(\$0.94 X 2 WR Holders)	\$ 1.88
<hr/>		
TOTAL FEES		\$ 308.53
FEES RECEIVED		\$ 0.00
<hr/>		
TOTAL FEES DUE		\$ 308.53

Please submit the requested information and fees by December 28, 2022 or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at [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

## Phillips\_66\_Company\_13883\_Request\_for\_Information\_11.28.2022

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

Mon 1/2/2023 9:28 AM

To: [REDACTED]

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Ms. Moreno,

On November 28, 2022, the Water Rights Permitting Division of the Texas Commission on Environmental Quality sent you a Request for Information. Your response to these questions is needed to complete the administrative review of Phillips 66's application for a Temporary Water Use Permit.

Your response was due on December 28th.

Please inform me of the status of your response.

I also request you email to me your phone number which was not included on the application.

I hope to hear from you soon.

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)

---

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

**Sent:** Monday, November 28, 2022 11:17 AM

**To:** [REDACTED]

**Cc:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

**Subject:** Phillips\_66\_Company\_13883\_Request\_for\_Information\_11.28.2022

Ms. Moreno,

Attached is a Request for Information for Phillips 66 Company's Application No. 13883 for a temporary water use permit. A response is due by COB Wednesday, November 28, 2022.

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)

## Phillips\_66\_Company\_13883\_Request\_for\_Information\_11.28.2022

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

Mon 11/28/2022 11:17 AM

To:

[REDACTED]

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

 1 attachments (285 KB)

Phillips 66 Company 13883 RFI Sent 11.28.2022.pdf;

**Ms. Moreno,**

Attached is a Request for Information for Phillips 66 Company's Application No. 13883 for a temporary water use permit. A response is due by COB Wednesday, December 28, 2022.

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*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 28, 2022

Ms. Katherine Mareno  
8189 Old FM 524  
Old Ocean, TX 77463

VIA E-MAIL

RE: Phillips 66 Company  
WRTP 13883  
CN604065912, RN111596565  
Application No. 13883 for a Temporary Water Use Permit  
Texas Water Code § 11.138, Requiring Limited Mailed Notice  
Jones Creek, Brazos-Colorado Coastal Basin  
Brazoria County

Dear Ms. Mareno:

This acknowledges receipt, on October 28, 2022, of the referenced application.

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

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

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4. Provide a revised USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked.
5. Confirm the mailing address of the applicant. The address provided in the application is 8189 Old FM 524, Old Ocean, TX 77463. Staff notes the address associated with Phillips 66 Company (CN604065912) in TCEQ's Central Registry is PO Box 866, Sweeny, TX 77480.
6. Provide the ZIP Code for the location of the proposed diversion point.

Katherine Maren  
Phillips 66 Company  
Application No. 13883  
November 28, 2022  
Page 2 of 2

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8. Provide documentation evidencing that Katherine Maren has the authority to sign for Phillips 66 Company pursuant to Title 30 Texas Administrative Code (TAC) §295.14(5):

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9. Before the application can be declared administratively complete, remit fees in the amount of \$ 308.53, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fees	(WRTP ≥ 10 acre-feet)	\$ 250.00
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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 Section

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

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

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

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

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

- 1. Data on Applicant and Project: Social Security or Federal ID No. 3779385
A. Name: PHILLIPS 66 COMPANY
B. Mailing Address: 8189 Old FM 524, Old Ocean, Texas 77463
C. Telephone Number: 9794912111 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? Yes No
E. Describe Use of Water: REMOVAL OF WATER FROM JONES CREEK TO HYDROTEST TANKS
F. Description of Project (TDH Project No. if applicable): HYDROTESTING WATER
G. Highway Designation No. County

- 2. Type of Diversion (check one): X From Stream F From Reservoir JONES CREEK
3. Rate of Diversion:
A. Maximum 4000 GALLON/MINUTE gpm (capacity of pump)

- 4. Amount and Source of Water:
55.40 acre-feet of water within a period of 3 yrs (specify term period not to exceed a three year term). The water is to be obtained from JONES CREEK, tributary of Jones Lake, tributary of Basin.

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 28°57'06" N, Longitude 95°25'06" W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) (R-O-W) (Highway), located in Zip Code, located miles in a direction from (County Seat), BRAZORIA County, and miles in a direction from, a nearby town shown on County road map. Note: Distance in straight line miles.

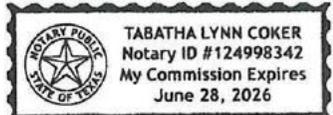
Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

- 6. Access to Diversion Point (check one): Public right-of-way Private property Other (Explain)
7. Fees Enclosed: Filing Recording Use (\$1.00 per ac-ft or fraction thereof) Total
10 ac-ft or less greater than 10 ac-ft

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

Signature lines for Name (sign) and Name (print) Katherine Mareno

Subscribed and sworn to me as being true and correct before me this 26 day of October, 2022



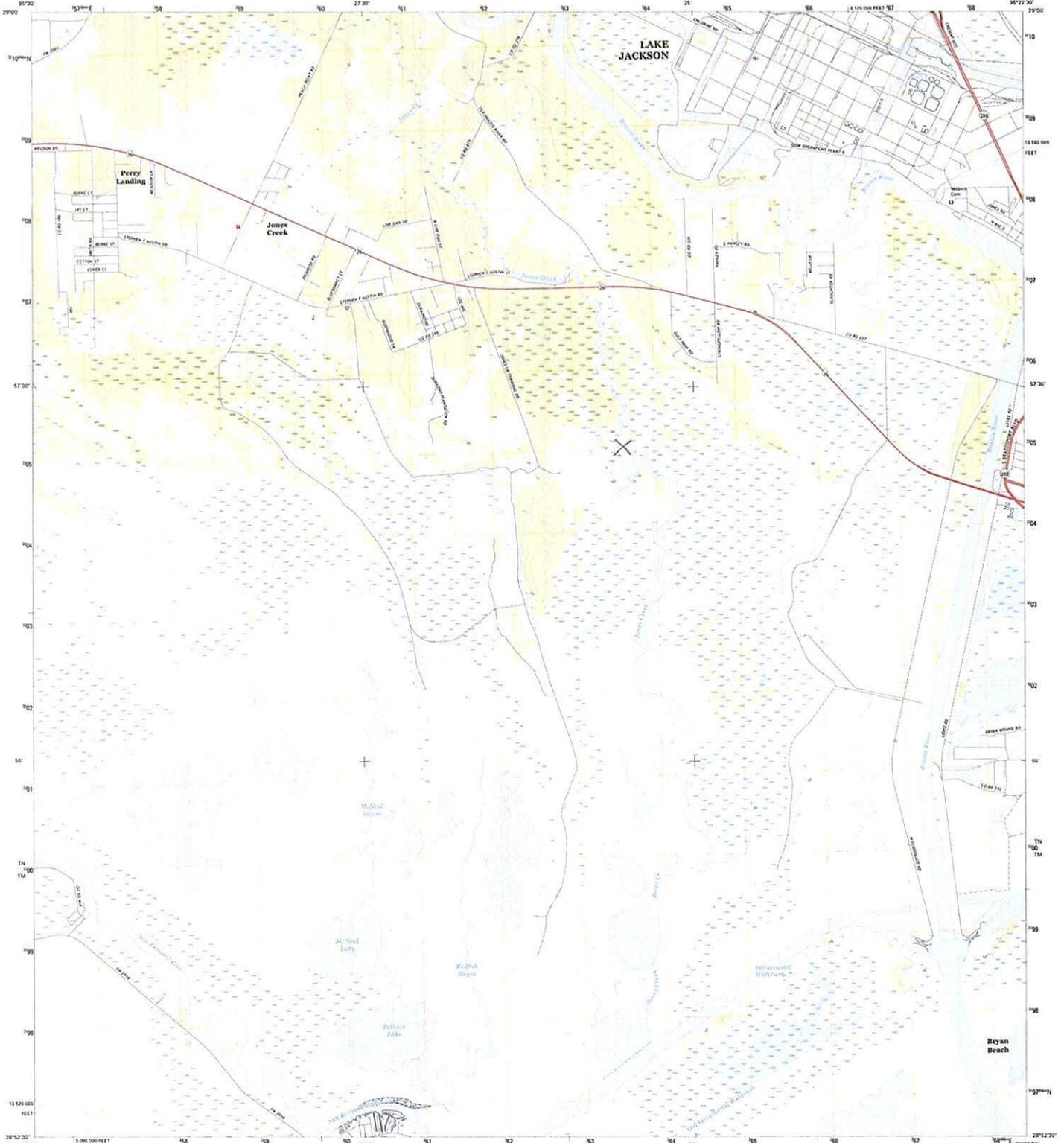
Signature of Notary Public, State of Texas



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY



JONES CREEK QUADRANGLE  
TEXAS-BRAZORIA CO.  
7.5-MINUTE SERIES



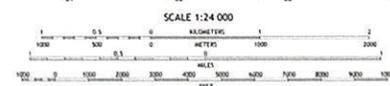
Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83). Projection and  
Spatial Coordinate System of 1983 (NAD83). Projection and  
Spatial Coordinate System of 1983 (NAD83). Zone 15R  
of 1983 (NAD83). Texas Coordinate System of 1983 (local  
coordinate system).

This map is not a legal document. Boundaries may be  
generalized for this map scale. Private lands within government  
boundaries may not be shown. Obtain permission before  
entering private lands.

Images: ... USGS, October 2014  
Aerial: ... U.S. Census Bureau, 2014  
Hydrography: ... USGS, 2015  
Contour: ... National Hydrography Dataset, 2014  
Boundaries: ... National Electoral District, 2008  
Boundaries: ... Multiple sources, see metadata for 1972-2013

Metadata: ... FWS National Wetlands Inventory 1977-2014

U.S. National Grid  
NAD 83  
Zone 15R  
UTM  
15R



CONTOUR INTERVAL: 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1983  
This map was produced to conform with the  
National Geospatial Program US Topographic Standard, 2011.  
A Portable File associated with this product is available at 6.4.19



ROAD CLASSIFICATION

Expressway	Local Connector
Secondary Road	Local Road
Ramp	DRP
Interstate Route	US Route
	State Road

1	2	3
4	5	6
7	8	9

Legend for symbols: 1 Reservoir, 2 Lake Jackson, 3 Optics Creek, 4 Cedar Lake Wet, 5 Transport, 6 Cedar Lake Wet, 7 Cedar Lake Wet, 8 Cedar Lake Wet

JONES CREEK, TX  
2016



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

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

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

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

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- 1. Data on Applicant and Project: Social Security or Federal ID No. 3779385
A. Name: PHILLIPS 66 COMPANY
B. Mailing Address: 8189 Old FM 524, Old Ocean, Texas 77463
C. Telephone Number: 979 491 2111 Fax Number: E-mail Address:
D. Applicant owes fees or penalties? Yes No
E. Describe Use of Water: REMOVAL OF WATER FROM JONES CREEK TO HYDROTEST TANKS
F. Description of Project (TDH Project No. if applicable): HYDROTESTING WATER
G. Highway Designation No. County

- 2. Type of Diversion (check one): X From Stream F From Reservoir JONES CREEK
3. Rate of Diversion:
A. Maximum 4000 GALLON/MINUTE gpm (capacity of pump)

- 4. Amount and Source of Water:
55.40 acre-feet of water within a period of 3 yrs (specify term period not to exceed a three year term). The water is to be obtained from JONES CREEK, tributary of Jones Lake, tributary of Basin.

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 28° 57' 06" N, Longitude 95° 25' 06" W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) (R-O-W) (Highway), located in Zip Code, located miles in a direction from (County Seat), BRAZORIA County, and miles in a direction from, a nearby town shown on County road map. Note: Distance in straight line miles.

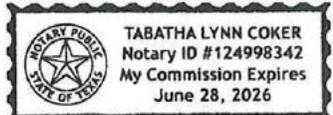
Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

- 6. Access to Diversion Point (check one): Public right-of-way Private property Other (Explain)
7. Fees Enclosed: Filing Recording Use (\$1.00 per ac-ft or fraction thereof) Total
10 ac-ft or less greater than 10 ac-ft

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

Signatures: Katherine Mareno (print), [Signature]

Subscribed and sworn to me as being true and correct before me this 26 day of October, 2022



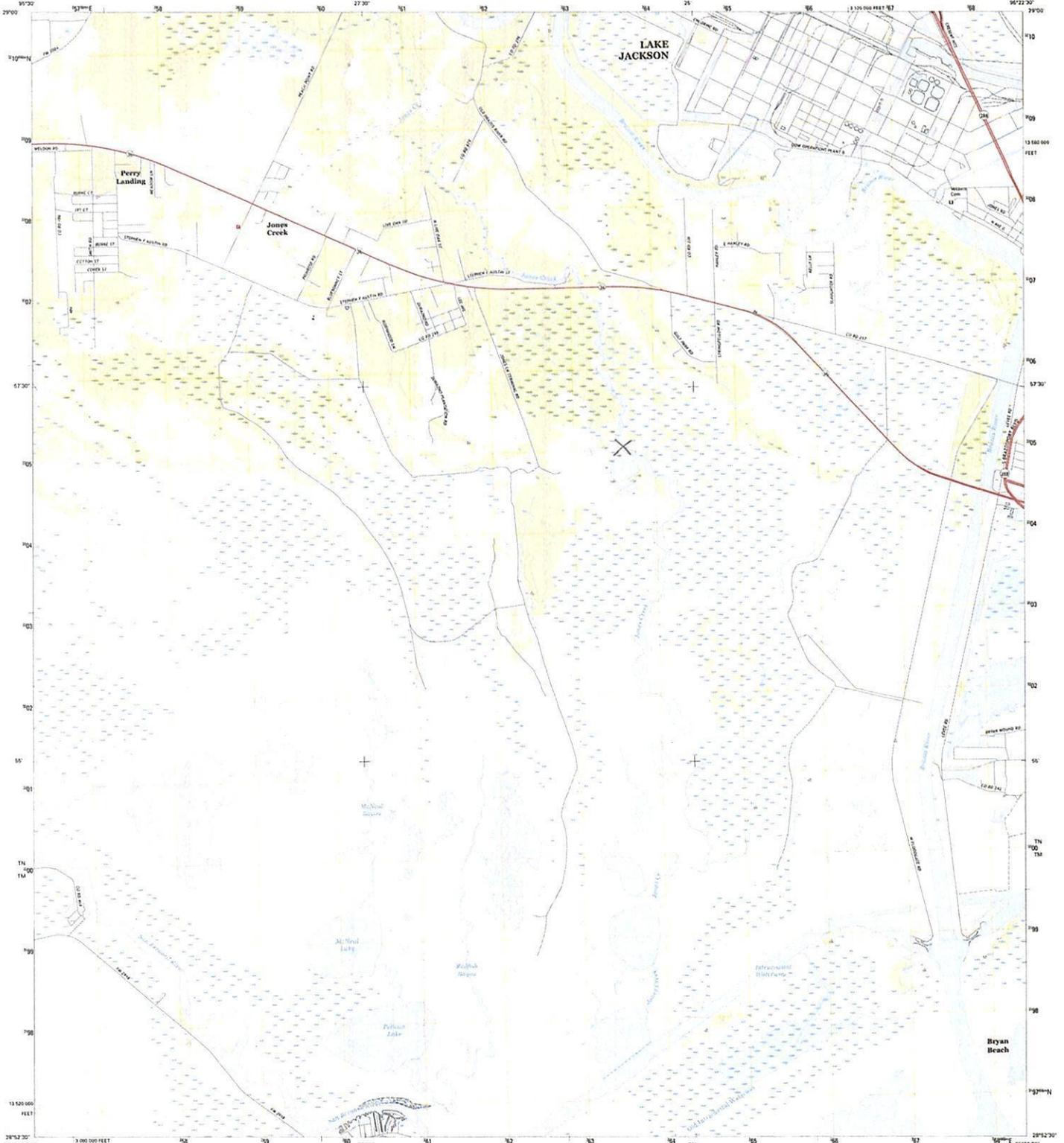
[Signature]
Notary Public, State of Texas



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY



JONES CREEK QUADRANGLE  
TEXAS-BRAZORIA CO.  
7.5-MINUTE SERIES

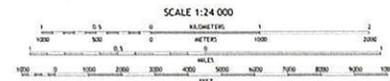


Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83). Projection and  
Spatial Coordinate System of 1983 (NAD83). Projection and  
Spatial Coordinate System of 1983 (NAD83). Zone 15R  
of 1983 Foot-Cache Texas Coordinate System of 1983 (local  
coordinate zone).

This map is not a legal document. Boundaries may be  
generalized for this map scale. Private lands within government  
boundaries may not be shown. Obtain permission before  
entering private lands.

Images: ... 10/20/2014  
Aerial: ... 10/20/2014  
Photography: ... 10/20/2014  
Contour: ... 10/20/2014  
Boundaries: ... 10/20/2014  
Water: ... 10/20/2014

U.S. National Grid  
11N 18E  
18E  
11N



CONTOUR INTERVAL: 10 FEET  
NORTH AMERICAN VERTICAL DATUM OF 1983  
This map was produced to conform with the  
National Geospatial Program (US Topographic Standard, 2011).  
A Portable File associated with this product is available at [www.usgs.gov](http://www.usgs.gov).



10/20/2014

ROAD CLASSIFICATION

Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	DRP
Interstate Route	US Route
	State Road

1	2	3	4	5	6	7	8
1	2	3	4	5	6	7	8

10/20/2014

JONES CREEK, TX  
2016

