

# TCEQ Interoffice Memorandum

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

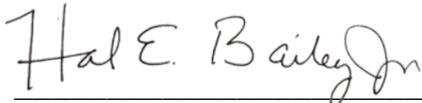
THRU: Chris Kozlowski, Team Leader  
Water Rights Permitting Team

FROM: Hal E. Bailey, Jr., Project Manager  
Water Rights Permitting Team

DATE: February 4, 2026

SUBJECT: SSB Silverhorn I, LLC  
WRPERM 5503  
CN606422509, RN101482735  
Application No. 5503B to Amend Water Use Permit No. 5503  
Texas Water Code § 11.122, Not Requiring Notice  
Panther Springs Creek, San Antonio River Basin  
Bexar County

The application was received on November 17, 2025. Additional information and fees were received on December 17 and 19, 2025, respectively. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on February 4, 2026. Notice is not required pursuant to 30 Texas Administrative Code § 295.158(c)(3)(A).



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Hal E. Bailey, Jr., Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Data Section

**OCC Mailed Notice Required**    YES    NO

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 4, 2026

Mr. Devin "Buck" Benson  
Barton Benson Jones PLLC  
1803 Broadway St., Suite 840  
San Antonio, TX 78215-1490

VIA E-MAIL

RE: SSB Silverhorn I, LLC  
WRPERM 5503  
CN606422509, RN101482735  
Application No. 5503B to Amend Water Use Permit No. 5503  
Texas Water Code § 11.122, Not Requiring Notice  
Panther Springs Creek, San Antonio River Basin  
Bexar County

Dear Mr. Benson:

This acknowledges receipt, on December 17, 2025, of additional information, and on December 19, 2025, of fees in the amount of \$112.50 (Receipt No. M646838, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on February 4, 2026. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning the application, please contact me via email at [hal.bailey@tceq.texas.gov](mailto:hal.bailey@tceq.texas.gov) or by telephone at (512) 239-4615.

Sincerely,

A handwritten signature in black ink that reads "Hal E. Bailey, Jr." in a cursive script.

Hal E. Bailey, Jr., Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Data Section

Attachment



19-DEC-25 03:50 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M646838	1157		BS00119255	19-DEC-25	-\$112.50
	WUP		121925	N	D6801282		
WATER USE PERMITS		BARTON BENSON JONES PLLC	VTORREZ	CK			
Total (Fee Code):							-\$112.50

RECEIVED  
DEC 22 2025  
Water Availability Division

# TCEQ Interoffice Memorandum

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**FROM:** Hal E. Bailey, Jr., Project Manager  
Water Rights Permitting Team

**DATE:** February 4, 2026

**SUBJECT:** SSB Silverhorn I, LLC  
Application No. 5503B to Amend Water Use Permit No. 5503  
Panther Springs Creek, San Antonio River Basin  
Bexar County

On June 9, 2006, the Texas Supreme Court issued an opinion in the case of *Marshall v Uncertain*.<sup>1</sup> The Supreme Court in that opinion considered the Commission's practices regarding notice and hearing for applications to amend a water right under Texas Water Code (TWC) § 11.122(b). The Court held that it could not determine under the record in that case whether notice and a hearing would be required. The Court remanded the case to the Commission.

The court in *Marshall* held that when reviewing the type of notice required for an amendment to a water right, the Commission must determine whether there could be an adverse impact from the application on other water rights or the environment beyond or irrespective of the full use assumption, explained below. The Court also held that the Commission must determine if the application could have an adverse impact on the public interest criteria: beneficial use, public welfare, groundwater effects, consistency with the state and regional water plan, compliance with administrative requirements, and conservation.

The types of amendments that come within the *Marshall* decision are those 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 purpose of this memo is to discuss the public notice that should be given in the above referenced application by SSB Silverhorn I, LLC in light of agency rules and the Court's decision in the case of *Marshall*.

## **Current Permit and Application for Amendment**

Water Use Permit No. 5503 (Permit), as amended, was originally issued to O-Sports Golf Development II Limited Partnership dba Silverhorn Golf Club of Texas and authorizes diversion and use of not to exceed 220 acre-feet of water per year from an existing reservoir on Panther Springs Creek, tributary of Salado Creek, tributary of the San Antonio River, San Antonio River Basin, at a maximum diversion rate of 1.11 cfs (500 gpm) for agricultural (irrigation) purposes to irrigate 105 acres of leased land out of a 270.178-acre tract in Bexar County.

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<sup>1</sup> City of Marshall et. al. v. City of Uncertain et al., No. 03-1111 (Tx. June 9, 2006).

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The Permit also authorizes the use of the reservoir for recreational purposes in Bexar County. The time priority of the water right is August 30, 1994.

A Change of Ownership completed on March 16, 2007, transferred the Permit from O-Sports Golf Development II Limited Partnership dba Silverhorn Golf Club of Texas to WSG SilverHorn IV Sublessee, L.P. The Permit was subsequently transferred from WSG SilverHorn IV Sublessee, L.P. to Silverhorn Sublease, LLC on April 12, 2016; from Silverhorn Sublease, LLC to SSB Silverhorn II, LLC on June 11, 2024; then from SSB Silverhorn II, LLC to SSB Silverhorn I, LLC on October 23, 2025. The Permit was previously amended to remove Special Condition Paragraph 4.C, which was replaced with Special Condition Paragraph 2.A.

Multiple special conditions apply including Special Condition Paragraph 2.A. in Water Use Permit No. 5503A:

In lieu of Special Condition 4.C. which states the authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorizations herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes. The authorization herein is now subject to the continued sublease or any extensions thereof between the permittee and WSG SilverHorn IV LP. Upon expiration of said sublease, permittee shall immediately cease diversion under this permit and either apply to amend the permit or voluntarily forfeit the permit. If permittee does not amend or forfeit the permit, the Texas Commission on Environmental Quality may begin proceedings to cancel this permit. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes”.

SSB Silverhorn I, LLC (Applicant) acquired Water Use Permit No. 5503. Applicant seeks to amend the permit to delete Paragraph 2.A because it is no longer effective. The Applicant has provided information that SSB Silverhorn II, LLC will be terminated and SSB Silverhorn I, LLC will hold the lease and Permit, making the provision requiring the sub-lease ineffective.

The local sponsors of the reservoir provided consent to the application.

### **Rules Related to Notice**

#### *Removing a Special Condition*

30 TAC § 295.158(c)(3)(A) allows the Commission to amend water rights provisions that are ambiguous or ineffective without notice. The Executive Director finds that removing Paragraph 2.A. has no potential for harming other water rights because

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Paragraph 2.A. references a sublease requirement between the Permittee and WSG Silverhorn IV, LP (now SSB Silverhorn II, LLC), and the owner has provided information that SSB Silverhorn II, LLC will be terminated and SSB Silverhorn I, LLC will hold the lease and permit making the provision requiring the sub-lease ineffective.

The notice recommendation for the Applicant's request to remove Paragraph 2.A. will be discussed below.

### **Texas Water Code**

This application for an amendment to an existing water right is governed by TWC § 11.122. TWC § 11.122(a) requires a water right holder, except as discussed above, to obtain a water right amendment if the holder is going to change the place of use, purpose of use, point of diversion, rate of diversion, or "otherwise alter a water right."

TWC § 11.122(b) sets out the scope of the Commission's authority in reviewing applications to amend a water right. Staff notes the Applicant is not asking for either an increase in the amount of water authorized for diversion, or an increase in the rate of diversion. With that understanding of the application, it then becomes a duty of the Commission to approve the application *"if the requested change will not cause adverse impact on other water right holders or the environment on the stream of greater magnitude than under circumstances in which the permit . . . that is sought to be amended was fully exercised according to its terms and conditions as they existed before the requested amendment,"* and the application meets, *"all other applicable requirements,"* of Chapter 11 of the Texas Water Code. The clause that requires the Commission to compare the requested amendment to the existing permit as if the existing permit was fully exercised is often referred to as the "full use assumption."

### **Adverse Impact on Water Right Holders and the Environment**

Under the *City of Marshall* opinion, the Commission must evaluate whether an amendment can adversely impact other water rights or the environment both under and beyond the full use assumption.

Under the full use assumption, deleting the ineffective special condition can have no greater impact on other water right holders or the environment than the impacts to those interests under the existing Permit because the application will not increase the amount of water authorized for diversion by the Permit.

The Executive Director has determined that there are no impacts to water rights or the environment beyond the full use assumption. This amendment requests to delete Paragraph 2.A. This application does not change a non-consumptive use to a consumptive use. Also, there is no specific pattern of use required in the existing Permit that will be changed. Another issue is whether the Executive Director should

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consider the Applicant's use of all of the water authorized in the existing water right. The Executive Director has determined that this is not a proper factor to consider because it would discourage conservation and future water planning.

### **Other Applicable Requirements**

Under TWC § 11.122(b) the proposed amendment must also satisfy all other applicable requirements of TWC Chapter 11. The Supreme Court in the *Marshall* case itemized those other requirements, which are discussed below.

### **Administrative Requirements**

Staff has reviewed the application and has found that it meets the administrative requirements of TWC Chapter 11. The application has been declared administratively complete and filed with the Office of the Chief Clerk on February 4, 2026.

### **Beneficial Use**

Proposed appropriations of state water must be for a beneficial use. Beneficial use is defined in TWC § 11.002(4) as "the use of the amount of water which is economically necessary for a purpose authorized by this chapter, when reasonable intelligence and reasonable diligence are used in applying the water to that purpose and shall include conserved water." The authorized uses in the Permit are agricultural and recreation, which are recognized as beneficial uses by TWC § 11.023(a)(2) and (6) and were already found to be beneficial uses when the Commission issued the Permit. The request to delete a special condition does not change the authorized use in the Permit.

### **Detriment to Public Welfare**

A proposed appropriation of state water must not be detrimental to the public welfare. No definition of "detriment to public welfare" is provided in the law. Therefore, the Commission has wide discretion in determining benefits or detriments to the public welfare. The Applicant seeks to delete Paragraph 2.A. because it is no longer effective.

The Executive Director's opinion is that nothing in the application raises an issue on detriment to the public welfare by granting this application.

### **Groundwater Effects**

A proposed appropriation of state water must consider effects of the proposed permit on groundwater or groundwater recharge. The Commission's Water Availability Model (WAM) is used to evaluate the availability of unappropriated water for new appropriations and takes into account both contribution to river flow caused by groundwater coming to the surface in the river (springs) and decreases

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in river flow caused by the river flowing over recharge features and losing surface water to groundwater recharge. The WAM contains channel loss factors that account for the gain or loss of river flow. These channel loss factors were developed by the expert engineering contractors hired by the Commission to develop the WAMs.

The San Antonio WAM includes the segment of Panther Springs Creek at which the diversion under this permit occurs. The San Antonio WAM does not include channel loss factors at the permitted diversion point.<sup>2</sup>

Concerning use of the Texas Water Development Board Groundwater Availability Models (GAMs) and information from the University of Texas, Bureau of Economic Geology (BEG) to assess groundwater impact from the proposed amendment, predictive simulations using the GAMs do not account for streamflow changes associated with permitted surface water withdrawals or return flows. GAMs were not originally designed to address groundwater-surface water interaction and there are issues with using these models for that purpose.<sup>3</sup> The GAMs are regional in nature and are not able to simulate groundwater-surface water interaction in detail.<sup>4</sup> The BEG provides information about aquifer recharge rates.<sup>5</sup>

Both the WAMs and the GAMs have issues related to quantifying groundwater-surface water interaction; however, the WAMs were developed as a tool for surface water permitting. In general, recharge rates, where quantified, are applicable to aquifers or portions of aquifers. As such they do not provide sufficient detail to determine interaction between surface and groundwater at discrete points. Therefore, the Executive Director concludes that neither the GAMS nor aquifer recharge rates should be used to assess groundwater/surface water interaction for water right applications.

Concerning information available from groundwater conservation districts and the Regional Water Plan, the application is located within the district boundaries of the Edwards Aquifer Authority (EAA)<sup>6</sup>, and the Region L Regional Water Planning Area<sup>7</sup>. The Edwards Aquifer Authority Groundwater Management Plan<sup>8</sup> and Initially Prepared 2026 Regional Water Plan for Region L<sup>9</sup> did not contain specific

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<sup>2</sup> Water Availability in the Guadalupe-San Antonio River Basin. Prepared by HDR Engineering Inc. and others for the Texas Natural Resource Conservation Commission. December 1999.

<sup>3</sup> Bureau of Economic Geology, 2005. Groundwater-Surface Water Interactions in Texas. August 2005.

<sup>4</sup> Mace, R., Austin, B., Angle, E., and R., Batchelder. 2007. Surface Water and GroundWater Together Again. Paper presented at State Bar of Texas 8<sup>th</sup> Annual Changing Face of Water Rights in Texas. San Antonio, Texas.

<sup>5</sup> Scanlon, B., Dutton, A. and M. Sophocleous. 2002. Groundwater Recharge in Texas. Water Recharge in Texas. Water Research Fund Grant Contract No. 2000-484-340.

<sup>6</sup> <http://www.tceq.state.tx.us/assets/public/permitting/watersupply/groundwater/maps/gcdmap.pdf>

<sup>7</sup> <http://www.twdb.texas.gov/waterplanning/rwp/plans/2026/index.asp>

<sup>8</sup> Edwards Aquifer Authority Groundwater Management Plan. Approved January 5, 2011.

<sup>9</sup> South Central Texas Regional Water Planning Area 2026 Regional Water Plan. Prepared by South Central Texas Regional Water Planning Group and others for Texas Water Development Board. October, 2025.

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information related to the effects on groundwater or groundwater recharge at this location.

Deleting an ineffective special condition does not change the authorized diversion amount under the Permit. Therefore, the Executive Director concludes that there is no potential groundwater issue involved with this application.

### **Consistency with Regional and State Plans**

Pursuant to TWC § 11.134(b)(3)(E), water right applications are only granted if the application addresses a water supply need in a manner that is consistent with the state water plan and the relevant regional water plan, unless the Commission determines that conditions warrant a waiver of this requirement. The purpose of the state and regional water plans is to assess the likely future use of water and to develop strategies for meeting water supply shortfalls. The state and regional water plans generally do not address every possible change in individual water rights. The Executive Director concludes that the requested amendment is consistent with the relevant regional water plan and the state water plan because there is nothing in the state and regional water plans that conflict with issuing this amendment.

### **Avoidance of Waste and Achievement of Water Conservation**

The Commission has adopted rules in 30 TAC § 295.9(4) that specify which applications to amend existing water rights require the submittal of water conservation plans. Applicant is requesting to delete a special condition and is not increasing the amount of the appropriation, nor changing the place or purpose of use. Pursuant to 30 TAC § 295.9, a water conservation plan is not required for this application.

### **Conclusion**

The Applicant's request in this application is to delete an ineffective special condition in Water Use Permit No. 5503A. The request does not seek to increase either the amount of water diverted or the rate of diversion. Under the full use assumption, the request to delete an ineffective special condition will not have an adverse impact on other water right holders and the environment, and there are no negative impacts to other water rights and the environment beyond the full use assumption. Deleting an ineffective special condition does not raise any issues of beneficial use, detriment to the public welfare, groundwater effects, consistency with the state and regional water plans, compliance with administrative requirements, or avoidance of waste and achievement of water conservation. As such, Commission rules, statutes, and case law allow the request to delete an ineffective special condition to be processed with no notice.

Therefore, the Executive Director recommends no notice for this application.

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## Hal Bailey

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**From:** John Manning [REDACTED]  
**Sent:** Wednesday, December 17, 2025 5:01 PM  
**To:** Hal Bailey  
**Cc:** Humberto Galvan; Chris Kozlowski; Buck Benson  
**Subject:** RE: SSB Silverhorn I, LLC Application No. 5503B Request for Information (RFI)  
**Attachments:** Revised Page (Tax ID & SOS Filing No) from TCEQ Water Rights Permitting Application (with PIP Form attached).pdf

Hal,

Please see the attached page revised with SSB Silverhorn I's correct Franchise Tax ID and Texas SOS Filing No. I have overnighted payment for the amendment in the amount of \$112.50. Please let me know if there is anything else you need from us. Thank you.

Best regards,



### JOHN R. MANNING

Associate | Barton Benson Jones PLLC

Office: (210) 610-5335  
Direct: (210) 890-1268  
bartonbensonjones.com

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**From:** Hal Bailey <Hal.Bailey@tceq.texas.gov>  
**Sent:** Tuesday, December 16, 2025 3:20 PM  
**To:** John Manning [REDACTED]  
**Cc:** Humberto Galvan <Humberto.Galvan@tceq.texas.gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>  
**Subject:** SSB Silverhorn I, LLC Application No. 5503B Request for Information (RFI)

Good afternoon John,

Please see the attached RFI for application no. 5503B. Response due date is 01/15/2026.

If you have any questions, please feel free to contact me.

Thank you,

Hal E. Bailey, Jr.  
Natural Resources Specialist IV  
Water Rights Permitting Team  
Water Availability Division  
Phone: 512-239-4615

**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?  
SSB Silverhorn I, LLC

*(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 : \_\_\_\_\_ ( 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: John R, Manning  
Title: Authorized Representative

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: SSB Silverhorn I, LLC  
Mailing Address: c/o Scott Busch, 1100 W. Bitters Road  
City: San Antonio State: Texas ZIP Code: 78216-7807

Indicate an X next to the type of Applicant:

- |   |   |
|---|---|
| <input type="checkbox"/> Individual         | <input type="checkbox"/> Sole Proprietorship-D.B.A. |
| <input type="checkbox"/> Partnership        | <input checked="" type="checkbox"/> Corporation     |
| <input type="checkbox"/> Trust              | <input type="checkbox"/> Estate                     |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government           |
| <input type="checkbox"/> County Government  | <input type="checkbox"/> City Government            |
| <input type="checkbox"/> Other Government   | <input type="checkbox"/> Other _____                |

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 32093710625 SOS Charter (filing) Number: 805422015  
32093710591 805422024

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 16, 2025

Mr. John R. Manning  
Barton Benson Jones PLLC  
1803 Broadway St., Suite 840  
San Antonio, TX 78215-1490

VIA E-MAIL

RE: SSB Silverhorn I, LLC  
WRPERM 5503  
CN606422509, RN101482735  
Application No. 5503B to Amend Water Use Permit No. 5503  
Texas Water Code § 11.122, Not Requiring Notice  
Panther Springs Creek, San Antonio River Basin  
Bexar County

Dear Mr. Manning:

This acknowledges receipt, on November 17, 2025, of the referenced application.

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

1. Provide the State Franchise Tax ID number and Secretary of State (SOS) Charter (filing) number for SSB Silverhorn I, LLC.

Staff notes that the State Franchise Tax ID number and SOS Charter number provided in the application are associated with SSB Silverhorn II, LLC.

2. Remit fees in the amount of **\$112.50** as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Amendment)	\$ 100.00
Recording Fee	\$ 12.50
<hr/> Total Fees	<hr/> \$ 112.50
Fees Received	\$ 00.00
<hr/> Fees Due	<hr/> \$ 112.50

Please provide the requested information and fees by January 15, 2026, 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 [hal.bailey@tceq.texas.gov](mailto:hal.bailey@tceq.texas.gov) or by telephone at (512) 239-4615.

Sincerely,

A handwritten signature in black ink that reads "Hal E. Bailey, Jr." with a stylized flourish at the end.

Hal E. Bailey, Jr., Project Manager  
Water Rights Permitting Team  
Water Rights Permitting and Data Section

**Received**

Date: 11/17/2025

By: Water Availability Division

# 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): SSB Silverhorn I, LLC

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/N	
<u>Y</u>	Administrative Information Report	<u>N</u>	Worksheet 3.0
<u>N</u>	Additional Co-Applicant Information	<u>N</u>	Additional W.S. 3.0 for each Point
<u>N</u>	Additional Co-Applicant Signature Pages	<u>N</u>	Recorded Deeds for Diversion Points
<u>Y</u>	Written Evidence of Signature Authority	<u>N</u>	Consent for Diversion Access
<u>N</u>	Technical Information Report	<u>N</u>	Worksheet 4.0
<u>Y</u>	USGS Map (or equivalent)	<u>N</u>	TPDES Permit(s)
<u>Y</u>	Map Showing Project Details	<u>N</u>	WWTP Discharge Data
<u>N</u>	Original Photographs	<u>N</u>	Groundwater Well Permit
<u>N</u>	Water Availability Analysis	<u>N</u>	Signed Water Supply Contract
<u>Y</u>	Worksheet 1.0	<u>N</u>	Worksheet 4.1
<u>N</u>	Recorded Deeds for Irrigated Land	<u>N</u>	Worksheet 5.0
<u>N</u>	Consent for Irrigated Land	<u>N</u>	Addendum to Worksheet 5.0
<u>N</u>	Worksheet 1.1	<u>N</u>	Worksheet 6.0
<u>N</u>	Addendum to Worksheet 1.1	<u>N</u>	Water Conservation Plan(s)
<u>Y</u>	Worksheet 1.2	<u>N</u>	Drought Contingency Plan(s)
<u>N</u>	Worksheet 2.0	<u>N</u>	Documentation of Adoption
<u>N</u>	Additional W.S. 2.0 for Each Reservoir	<u>N</u>	Worksheet 7.0
<u>N</u>	Dam Safety Documents	<u>N</u>	Accounting Plan
<u>N</u>	Notice(s) to Governing Bodies	<u>N</u>	Worksheet 8.0
<u>N</u>	Recorded Deeds for Inundated Land	<u>Y</u>	Fees
<u>N</u>	Consent for Inundated Land	<u>N</u>	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."

Summary of Request is Attached.



### 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: John R. Manning

Title: Authorized Representative

Organization Name: Barton Benson Jones PLLC

Mailing Address: 1803 Broadway, Suite 840

City: San Antonio State: Texas ZIP Code: 78215

Phone Number: (210) 640-9146

Fax Number: (210) 600-9796

E-mail Address: 

#### 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: N/A  
Title: N/A  
Organization Name: N/A  
Mailing Address: N/A  
City: N/A State: N/A ZIP Code: N/A  
Phone Number: N/A  
Fax Number: N/A  
E-mail Address: N/A

**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: N/A Amount past due: N/A
  - 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: N/A Amount past due: N/A
  
- 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 YES
  
- 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\\_REP/SurveyStatus\\_PriorThreeYears](https://www3.twdb.texas.gov/apps/reports/WU_REP/SurveyStatus_PriorThreeYears)  
Applicant has submitted all required TWDB surveys of groundwater and surface water?  
Yes / No Yes

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

Applicant:

I, John R. Manning  
(Typed or printed name)

Authorized Representative  
(Title)

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: \_\_\_\_\_

(Use blue ink)

Date: \_\_\_\_\_

10/24/25

Subscribed and Sworn to before me by the said

on this 24<sup>th</sup> day of October, 2025

My commission expires on the 30<sup>th</sup> day of December, 2025.

Cindy A. McCloskey  
Notary Public



Bexar  
County, Texas

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

## 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: NOV- 7, 2025

### **I. 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 N
- 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 N (If yes, indicate the Certificate or Permit number: N/A)

*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 N/A*

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N N (If yes, indicate the Term Certificate or Permit number: N/A)

*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: **5503A**

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? Y / N N (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 N

*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 N

*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 N  
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 N  
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 N

*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 Y \_\_\_ 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 N

*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 N

*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 N

*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 N

*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 N

*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”:

SSB Silverhorn I, LLC, is located within Region L Planning Group. The state regional plans generally do not address every possible change in individual rights. The application is consistent with the 2021 Region L Water Plan and 2022 Water Plan because there isn't anything in the plans that conflict with this application.

- b. Did the Applicant perform its own Water Availability Analysis? Y / N N

*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 Y

## 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	N/A	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   N/A   acres in   N/A   County, TX.
- ii) Location of land to be irrigated: In the   N/A   Original Survey No.   N/A  , Abstract No.   N/A  .

*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**
N/A	N/A	N/A	N/A	N/A

\*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:
- 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 N/A acres in N/A County, TX.
  - ii. Location of land to be irrigated: In the N/A Original Survey No. N/A, Abstract No. N/A.

***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.***

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

## WORKSHEET 1.1 INTERBASIN TRANSFERS, TWC § 11.085

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 N

### 1. Interbasin Transfer Request (Instructions, Page. 20)

- a. Provide the Basin of Origin. N/A
- b. Provide the quantity of water to be transferred (acre-feet). N/A
- c. Provide the Basin(s) and count(y/ies) where use will occur in the space below:  
N/A

### 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 N/A
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N N/A
- 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 N/A
- 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 N/A

### 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.twdb.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.

## 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*

### **I. 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

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: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: N/A.
- c. The impoundment is on-channel N/A or off-channel N/A (mark one)
  - i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N N/A
  - 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 N/A
- d. Is the impoundment structure already constructed? Y / N N/A
  - i. For already constructed **on-channel** structures:
    1. Date of Construction: N/A
    2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N N/A
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N N/A
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N N/A
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N N/A
      - a. If yes, provide the Site No. N/A and watershed project name N/A ;
      - b. Authorization to close "ports" in the service spillway requested? Y / N N/A
  - 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 N/A  
Provide the date and the name of the Staff Person N/A
    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 N/A
      - b. Plans (with engineer's seal) for the structure required. Y / N N/A
      - c. Engineer's signed and sealed hazard classification required. Y / N N/A
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N N/A

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 N/A

iii. Additional information required for on-channel storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: N/A.
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 N/A  
If yes, the drainage area is N/A 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): N/A
- b. Zip Code: N/A
- c. In the N/A Original Survey No. N/A , Abstract No. N/A ,  
N/A 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/A °N, Longitude N/A °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): N/A
- 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 N/A \_\_\_ cfs (cubic feet per second)  
or N/A \_\_\_ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N N/A  
If yes, submit Maximum Combined Rate of Diversion for all  
points/reaches N/A \_\_\_ cfs or N/A \_\_\_ gpm

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N N/A

**\*\* 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 N/A

If yes, the drainage area is N/A 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): N/A
- b. Zip Code: N/A
- c. Location of point: In the N/A Original Survey No. N/A, Abstract No. N/A 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/A 'N, Longitude N/A '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): N/A
- 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

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 N/A.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses N/A (% or amount) and explain the method of calculation: N/A
- c. Is the source of the discharged water return flows? Y / N N/A If yes, provide the following information:
1. The TPDES Permit Number(s). N/A (attach a copy of the **current** TPDES permit(s))
  2. Applicant is the owner/holder of each TPDES permit listed above? Y / N N/A

**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 N/A, surface water N/A ?
  5. If any percentage is surface water, provide the base water right number(s) N/A.
- d. Is the source of the water being discharged groundwater? Y / N N/A If yes, provide the following information:
1. Source aquifer(s) from which water will be pumped: N/A
  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/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers N/A.
  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 N/A  
If yes, provide the signed contract(s).
- dii. Identify any other source of the water N/A

## WORKSHEET 4.1 DISCHARGE POINT INFORMATION

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   N/A   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   N/A   cfs or   N/A   gpm.
- c. Name of Watercourse as shown on Official USGS maps:   N/A
- d. Zip Code   N/A
- e. Location of point: In the   N/A   Original Survey No.   N/A  , Abstract No.   N/A  ,   N/A   County, Texas.
- f. Point is at:  
Latitude   N/A   'N, Longitude   N/A   '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):   N/A

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

## WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

### 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.**

N/A

### 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:       N/A      

Other, specify:       N/A      

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: N/A

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 N/A
- 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 N/A and the name of the aquifer from which water is withdrawn N/A

## 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.*

### I. 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 N/A**

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 N/A

## 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. \_\_\_ Municipal Uses by public water suppliers. See 30 TAC § 288.20.
  2. \_\_\_ Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
  3. \_\_\_ 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:

N/A

- 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.



# **ATTACHMENT “1”**

## **Letter of Authority**

# SSB SILVERHORN I, LLC

November 11, 2025

Texas Commission on Environmental Quality  
P.O. Box 13087, MC-160  
Austin, TX 78711-3087

***RE: SSB Silverhorn I, LLC; Authorization to Sign to Amend TCEQ Water Use Permit***

To whom it may concern:

Please allow this correspondence to serve as permission for Devin "Buck" Benson and John R. Manning of Barton Benson Jones PLLC, to apply to the TCEQ to amend Water Use Permit No. 5503A.

SSB Silverhorn I, LLC, a Texas  
Limited liability company

By: \_\_\_\_\_

Name: Scott Busch

Title: President

# **ATTACHMENT “2”**

## **Summary of Request and Additional Information**

### **Summary of Request**

We represent SSB Silverhorn I, LLC ("Applicant"). Applicant is seeking to remove the special condition of 2.A. of Permit to Appropriate State Water 5503A (the "Permit").

#### **I. Removal of Sublease Condition**

Special Condition 2.A. under the Permit required that the Permit's authorization is subject to a continued sublease between the "permittee and WSG Silverhorn IV LP". To comply with Special Condition 2.A., each operator of the golf course currently needs to. Applicant desires to remove this Special Condition 2.A. to allow operators of the golf course the right to transfer the Permit without the unnecessary sublease requirement.

The language of Special Condition 2.A. is set forth below and provides as follows:

**Permittee: WSG SilverHorn IV Sublessee, LP**

**In lieu of Special Condition 4.C. which states the authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorizations herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes. The authorization herein is now subject to the continued sublease or any extensions thereof between the permittee and WSG SilverHorn IV LP. Upon expiration of said sublease, permittee shall immediately cease**

**diversion under this permit and either apply to amend the permit or voluntarily forfeit the permit. If permittee does not amend or forfeit the permit, the Texas Commission on Environmental Quality may begin proceedings to cancel this permit. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes.**

#### **II. History of Permit Ownership**

The history of the Permit and various parties to the lease associated with the property of the golf course from San Antonio River Authority ("SARA") and sublease associated with the permit is identified in the attached exhibit but is also explained below:

1. SARA leased golf course to SA Golf, Inc.

2. SA Golf, Inc. subleased its rights in the golf course to O-Sports Golf Development II Limited Partnership ("O-Sports"). O-Sports then obtained the Permit.
3. SA Golf, Inc. transferred its interest in the Lease to WSG Silverhorn IV, LP. O-Sports transferred its interest in the sublease to WSG Silverhorn IV Sublessee, LP.
4. WSG Silverhorn IV, LP transferred its interest in the Lease to Silverhorn Golf, LLC. WSG Silverhorn IV Sublessee, LP transferred its interest in the sublease to Silverhorn Sublease, LLC.
5. Silverhorn Golf, LLC transferred its interest in the Lease to SSB Silverhorn I, LLC. Silverhorn Sublease, LLC transferred its interest in the sublease to SSB Silverhorn II, LLC.

From the history, it appears SARA originally leased the golf course property to SA Golf, Inc. which subleased the property to O-Sports Golf Development II Limited Partnership which was the original permittee. Each new operator of the golf course assumed both the lease and sublease as demonstrated in the attached exhibit (i.e. WSG Silverhorn IV and WSG Silverhorn IV sublessee, LP). The "Existing Structure" in the attachment shows the current structure and the "New Structure" shows the SSB Silverhorn I, LLC intention to remove the sublease requirement entirely. The proposed amendment does not affect the use, diversion point, nor diversion rate.

The current permittee is identified as SSB Silverhorn II, LLC under a sublease between SSB Silverhorn II, LLC, as sublessee, and SSB Silverhorn I, LLC, as sublessor. These parties are controlled by the same parent entity and shall be terminated and merged into one entity, SSB Silverhorn I, LLC.

### **III. Exhibits**

Copies of Permits and amendments thereto are attached hereto. Copies of letters of SARA and Alamo Soil and Water Conservation District No. 330 (ASWCD) consenting to this permit amendment are attached hereto.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION  
true and correct copy of a  
Texas Natural Resource Conservation Commission document,  
the original of which is filed in the permanent records of the  
Commission



Given under my hand and the seal of office on



PERMIT  
TO APPROPRIATE STATE WATER

APPLICATION NO. 5503

PERMIT NO. 5503

Gloria A. Vasquez, Chair  
Texas Natural Resource  
Conservation Commission  
TYPE: 511-442

Name : *Return to:*  
O-Sports Golf Development II Limited Partnership dba Silverhorn Golf Club of Texas  
Address : 6307 Waterford Blvd.  
Suite 215  
Oklahoma City, OK.  
73118

Filed : August 30, 1994  
Granted : NOV 21 1994

Purpose : Irrigation and Recreation  
County : Bexar

Watercourse : Panther Springs Creek,  
tributary of Salado Creek,  
tributary of the San Antonio River  
Watershed : San Antonio River Basin

WHEREAS, O-Sports Golf Development II Limited Partnership dba Silverhorn Golf Club of Texas (applicant) has requested authorization to divert 220 acre-feet of water per annum from an existing, exempt reservoir on Panther Springs Creek to irrigate 105 acres of land approximately 9½ miles north of the Bexar County Courthouse in San Antonio, Texas;

WHEREAS, as stated above, the applicant wishes to divert water from an existing exempt reservoir on Panther Springs Creek which impounds 94 acre-feet of water with a surface area of 18 acres;

WHEREAS, the applicant also seeks to use the aforesaid exempt reservoir for recreation purposes;

WHEREAS, the above mentioned reservoir is SCS Site 7 of the Salado Creek Watershed Protection and Flood Prevention Project in Bexar County, lying on land owned by the San Antonio River Authority, the Authority and the Alamo Soil and Water Conservation District No. 330 as co-sponsors. The reservoir is in the Bexar County Sterling N. Dobin Survey 79, Abstract 841, with a point on the dam bearing S 64° 30' W, 6200 feet from the east corner of the aforesaid Dobin survey, also being at Latitude 29.590° N and Longitude 98.510° W;

WHEREAS, the co-sponsors of SCS Site 7 have consented to the applicant's irrigation project;

WHEREAS, the land to be irrigated is owned by the San Antonio River Authority with a lease to Robert S. Folsom Investments, Inc. dba SA Golf, Inc.;

WHEREAS, the applicant has subleased the property to be irrigated as evidenced by a Memorandum of Sublease Agreement dated March 7, 1992 between the applicant and SA Golf, Inc.;

WHEREAS, the Texas Natural Resource Conservation Commission finds that jurisdiction over the application is established; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Natural Resource Conservation Commission in issuing this permit.

NOW, THEREFORE, this permit to appropriate and use State water is issued to O-Sports Golf Development II Limited Partnership dba Silverhorn Golf Club of Texas, subject to the following terms and conditions:

1. USE

- A. Permittee is authorized to divert 220 acre-feet of water per annum from the aforementioned existing, exempt reservoir on Panther Springs Creek, tributary of Salado Creek, tributary of the San Antonio River, San Antonio River Basin to irrigate 105 acres of leased land out of a 270.178 acre tract within the Sterling N. Dobin Survey 79, Abstract 841 in Bexar County, Texas. The land to be irrigated is approximately 9½ miles north of the Bexar County Courthouse in San Antonio, Texas.
- B. Permittee is authorized to use the aforesaid reservoir for recreational purposes.

2. DIVERSION

Water will be diverted from the perimeter of the aforesaid exempt reservoir at a maximum rate of 1.11 cfs (500 gpm).

3. WATER CONSERVATION

Owner shall implement a water conservation plan that provides for the utilization of 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 water supply is made available for future or alternative uses.

Book W Volm 00003 Page 00479

4. SPECIAL CONDITIONS

- A. Prior to the diversion of the water authorized herein, permittee shall install a measurement device that measures within five percent (5%) accuracy and which accounts for the quantity of water diverted from the aforesaid exempt reservoir on Panther Springs Creek.
- B. The authorization herein to divert water from the exempt reservoir on Panther Springs Creek shall become null and void and be of no further force and effect upon revocation of the aforementioned consent between the applicant, the San Antonio River Authority, and the Alamo Soil and Water Conservation District No. 330. The Commission shall be notified immediately by the permittee upon amendment or expiration of such consent and provided with copies of appropriate documents effecting such changes.
- C. The authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorizations herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes.
- D. This water right is not appurtenant to the above described land owned by the San Antonio River Authority within which irrigation is authorized.

This permit is issued subject to all superior and senior water rights in the San Antonio River Basin.

The right to use State water appropriated hereunder is limited to that amount which can be beneficially used by the permittee for the authorized purpose but not to exceed the amount specifically authorized. Non-beneficial use or waste of water is a violation of this permit.

Permittee agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this permit.

All other matters requested in the application which are not specifically granted by this permit are denied.

Book W Volm 00003 Page 00480

This permit is issued subject to the Rules of the Texas Natural Resource Conservation Commission and to the right of continuing supervision of State water resources exercised by the Commission.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

*William R. Campbell*  
For the Commission

DATE ISSUED: NOV 21 1994

ATTEST:

*for* *Marnie M. Black*  
Gloria A. Vasquez, Chief Clerk

Filed for Record in:  
BEXAR COUNTY, TX  
ROBERT B. GREEN/COUNTY CLERK

On Nov 29 1994

At 11:58am

Receipt #: 90791  
Recording: 9.00  
Doc/Hgt: 6.00

Doc/Num: 94-0209882

Deputy -Janie Sanchez

Any provision hereina which restricts the sale, rental, or use of the described real property because of race is invalid and unenforceable under Federal Law.  
STATE OF TEXAS, COUNTY OF BEXAR  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

NOV 30 1994



*Robert B. Green*  
COUNTY CLERK BEXAR CO.

Book Volm Page  
W 00003 00481

SCANNED

Book: 0000  
Pages: 0000  
Doc# 570  
Filed & Recorded  
06/25/2007 4:38PM  
BEXAR COUNTY CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



BEXAR COUNTY  
THE STATE OF TEXAS  
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a Texas Commission on Environmental Quality document, which is filed in the permanent records of the Commission. Given under my hand and the seal of office on

*LaDonna Casanueva* JUN 21 2007

LaDonna Casanueva, Chief Clerk  
Texas Commission on Environmental Quality



AMENDMENT TO  
WATER USE PERMIT

PERMIT NO. 5503A

TYPE: 11.122

Permittee: WSG SilverHorn IV Sublessee, LP Address:

Attention: Greg Adair  
5080 Spectrum Drive  
Suite 1000B  
Addison, Texas 75001

Filed: March 21, 2007

Granted: JUN 13 2007

Purpose: Agricultural (Irrigation)  
and Recreation

County: Bexar

Watercourse: Panther Springs Creek,  
tributary of Salado Creek,  
tributary of San Antonio River

Watershed: San Antonio River Basin

WHEREAS, Water Use Permit No. 5503 authorizes Permittee to divert and use not to exceed 220 acre-feet of water per year from an existing exempt reservoir on Panther Springs Creek, tributary of Salado Creek, tributary of the San Antonio River, San Antonio River Basin at a maximum diversion rate of 1.11 cfs (500 gpm) for agricultural (irrigation) purposes to irrigate 105 acres of leased land out of a 270.178-acre tract. The Permittee is also authorized to use the reservoir for recreational purposes in Bexar County; and

WHEREAS, WSG SilverHorn IV Sublessee, LP, applicant, has obtained ownership of this water and seeks to amend Water Use Permit No. 5503 to delete Special Condition 4.C. which states the authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorizations herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes; and

WHEREAS, the irrigated land is owned by the San Antonio River Authority (SARA) and where the applicant has provided an Assignment and Assumption of Lease to WSG SilverHorn IV LP and Sublease to WSG SilverHorn IV Sublessee, LP document number 20060268522 recorded in the official public records of Bexar County; and

WHEREAS, SARA and Alamo Soil and Water Conservation District No. 330 (ASWCD) have given consent to the continued diversion of the water from the reservoir and irrigation of the land identified in the permit, subject to compliance with the terms and conditions of the permit and existing joint use agreement; and

WHEREAS, SARA and ASWCD also consent to any amendment by WSG SilverHorn IV, LP or WSG SilverHorn IV Sublessee, LP to delete Special Condition 4. C.; and

WHEREAS, this amendment, if granted, is subject to requirements and orders of the South Texas Watermaster; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, no one protested the granting of this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Water Use Permit No. 5503, designated Water Use Permit No. 5503A, is issued to WSG SilverHorn IV Sublessee, LP, subject to the following terms and conditions:

1. CONSERVATION

Permittee shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses.

2. SPECIAL CONDITION

- A. In lieu of Special Condition 4.C. which states the authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorizations herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes. The authorization herein is now subject to the continued sublease or any extensions thereof between the permittee and WSG SilverHorn IV LP. Upon expiration of said sublease, permittee shall immediately cease

diversion under this permit and either apply to amend the permit or voluntarily forfeit the permit. If permittee does not amend or forfeit the permit, the Texas Commission on Environmental Quality may begin proceedings to cancel this permit. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes.

- B. Permittee shall install a measuring device which accounts for, within 5% accuracy, the quantity of water diverted. Permittee shall allow representatives of the TCEQ South Texas Watermaster reasonable access to the property to inspect the measuring device.
- C. Permittee shall contact the South Texas Watermaster prior to diversion of water authorized by this amendment.

This amendment is issued subject to all terms, conditions, and provisions contained in Water Use Permit No. 5503 except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the San Antonio River Basin.

Permittee agrees to be bound by the terms, conditions, and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

Date Issued: JUN 13 2007

For the Commission  
 Book:  
 Pages: 0000  
 Book 570  
 Filed & Recorded  
 06/25/2007 4:32PM  
 GERRY RICKHOFF COUNTY CLERK  
 BEXAR COUNTY

Doc# 20070147014 Fee: \$24.00  
 06/25/2007 4:45PM # Pages 3  
 Filed & Recorded in the Official Public  
 Records of BEXAR COUNTY  
 GERRY RICKHOFF COUNTY CLERK

Any provision herein which purports to affect the title, or use of the described real property in violation of any law or ordinance shall be void and unenforceable under Federal and State of TEXAS, COUNTY OF BEXAR. I hereby certify that this instrument was FILED in File Number 00000000 on the date and at the time indicated herein by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JUN 26 2007



COUNTY CLERK BEXAR COUNTY, TEXAS

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*

June 11, 2024

Buck Benson  
2000 Broadway St.  
San Antonio, TX 78215-1116

VIA-EMAIL

RE: Change of Ownership  
Water Use Permit No. 5503

Dear Buck Benson:

This acknowledges receipt on May 14, 2024, of the Surface Water Rights Change of Ownership request and fees in the amount of \$100 (Voucher No. 705385).

*TCEQ Change of Ownership Memorandum attached.*

If you have any questions concerning this matter, please contact me via e-mail at [Ariel.Black@tceq.texas.gov](mailto:Ariel.Black@tceq.texas.gov) or by telephone at (512) 239-4625.

Sincerely,

*Ariel Black*

Ariel Black, Project Manager  
Water Rights Compliance Assurance Team  
Water Availability Division

Attachment

cc: South Texas Watermaster's Office



## TCEQ Water Rights Change of Ownership Memorandum

**To:** Records Management **Date:** June 11, 2024  
**Thru:** SD Sandra Douglas, Team Leader **Water Use Permit No.** 5503  
Water Rights Compliance Assurance Team  
**From:** Ariel Black, Project Manager **Source County:** Bexar  
Water Rights Compliance Assurance Team  
**Subject:** Change of Ownership **Source Basin:** San Antonio River  
**Delete:** Silverhorn Sublease, LLC, as owner **Add:** SSB SILVERHORN II LLC, as owner

### Conveyance Documents Reviewed

Title	Dated	Doc. No.
Assignment and Assumption of TCEQ Permit	03/13/2024	20240045239

The change of ownership application and \$100 recording fee (Voucher No. 705385) were received on May 14, 2024. The review of the application was completed on June 11, 2024. The conclusions in this memo are based upon a review of the above-mentioned conveyance documents submitted by the applicants from the Official Public Records of Bexar County, Texas. The conclusions are subject to change if additional information is received.

### Ownership of Record with Addresses and Remarks:

SSB SILVERHORN II LLC  
c/o Scott Busch  
1100 W Bitters Rd.  
San Antonio, TX 78216-7809

Please be aware that a permanent water right is an easement and passes with title to the land to which it is appurtenant unless the water right is expressly reserved or excepted from conveyance or is conveyed separately from the land. See Texas Water Code §11.040(a) and 30 Texas Administrative Code (TAC) § 297.81(a) and (d). However, also be aware that a permanent water right must be expressly conveyed if the water right is held by a water corporation, water district, river authority, or governmental entity authorized to supply water to others. See 30 TAC § 297.81(b).

This water right falls under the jurisdiction of the South Texas Watermaster's office. Prior to diversion, please contact the South Texas Watermaster's office at (800) 733-2733.

*Ariel Black*

Ariel Black

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 13, 2025

John R. Manning  
Barton Benson Jones  
1803 Broadway St Ste 840  
San Antonio, TX 78215-1490

VIA-EMAIL

RE: Change of Ownership  
Water Use Permit No. 5503

Dear John R. Manning:

This acknowledges receipt on September 25, 2025, and September 30, 2025, of additional information.

*TCEQ Water Rights Change of Ownership Memorandum* attached.

If you have any questions concerning this matter, please contact me via e-mail at [Jose.Vela@tceq.texas.gov](mailto:Jose.Vela@tceq.texas.gov) or by telephone at (512) 239-3918.

Sincerely,

A handwritten signature in black ink, appearing to be "Jose Vela".

Jose Vela, Project Manager  
Water Rights Compliance Assurance Team  
Water Availability Division

Attachment

cc: South Texas Watermaster's Office

# TCEQ Water Rights Change of Ownership Memorandum

**To:** Records Management **Date:** October 13, 2025  
**Thru:** SD Sandra Douglas, Team Leader **Water Use Permit No.** 5503  
Water Rights Compliance Assurance Team  
**From:** Jose Vela, Project Manager **Source County:** Bexar  
Water Rights Compliance Assurance Team  
**Subject:** Change of Ownership **Source Basin:** San Antonio River  
**Delete:** SSB Silverhorn II LLC, as owner  
**Add:** SSB Silverhorn I LLC, as owner

## Conveyance Documents Reviewed

Title	Dated	Doc. No.
Bill of Sale, Transfer and Assignment of Water Right	08/05/2025	20250144978

The change of ownership application was received on August 27, 2025, and \$100 recording fee (Voucher No. 785438) was received on September 30, 2025. The review of the application was completed on October 13, 2025. The conclusion in this memo is based upon a review of the above-mentioned conveyance documents submitted by the applicants from the Official Public Records of Bexar County, Texas. The conclusions are subject to change if additional information is received.

## Ownership of Record with Addresses and Remarks:

SSB Silverhorn I LLC  
c/o Scott Busch  
1100 W Bitters Rd  
San Antonio, TX 78216-7809

Please be aware that a permanent water right is an easement and passes with title to the land to which it is appurtenant, unless the water right is expressly reserved or excepted from conveyance, or is conveyed separately from the land. See Texas Water Code §11.040(a) and 30 Texas Administrative Code (TAC) § 297.81(a) and (d). However, also be aware that a permanent water right must be expressly conveyed if the water right is held by a water corporation, water district, river authority, or governmental entity authorized to supply water to others. See 30 TAC § 297.81(b).

This water right falls under the jurisdiction of the South Texas Watermaster's office. Prior to diversion, please contact the South Texas Watermaster's office at (800) 733-2733.



Jose Vela

# HISTORY

ASSIGNMENT

ASSIGNMENT

ASSIGNMENT

SARA

SARA

SARA

SARA

LEASE

SA Golf,  
Inc.

WSG  
Silverhorn  
IV, LP

Silverhorn  
Golf, LLC

SSB  
Silverhorn  
I, LLC

SUBLEASE

O-Sports Golf  
Development  
II Limited  
Partnership

WSG  
Silverhorn IV  
Sublessee,  
LP

Silverhorn  
Sublease,  
LLC

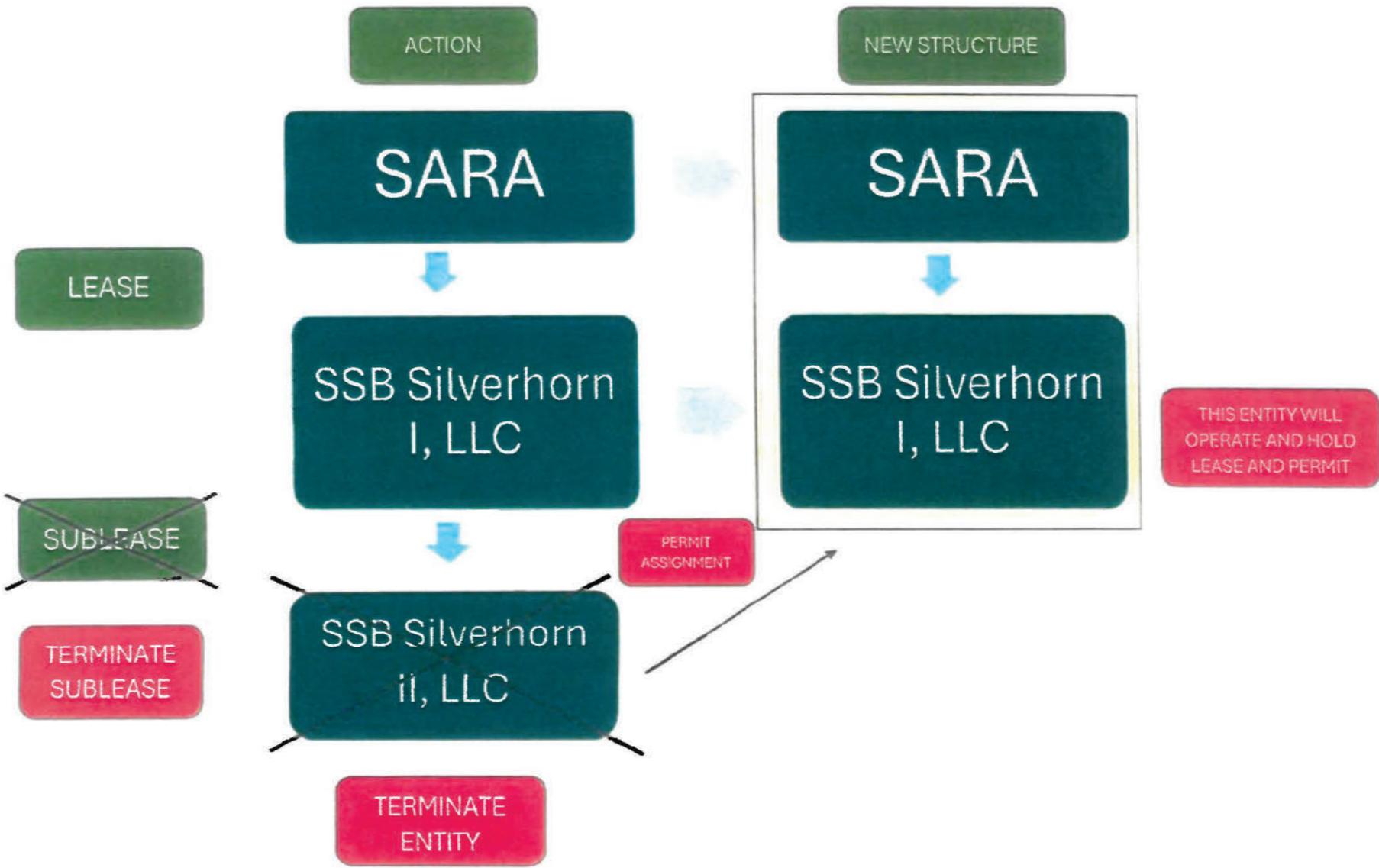
SSB  
Silverhorn II,  
LLC

SUBLESSEE  
HOLDS PERMIT

EXISTING  
STRUCTURE



# PROPOSED STRUCTURE





April 1, 2025

Water Rights Permitting Division  
Texas Commission on Environmental Quality  
12015 Park 35 Circle  
Austin, Texas 78753

Re: Amendment of Permit to Appropriate State Water No. 5503A (the "Permit").

To whom it may concern,

San Antonio River Authority ("SARA") has been advised that SSB Silverhorn II LLC ("Silverhorn II"), the current owner of the Permit, desires to amend the Permit to delete Special Condition C and to change the ownership to SSB Silverhorn I, LLC ("Silverhorn I").

SARA consents to the amendment of the Permit to remove Special Condition 4.C provided below:

**2. SPECIAL CONDITION**

- A. In lieu of Special Condition 4.C which states the authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorization herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes. The authorization herein is now subject to the continued sublease or any extensions thereof between the permittee and WSG SilverHorn IV LP. Upon expiration of said sublease, permittee shall immediately cease

diversion under this permit and either apply to amend the permit or voluntarily forfeit the permit. If permittee does not amend or forfeit the permit, the Texas Commission on Environmental Quality may begin proceedings to cancel this permit. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes.

In addition, SARA consents to the change of ownership of the Permit to Silverhorn I. I appreciate your assistance in this matter and please do not hesitate to contact me should you have any questions.

Sincerely,

  
Derek E. Boese, Jr., BMP  
General Manager

**EXECUTIVE COMMITTEE**

**CHAIRMAN**  
Jim Campbell

**VICE-CHAIR**  
Gaylon J. Oehlke

**SECRETARY**  
Jerry G. Gonzales

**TREASURER**  
Derek J. Gaudlitz

**MEMBERS AT-LARGE**

Lourdes Galvan  
James Fuller, M.D.

**BOARD OF DIRECTORS**

**BEXAR COUNTY**

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Jerry G. Gonzales

**District 2**  
Lourdes Galvan

**District 3**  
Michael W. Lackey, P.E.

**District 4**  
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**At-Large**

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Patrice A. Melancon

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**KARNES COUNTY**

H.B. Ruckman, III  
Gaylon J. Oehlke

**GOLIAD COUNTY**

James Fuller, M.D.  
John Yochem

**GENERAL MANAGER**

Derek Boese, JD, PMP



April 1, 2025

Water Rights Permitting Division  
Texas Commission on Environmental Quality 12015 Park 35 Circle  
Austin, Texas 78753

Re: Amendment of Permit to Appropriate State Water No. 5503A (the "Permit").

To whom it may concern,

Alamo Soil and Water Conservation District No. 330 ("ASWCD") has been advised that SSB Silverhorn II LLC ("Silverhorn II"), the current owner of the Permit, desires to amend the Permit to delete Special Condition C and to change the ownership to SSB Silverhorn I, LLC ("Silverhorn I").

ASWCD consents to the amendment of the Permit to remove Special Condition 4.C provided below:

## 2 SPECIAL CONDITION

- A. In lieu of Special Condition 4.C. which states the authorization herein is subject to the continued sublease or any extensions thereof between the permittee and SA Golf, Inc. Upon expiration of said sublease, the authorizations herein shall become null and void and be of no further force and effect. The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes. The authorization herein is now subject to the continued sublease or any extensions thereof between the permittee and WSG SilverHorn IV LP. Upon expiration of said sublease, permittee shall immediately cease

diversion under this permit and either either apply to amend the permit or voluntarily forfeit the permit. If permittee does not amend or forfeit the proceeding to cancel this permit, The Commission shall be notified immediately by the permittee upon amendment or expiration of such sublease and provided with copies of appropriate documents effecting such changes

In addition, ASWCD consents to the change of ownership of the Permit to Silverhorn I.

I appreciate your assistance in this matter and please do not hesitate to contact me should you have any questions.

Sincerely,

Gary Schott  
Chairman  
(210) 472-5527 (210) 472-5525 Fax

# **ATTACHMENT “3”**

## **Mashall Criteria**

## **WORKSHEET 1.2 MARSHALL CRITERIA**

**Administrative Requirements and Fees** – The Application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Tex. Admin. Code Chs. 281, 295, and 297. The Application includes a sworn application, maps, and all necessary fees.

**Beneficial Use** – The Recreation use as defined and listed in TWC Ch. 11 is not being changed.

**Public Welfare** – The amendment of the authorized uses is not detrimental to the public welfare.

**Groundwater Effects** – The proposed amendment will not affect groundwater recharge. Use of the surface water for Irrigation and Recreation in place will lessen the reliance on groundwater at the place of use.

**State Water Plan** – The state and regional water plans generally do not address every possible change in individual water rights. The application is consistent with the 2021 Region L Water Plan and the 2022 State Water Plan because there is nothing in the plans that conflict with the application.

**Waste Avoidance** – Applicant will institute conservation methods and only use the surface water when necessary.

**Impacts on Water Rights or On-stream Environment** – Amending the authorized uses and removing the special condition to this Permit will no impact on any existing water right holders or the on-stream environment. The diversion point is not being moved, the authorized amounts remain unchanged and no increases or expansions of use are being requested hereby.

Recording requested by:

Addison Law Firm  
5429 LBJ Freeway, Suite 400  
Dallas, Texas 75240  
Attention: Timothy J. Clow, Esq.

After recording, return to:

Greenberg Glusker LLP  
2049 Century Park East, Suite 2600  
Los Angeles, California 90067  
Attention: Steven J. Lurie, Esq.

Mail real property tax statements to:

SSB SILVERHORN II LLC  
c/o C-Bons International Golf Group, Inc.  
9 West 57th Street, 40th Floor  
New York, New York 10019  
Attention: Real Estate Asset Management

*1002-391 949-RTT*

-----SPACE ABOVE THIS LINE FOR RECORDER'S USE-----

### ASSIGNMENT AND ASSUMPTION OF SUBLEASE AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION OF SUBLEASE AGREEMENT (this "Assignment") is made as of March 13, 2024 (the "Assignment Effective Date"), by and between, on one hand, SILVERHORN GOLF, LLC, a Texas limited liability company ("Assignor I"), and SILVERHORN SUBLEASE, LLC, a Texas limited liability company ("Assignor II"), each, having an office at c/o C-Bons International Golf Group, Inc., 4400 Palm Royale Blvd., Sugar Land, Texas 77479, and, on the other hand, SSB SILVERHORN I LLC, a Delaware limited liability company ("Assignee I"), and SSB SILVERHORN II LLC, a Delaware limited liability company ("Assignee II"), each, having an office at 9 West 57th Street, 40th Floor, New York, New York 10019.

## RECITALS

A. Assignor I, as sublandlord, and Assignor II, as subtenant, are parties to that certain Sublease Agreement dated as of March 26, 1992 and effective as of March 1, 1992, by and between SA Golf, Inc., a Texas corporation, as predecessor-in-interest to Assignor I, and O-Sports Development Company of Texas, Inc., a Texas corporation, as predecessor-in-interest to Assignor II, as evidenced by that certain Memorandum of Sublease Agreement, dated March 17, 1992 and recorded on April 30, 1992 in Volume 5325, Page 842, Real Property Records of Bexar County, Texas, and as amended, modified and assigned by the instruments described on Exhibit A attached hereto (as so amended, modified and assigned, the “**Sublease Agreement**”), pursuant to which Assignor I subleases to Assignor II that certain real property located in the City of San Antonio, County of Bexar, State of Texas, and more particularly described on Exhibit B attached hereto (the “**Property**”).

B. Assignor I desires to assign all of its right, title and interest in and to the Sublease Agreement to Assignee I, and Assignee I is willing to accept such assignment and assume Assignor I’s obligations under the Sublease Agreement to the extent first accruing from and after the Assignment Effective Date.

C. Assignor II desires to assign all of its right, title and interest in and to the Sublease Agreement to Assignee II, and Assignee II is willing to accept such assignment and assume Assignor II’s obligations under the Sublease Agreement to the extent first accruing from and after the Assignment Effective Date.

NOW, THEREFORE, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor I, Assignor II, Assignee I and Assignee II hereby agree as follows:

1. Assignment.

(a) Effective as of the Assignment Effective Date, Assignor I hereby assigns, transfers and conveys to Assignee I all of Assignor I’s right, title and interest in and to the Sublease Agreement, including, without limitation, any and all benefits, options or rights of any nature thereunder.

(b) Effective as of the Assignment Effective Date, Assignor II hereby assigns, transfers and conveys to Assignee II all of Assignor II’s right, title and interest in and to the Sublease Agreement, including, without limitation, any and all benefits, options or rights of any nature thereunder and all of Assignor II’s right, title and interest in and to the improvements located on the Property.

2. Assumption.

(a) Effective as of the Assignment Effective Date, Assignee I hereby accepts the foregoing assignment, transfer and conveyance from Assignor I as set forth in Section 1(a) above, and Assignee II hereby assumes all of Assignor I’s obligations under the Sublease Agreement to the extent first accruing from and after the Assignment Effective Date.

(b) Effective as of the Assignment Effective Date, Assignee II hereby accepts the foregoing assignment, transfer and conveyance from Assignor II as set forth in Section 1(b) above, and Assignee II hereby assumes all of Assignor II’s obligations under the Sublease Agreement to the extent first accruing from and after the Assignment Effective Date.

3. Miscellaneous.

(a) This Assignment shall inure to the benefit of and shall be binding upon Assignor I, Assignor II, Assignee I and Assignee II, and their respective successors and assigns.

(b) This Assignment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same documents.

(c) This Assignment shall be governed by and construed under the laws of the State of Texas.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, Assignor and Assignee have caused this Assignment to be executed as of the Assignment Effective Date.

**ASSIGNOR I**

**SILVERHORN GOLF, LLC,**  
a Texas limited liability company

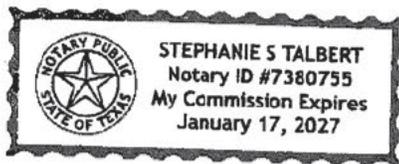
By: C-Bons Acquisition Holdings, Inc.,  
a Nevada corporation,  
its sole member

By: *Dale Folmar*  
Name: Dale Folmar  
Its: Authorized Signer

STATE OF TEXAS §  
  §  
COUNTY OF Dallas §

BEFORE ME, the undersigned authority, on this day personally appeared Dale Folmar, Authorized Signer of C-Bons Acquisition Holdings, Inc. sole member of Silverhorn Golf, LLC, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 11<sup>th</sup> day of March, 2024.



*Stephanie S Talbert*  
Notary Public in and for the State of Texas

Stephanie S Talbert  
(Typed or Printed Name of Notary)

My Commission Expires: 1-17-27

[signatures continue on the following page]



**ASSIGNEE I**

**SSB SILVERHORN I LLC,**  
a Delaware limited liability company

By:   
Name: Nicholas Hecker  
Its: Authorized Person

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF   ml   )

On the   5   day of March, 2024 before me, the undersigned, personally appeared   Nicholas Hecker  , personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) [is/are] subscribed to the within instrument, and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [his/her/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
NOTARY PUBLIC

[signatures continue on the following page]

MEGAN LOOCK  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01L05004077  
Qualified in Richmond County  
My Commission Expires   1-18-2027

**ASSIGNEE II**

**SSB SILVERHORN II LLC,**  
a Delaware limited liability company

By:   
Name: Nicholas Hecker  
Its: Authorized Person

STATE OF NEW YORK )

COUNTY OF NY )

)  
) ss:  
)

On the 5 day of March, 2024 before me, the undersigned, personally appeared Nicholas Hecker, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) [is/are] subscribed to the within instrument, and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [his/her/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
NOTARY PUBLIC

MEGAN LOOCK  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 01L05004077  
Qualified in Richmond County  
My Commission Expires 1/18/2027

**EXHIBIT A**

1. First Amendment to Sublease Agreement, dated September 24, 1993, between SA Golf, Inc., a Texas corporation, and O-Sports Development Company of Texas, Inc., a Texas corporation.
2. Second Amendment to Sublease Agreement, dated as of March 28, 1995, between SA Golf, Inc., a Texas corporation, and O-Sports Development Company of Texas, Inc., a Texas corporation.
3. Sublease Assignment and Assumption Agreement, dated March 28, 1995, between O-Sports Development Company of Texas, Inc., a Texas corporation, and O-Sports Golf Development II Limited Partnership, a Texas limited partnership.
4. Assignment and Assumption of Lease and Sublease, dated as of November 2, 2006, by and among SA Golf, Inc., a Texas corporation, WSG Silverhorn IV, LP, a Texas limited partnership, WSG Silverhorn IV Sublessee, LP, a Texas limited partnership, and O-Sports Golf Development II Limited Partnership, a Texas limited partnership, and recorded November 6, 2006 in the Official Records of Bexar County, Texas, as Doc # 20060268522.
5. Amendment and Restatement of Sublease, dated as of November 2, 2006, by and between WSG Silverhorn IV, LP, a Texas limited partnership, and WSG Silverhorn IV Sublessee, LP, a Texas limited partnership.
6. Assignment and Assumption of Ground Sublease dated October 29, 2014, by and between WSG Silverhorn IV, LP, a Delaware limited partnership, and Silverhorn Golf, LLC, a Texas limited liability company filed under County Clerk's File No. 2014026897, Real Property Records, Bexar County, Texas.
7. Assignment and Assumption of Ground Sublease dated October 29, 2014, by and between WSG Silverhorn Sublessee IV, LP, a Delaware limited partnership, and Silverhorn Sublease, LLC, a Texas limited liability company, recorded December 2, 2014, filed under County Clerk's File No. 20140206898, Real Property Records of Bexar County, Texas.

**EXHIBIT B**

**[Legal Description Attached]**

TRACT I

Being 254.135 acres of land, more or less, out of the S. N. Dobie Survey No. 75, Abstract No. 841, in the City of San Antonio, Bexar County, Texas and also being out of and part of a 321.217 acre tract of land conveyed from Robert S. Folsom Investments Inc. to the San Antonio River Authority by Deed recorded in Volume 7503, Page 108 of the Deed Records of Bexar County, Texas. Said 254.135 acres being more particularly described as follows:

BEGINNING at a found "X" at the intersection of the south right-of-way line of Bitters Road, as recorded in Volume 3718, Page 1601 of the Real Property Records of Bexar County, Texas, and the west line of Racquet Club Of Camino Real Subdivision Unit 1 recorded in Volume 9502, Page 51 of the Deed and Plat Records of Bexar County, Texas;

Thence departing said right-of-way line and along the common line between the tract being described and the west line of said Racquet Club of Camino Real Subdivision the following calls:

South 29 degrees 30 minutes 43 seconds East, a distance of 69.50 feet to a found fence post;

South 20 degrees 52 minutes 19 seconds East, a distance of 73.86 feet to a found 1/2 inch iron pin;

South 14 degrees 43 minutes 28 seconds East, a distance of 84.76 feet to a point;

South 25 degrees 02 minutes 01 seconds East, a distance of 157.69 feet to a found 1/2 inch iron pin with a Simpson cap;

Thence South 37 degrees 01 minutes 52 seconds East, a distance of 112.66 feet to a found 1/2" iron pin at the Southwest corner of said Racquet Club of Camino Real Unit 1 and the Northwest corner of Racquet Club of Camino Real Unit 2 as recorded in Volume 9521, Page 179 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between said Racquet Club of Camino Real Unit 2 and the tract being described the following calls:

South 58 degrees 24 minutes 21 seconds East, a distance of 114.07 feet to a found 1/2 inch iron pin;

South 48 degrees 33 minutes 36 seconds East, a distance of 172.25 feet to a found 1/2 inch iron pin;

South 43 degrees 15 minutes 20 seconds East, a distance of 98.33 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 61 degrees 35 minutes 41 seconds East, a distance of 104.06 feet to a found 1/2 inch iron pin;

South 63 degrees 42 minutes 22 seconds East, a distance of 105.15 feet to a found 1/2 inch iron pin point;

North 62 degrees 15 minutes 49 seconds East, a distance of 242.85 feet to a found 1/2 inch iron pin point;

North 13 degrees 26 minutes 47 seconds East, a distance of 171.68 feet to a point;

Thence North 14 degrees 46 minutes 44 seconds East, a distance of 166.36 feet to a found 1/2" iron pin-at the Northeast corner of said Racquet Club of Camino Real Unit 2;

Thence departing said Racquet Club of Camino Real Unit 2 and along the common line between the tract being described and a Perpetual Ingress\Egress Easement described in Volume 6994, Page 995 of the Real Property Records of Bexar County, Texas, South 69 degrees 54 minutes 08 seconds East, a distance of 77.66 feet to a found Y2 inch iron pin with a Pape Dawson cap on the West line of Bluffview Greens Unit 1 recorded in Volume 9535, Page 93 of the Deed and Plat records of Bexar County, Texas;

Thence along the common line between the tract being described, said Bluffview Greens Unit 1 and Bluffview Greens Unit 2 recorded in Volume 9538, Page 167 of the Deed and Plat Records of Bexar County, Texas, the following calls:

South 17 degrees 45 minutes 43 seconds East, a distance of 113.32 feet to a found 1/2 inch iron pin;

South 15 degrees 55 minutes 02 seconds East, a distance of 123.35 feet to a found 1/2 inch iron pin;

South 19 degrees 50 minutes 31 seconds East, a distance of 107.31 feet to a found 1/2 inch iron pin with a Pape Dawson cap;

South 22 degrees 52 minutes 38 seconds East, a distance of 90.83 feet to a found 1/2 inch iron pin with a Pape Dawson cap;

South 26 degrees 00 minutes 55 seconds East, a distance of 109.44 feet to a found 1/2 inch iron pin with a Pape Dawson cap;

South 20 degrees 42 minutes 52 seconds East, a distance of 86.18 feet to a set "X" on a boulder;

North 48 degrees 02 minutes 22 seconds East, a distance of 81.54 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

North 37 degrees 46 minutes 59 seconds East, a distance of 114.36 feet to a found 14 inch iron pin;

South 06 degrees 08 minutes 49 seconds West, a distance of 177.37 feet to a found 1/2 inch iron pin with a yellow cap;

South 04 degrees 41 minutes 56 seconds East, a distance of 65.42 feet to a set 14 inch iron pin with red cap stamped Overby Descamps;

Thence along the common line between the tract being described and the Southwest line of The Enclave at Silverhorn Subdivision recorded in Volume 9535, Page 157 of the Deed and Plat records of Bexar County, Texas the following calls:

South 00 degrees 01 minutes 23 seconds East, a distance of 335.28 feet to a found 1/2 inch iron pin;

South 48 degrees 16 minutes 30 seconds East, a distance of 418.70 feet to a found 1/2 iron pin with a Castella cap;

Thence South 46 degrees 03 minutes 22 seconds East, passing the Southern most corner of Lot 36 of The Enclave at Silverhorn Subdivision at a distance of 87.50 feet, the Western most corner of Lot 139 of Bluffview Estates Subdivision Unit 3 recorded in Volume 9525, Page 3 of the Deed and Plat Records of Bexar County, Texas at a distance of 102.51 feet and continuing a total distance of 242.78 feet to a found 1/2 inch iron pin on the Southwest line of Lot 138 of said Bluffview Estates Subdivision Unit 3;

Thence along the common line between the tract being described and said Bluffview Estates Subdivision Unit 3 the following calls:

South 52 degrees 01 minutes 35 seconds East, a distance of 186.40 feet to a found 1 1/2 inch iron pin;

Thence South 45 degrees 58 minutes 22 seconds East, a distance of 107.84 feet to a found 1/2 inch iron pin on the Southwest line of Lot 125 of Bluffview Estates Subdivision Unit 2 recorded in Volume 9502, Page 200 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between the tract being described and said Bluffview Estates Subdivision Unit 2 the following calls:

South 44 degrees 31 minutes 14 seconds East, a distance of 95.63 feet to a found 1/2 inch iron pin;

South 22 degrees 17 minutes 55 seconds East, a distance of 93.06 feet to a found 1/2 inch iron pin;

South 18 degrees 39 minutes 16 seconds East, a distance of 133.96 feet to a found 1/2 inch iron pin;

South 01 degrees 48 minutes 18 seconds East, a distance of 136.41 feet to a found 1/2 inch iron pin;

South 42 degrees 31 minutes 33 seconds East, a distance of 57.75 feet to a found 1/2 inch iron pin;

Thence South 19 degrees 03 minutes 45 seconds East, a distance of 239.52 feet to a found 1/2" iron pin on the west line of Lot 84, Block 1, Bluffview Estates Subdivision Unit I as recorded in Volume 9100 page 62 of the Deed and Plat Records of Bexar County, Texas;

THENCE along the common line between said Bluffview Estates Unit 1 and the tract being described the following calls:

South 12 degrees 58 minutes 55 seconds East, a distance of 180.95 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 00 degrees 21 minutes 19 seconds West, a distance of 186.83 feet to a found 1/2 inch iron pin;

South 02 degrees 30 minutes 19 seconds East, a distance of 88.75 feet to a point;

South 09 degrees 24 minutes 11 seconds East, a distance of 101.39 feet to a found 1/2 inch iron pin;

South 17 degrees 10 minutes 12 seconds East, a distance of 198.41 feet to a found 1/2 inch iron pin;

South 16 degrees 01 minutes 36 seconds East, a distance of 136.40 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 10 degrees 40 minutes 08 seconds East, a distance of 251.55 feet to a found 1/2 inch iron pin;

Thence South 06 degrees 06 minutes 46 seconds West, a distance of 183.71 feet to a found 1/2 inch iron pin on the west line of Lot 40, Block 1, Bluffview of Camino Real Unit 1 as recorded in Volume 8100, Page 35 of the Deed and Plat Records of Bexar County, Texas;

THENCE along the common line between said Bluffview of Camino Real Unit 1 and the tract being described the following calls:

South 15 degrees 04 minutes 35 seconds West, a distance of 277.11 feet to a found 'A' inch iron pin;

South 16 degrees 57 minutes 27 seconds West, a distance of 237.56 feet to a found 'V2' inch iron pin;

South 14 degrees 25 minutes 22 seconds West, a distance of 253.94 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 12 degrees 40 minutes 31 seconds West, a distance of 177.38 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 18 degrees 59 minutes 18 seconds West, a distance of 200.23 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 06 degrees 34 minutes 04 seconds East, a distance of 194.18 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 29 degrees 55 minutes 31 seconds East, a distance of 326.92 feet to a found 1/2 inch iron pin;

South 36 degrees 08 minutes 51 seconds East, a distance of 263.49 feet to a found metal post;

Thence departing said common line, South 52 degrees 20 minutes 09 seconds West, a distance of 65.83 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

Thence South 03 degrees 25 minutes 48 seconds West, a distance of 114.77 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

Thence South 47 degrees 37 minutes 58 seconds West, a distance of 192.62 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

Thence South 71 degrees 13 minutes 45 seconds West, a distance of 315.88 feet to a found 5/8 inch iron pin;

Thence South 89 degrees 57 minutes 17 seconds West, a distance of 1402.61 feet to a found 3 inch metal post at the Southern most corner of a 7.194 acre tract described as Archeological Site 41BX197 and 41BX198 in document recorded in Volume 6816, Page 2004 of the Real Property Records of Bexar County, Texas;

Thence along the East line of said 7.194 acre tract the following calls:

North 34 degrees 18 minutes 47 seconds East, a distance of 161.97 feet to a set 'A' inch iron pin with a red cap stamped Overby Descamps;

North 78 degrees 11 minutes 00 seconds East, a distance of 105.28 feet to a set 'A' inch iron pin with a red cap stamped Overby Descamps;

North 25 degrees 00 minutes 34 seconds West a distance of 267.45 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

North 18 degrees 47 minutes 43 seconds West, a distance of 174.56 feet to a set 'A' inch iron pin with a red cap stamped Overby Descamps;

North 08 degrees 39 minutes 34 seconds West, a distance of 244.71 feet to a set 'A' inch iron pin with a red cap stamped Overby Descamps;

North 31 degrees 51 minutes 12 seconds West, a distance of 149.96 feet to a set 'A' inch iron pin with a red cap stamped Overby Descamps;

North 29 degrees 24 minutes 24 seconds West, a distance of 269.73 feet to a set ' inch iron pin with a red cap stamped Overby Descamps;

South 72 degrees 20 minutes 48 seconds West, a distance of 116.77 feet to a set 'A inch iron pin with a red cap stamped Overby Descamps on the East line of Vista Del Norte Apartments Subdivision recorded in Volume 9561, Page 7 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between said Vista Del Norte Apartments Subdivision and the tract being described the following calls:

North 13 degrees 12 minutes 03 seconds West, a distance of 40.22 feet to a set 'A inch iron pin with a red cap stamped Overby Descamps;

North 57 degrees 12 minutes 44 seconds West, a distance of 188.00 feet to a found 'A inch iron pin with a Pape Dawson cap;

Thence South 74 degrees 37 minutes 26 seconds West, a distance of 98.44 feet to a found 1/2 inch iron pin on the Northeastern line of Vista Del Norte Subdivision Unit 8 as recorded in Volume 9511, page 101 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between said Vista Del Norte Unit 8 and the tract being described the following calls:

South 52 degrees 31 minutes 25 seconds West, a distance of 52.94 feet to a found 1/2 inch iron pin;

South 87 degrees 04 minutes 06 seconds West, a distance of 34.41 feet to a found 1/2 inch iron pin;

North 53 degrees 11 minutes 00 seconds East, a distance of 41.66 feet to a found 1/2 inch iron pin;

North 30 degrees 33 minutes 09 seconds East, a distance of 60.98 feet to a found 1/2 inch iron pin;

North 38 degrees 32 minutes 33 seconds East, a distance of 66.70 feet to a point;

North 04 degrees 42 minutes 33 seconds East, a distance of 50.65 feet to a found 1/2 inch iron pin;

North 54 degrees 41 minutes 37 seconds West, a distance of 114.67 feet to a found 1/2 inch iron pin;

North 33 degrees 46 minutes 59 seconds West, a distance of 113.67 feet to a point;

North 67 degrees 08 minutes 04 seconds West, a distance of 95.89 feet to a found 1/2 inch iron pin;

North 68 degrees 52 minutes 19 seconds West, a distance of 92.64 feet to a point; North 45 degrees 51 minutes 38 seconds West, a distance of 190.74 feet to a point;

North 34 degrees 37 minutes 31 seconds West, a distance of 107.81 feet to a found 1/2 inch iron pin;

South 70 degrees 22 minutes 07 seconds East, a distance of 101.59 feet to a found 1/2 inch iron pin;

North 12 degrees 12 minutes 37 seconds East, a distance of 40.77 feet to a set 1/2 inch iron pin at the western most corner of Lot 18, Block 10, Vista Del Norte Unit 6 as recorded in Volume 9505 page 3 of the Deed and Plat Records of Bexar County, Texas;

THENCE along the common line between said Vista Del Norte Unit 6 and the tract being described the following calls:

South 29 degrees 26 minutes 24 seconds East, a distance of 49.10 feet to a found 1/2 inch iron pin;

South 69 degrees 15 minutes 48 seconds East, a distance of 194.88 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 72 degrees 16 minutes 49 seconds East, a distance of 134.25 feet to a set 1/2-inch iron pin with a red cap stamped Overby Descamps;

South 74 degrees 37 minutes 31 seconds East, a distance of 143.30 feet to a found 1/2 inch iron pin;

North 35 degrees 31 minutes 33 seconds East, a distance of 42.23 feet to a found 1/2 inch iron pin;

North 05 degrees 27 minutes 53 seconds East, a distance of 95.05 feet to a found 1/2 inch iron pin;

North 11 degrees 24 minutes 18 seconds West, a distance of 232.51 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

North 23 degrees 55 minutes 30 seconds West, a distance of 51.09 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

Thence along the common line between the tract being described and Walker Ranch Subdivision Unit 1 recorded in Volume 9547, Page 205 of the Deed and Plat Records of Bexar County, Texas the following calls:

South 48 degrees 15 minutes 46 seconds East, a distance of 107.94 feet to a found 1 1/2 inch pipe;

North 08 degrees 31 minutes 56 seconds West, a distance of 48.19 feet to a found 1 1/2 inch pipe;

North 31 degrees 00 minutes 26 seconds West, a distance of 163.99 feet to a found 1 1/2 inch pipe;

North 14 degrees 56 minutes 16 seconds West, a distance of 537.98 feet to a found 1/2 inch iron pin;

North 21 degrees 40 minutes 03 seconds East, a distance of 380.64 feet to a found 1/2 inch iron pin on the East line of Walker Ranch Subdivision Unit 2 recorded in Volume 9551, Page 185 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between the tract being described and said Walker Ranch Subdivision Unit 2 the following calls:

North 10 degrees 07 minutes 42 seconds East, a distance of 487.20 feet to a found 1 1/2 inch pipe;

North 24 degrees 53 minutes 30 seconds West, a distance of 337.43 feet to a found 1/2 inch iron pin;

Thence along the common line between the tract being described and River Bend of Camino Real P.U.D. as recorded in Volume 9500, Page 5 of the Deed and Plat Records of Bexar County, Texas the following calls:

North 18 degrees 14 minutes 27 seconds West, a distance of 118.59 feet to a set 1/2 inch iron pin;

North 42 degrees 25 minutes 51 seconds East, a distance of 125.51 feet to a found 1/2 inch iron pin;

North 07 degrees 49 minutes 41 seconds East, a distance of 174.63 feet to a found 1/2 inch iron pin;

North 42 degrees 54 minutes 50 seconds East, a distance of 89.04 feet to a found 1/2 inch iron pin;

North 60 degrees 32 minutes 26 seconds East, a distance of 109.25 feet to a fence post;

North 10 degrees 48 minutes 14 seconds West, a distance of 72.18 feet to a point;

North 16 degrees 41 minutes 19 seconds West, a distance of 169.42 feet to a point;

North 02 degrees 01 minutes 37 seconds East, a distance of 278.66 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

North 42 degrees 55 minutes 40 seconds West, a distance of 82.10 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 79 degrees 02 minutes 56 seconds West, a distance of 41.14 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

South 60 degrees 00 minutes 36 seconds West, a distance of 65.90 feet to a set 1/4 inch iron pin with a red cap stamped Overby Descamps on a non-tangent curve concave to the Southwest with a radius of 431.24 feet bearing South 65 degrees 46 minutes 56 seconds West, a central angle of 09 degrees 54 minutes 15 seconds, a tangent length of 37.37 feet, and a chord length of 74.45 feet bearing North 29 degrees 10 minutes 11 seconds West;

Thence along the arc of said curve a distance of 74.54 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps at the Southern most corner of Lot 20, River Bend of Camino Real Unit 3, P.U.D. recorded in Volume 9514, Page 65 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between the tract being described and said River Bend of Camino Real Unit 3, P.U.D. the following calls:

North 59 degrees 59 minutes 55 seconds East, a distance of 81.62 feet to a point;

North 26 degrees 43 minutes 05 seconds West, a distance of 87.29 feet to a found 1/2 inch iron pin;

North 44 degrees 30 minutes 50 seconds West, a distance of 49.30 feet to an angle point in Lot 14, River Bend of Camion Real P.U.D. recorded in Volume 9500, Page 5 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between the tract being described and said River Bend of Carrion Real P.U.D. the following calls:

North 25 degrees 59 minutes 01 seconds West, a distance of 74.74 feet to a found 1/2 inch iron pin;

North 23 degrees 54 minutes 23 seconds West, a distance of 111.75 feet to a found 1/2 inch iron pin;

North 33 degrees 15 minutes 56 seconds West, a distance of 172.99 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

North 38 degrees 07 minutes 20 seconds West, a distance of 115.00 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

North 27 degrees 38 minutes 23 seconds West, a distance of 176.16 feet to a found 1/2 inch iron pin;

North 28 degrees 35 minutes 03 seconds West, a distance of 95.10 feet to a found 1/2 inch iron pin on the Northeast line of Lot 18, River Bend of Camion Real Unit 2 P.U.D. recorded in Volume 9500, Page 126 of the Deed and Plat Records of Bexar County, Texas;

Thence along the common line between the tract being described and said River Bend of Camion Real Unit 2 P.U.D. North 30 degrees 25 minutes 36 seconds West, a distance of 74.86 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

Thence North 15 degrees 02 minutes 31 seconds East, a distance of 28.96 feet to a found 1/2 inch iron pin at the North corner of said Lot 18 and on the Southeast right of way line of Old Bitters Road (not opened on the ground);

Thence along the common line between said southeast right of way line and the tract being described, North 40 degrees 55 minutes 02 seconds East, a distance of 422.58 feet to a found 112 inch iron pin at a point on a non-tangent curve concave to the Northwest with a radius of 842.51 feet bearing North 37 degrees 50 minutes 42 seconds West, a central angle of 5 degrees 47 minutes 45 seconds, a tangent length of 42.65 feet, and a chord length of 85.19 feet bearing North 49 degrees 15 minutes 25 seconds East.

Thence along the arc of said curve a distance of 85.23 feet to the POINT OF BEGINNING and containing 255.622 acres of land, more or less.

#### SAVE AND EXCEPT 1.487 ACRES

Save and Except 1.487 acres of land, more or less, from the above described 255.622 acre tract. Said 1.487 acres described as Archeological Site 41BX218 and 41BX219 in document recorded in Volume 6816, Page 2004 of the Real Property Records of Bexar County, Texas. Said 1.487 acres being more particularly described in two tracts as follows:

#### ARCHEOLOGICAL SITE 41BX218

BEGINNING at a set 1/2 inch iron pin with a red cap stamped Overby Descamps at the West most corner of said SITE 41BX218. Said point bears South 24 degrees 02 minutes 29 seconds East, a distance of 774.84 feet from the Point of Beginning of the above described 255.622 acre tract;

THENCE North 38 degrees 54 minutes 34 seconds East, a distance of 132.09 feet to a set 14 inch iron pin with a red cap stamped Overby Descamps;

THENCE South 51 degrees 05 minutes 26 seconds East, a distance of 223.51 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

THENCE South 38 degrees 54 minutes 34 seconds West, a distance of 94.18 feet to a set 4 inch iron pin with a red cap stamped Overby Descamps;

THENCE North 68 degrees 17 minutes 45 seconds West, a distance of 128.16 feet to a set Y2 inch iron pin with a red cap stamped Overby Descamps;

THENCE North 51 degrees 05 minutes 26 seconds West, a distance of 101.09 feet to the POINT OF BEGINNING and containing 0.625 acres of land, more or less.

#### ARCHEOLOGICAL SITE 41BX219

BEGINNING at a set 1/2 inch iron pin with a red cap stamped Overby Descamps at the West most corner of said SITE 41BX219. Said point bears South 02 degrees 05 minutes 23 seconds East, a distance of 646.56 feet from the Point of Beginning of the above described 255.622 acre tract;

THENCE North 73 degrees 55 minutes 54 seconds East, a distance of 136.46 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

THENCE South 16 degrees 04 minutes 06 seconds East, a distance of 275.05 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

THENCE South 73 degrees 55 minutes 54 seconds West, a distance of 136.46 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps;

THENCE North 16 degrees 04 minutes 06 seconds West, a distance of 275.05 feet to a set 1/2 inch iron pin with a red cap stamped Overby Descamps the POINT OF BEGINNING and containing 0.862 acres of land, more or less.

**File Information**

**eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY  
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

**Document Number:** 20240045238  
**Recorded Date:** March 13, 2024  
**Recorded Time:** 3:43 PM  
**Total Pages:** 21  
**Total Fees:** \$101.00

**\*\* THIS PAGE IS PART OF THE DOCUMENT \*\***

**\*\* Do Not Remove \*\***

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 3/13/2024 3:43 PM



*Lucy Adame-Clark*  
Lucy Adame-Clark  
Bexar County Clerk

# ATTACHMENT “4”

## Maps

# Maps

as Water Rights Viewer version 2.0 Texas Commission on Environmental Quality User Guide

Perthom Golf Club of Texas, 11 X

**All Water Rights: P5503**

Water Right ID: P5503  
Water Right Number and Type: WRPERM5503

**Related tables:**

- Water Rights As Single Points
- Water Right Owner
- Water Use





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.

The purpose of the amendment is just to remove the special condition 2.A., as detailed therein.

### 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)