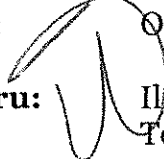


# TCEQ Interoffice Memorandum

CCO# 82494

**To:** Office of the Chief Clerk

**Thru:**  Iliana Delgado  
Team Leader

**From:** Sarah Henderson  
Water Rights Permitting Team

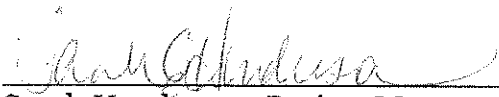
**Date:** May 16, 2012

**Subject:** SR Superior LLC  
WRPERM 5712  
CN603487182, RN104486410  
Application No. 5712A to Amend Water Use Permit No. 5712  
Texas Water Code §11.122, Requiring Full Basin Mailed and Published  
Notice  
Unnamed tributary of Lake Creek, San Jacinto River Basin  
Montgomery County

The application was received on October 13, 2011. Additional information and fees were received on January 18, March 9, and May 4, 2012. The application was declared administratively complete and filed with the Office of the Chief Clerk on May 16, 2012. Notice is being published and mailed to the water right holders of record in the San Jacinto River Basin pursuant to Title 30 Texas Administrative Code §295.158(b)(5).

SR Superior LLC seeks authorization to amend Water Use Permit No. 5712 to remove the requirement to maintain the reservoir full at all time with groundwater and to modify the existing dam on an unnamed tributary of Lake Creek, San Jacinto River Basin in Montgomery County, Texas.

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

  
Sarah Henderson, Project Manager  
Water Rights Permitting Team  
Water Availability Division

CHIEF CLERK'S OFFICE  
MAY 16 10 29 AM '12  
OFFICE OF THE CHIEF CLERK  
TCEQ

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 16, 2012

Mr. Adam Cohen  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042-3703

RE: SR Superior LLC  
WRPERM 5712  
CN603487182, RN104486410  
Application No. 5712A to Amend Water Use Permit No. 5712  
Texas Water Code §11.122, Requiring Full Basin Mailed and Published Notice  
Unnamed tributary of Lake Creek, San Jacinto River Basin  
Montgomery County

Dear Mr. Cohen:

This acknowledges receipt of the additional information on May 4, 2012.

The application was declared administratively complete and filed with the Office of the Chief Clerk on May 16, 2012. Staff will continue processing the application for consideration by the Executive Director.

If you have questions concerning this application, please contact me by e-mail at [sarah.henderson@tceq.texas.gov](mailto:sarah.henderson@tceq.texas.gov) or by phone at (512) 239-2535.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Henderson".

Sarah Henderson, Project Manager  
Water Rights Permitting Section  
Water Availability Division

Enclosure

## Sarah Henderson

---

**From:** Adam Cohen [REDACTED]  
**Sent:** Friday, May 04, 2012 3:34 PM  
**To:** Sarah Henderson  
**Cc:** James Brown; Robert Price; Jerry Graham  
**Subject:** WR Permit 5712  
**Attachments:** LJAResponse050412.pdf; TCEQRFI\_040312.pdf

Sarah,

Attached please find a response letter to the TCEQ comment letter dated April 3, 2012. As I mentioned, we have not been able to schedule a time to discuss number 2 with technical staff due to schedule conflicts, but will try again early next week to answer any questions they may have regarding the weir structure and flow measurements. Please feel free to contact me with any questions. Thanks.

Adam C. Cohen, PE  
Project Manager  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, TX. 77042  
Direct: 713.953.5222  
Fax: 713.953.5026

**LJA Engineering, Inc.**



2929 Briarpark Drive  
Suite 600  
Houston, Texas 77042-3703

Phone 713.953.5200  
Fax 713.953.5026  
www.ljaengineering.com

May 4, 2012

RECEIVED  
MAY 04 2012  
WATER RIGHTS PERMITTING

Ms. Sarah Henderson, Project Manager  
Texas Commission on Environmental Quality (TCEQ)  
Attn: Water Rights Permitting & Availability Section  
P.O. Box 13087/MC-160  
Austin, Texas 78711-3087

Re: SR Superior LLC 28 Acre Lake (Lake "A") – Water Rights Permit Amendment  
TCEQ Water Rights Permit No. 5712, Montgomery County, Texas  
LJA Job No. 1282-1001 (6.0)

Dear Ms. Henderson:

On behalf of SR Superior, LLC (owner of the above mentioned facility), LJA Engineering, Inc. (LJA) would like to submit this letter to the TCEQ as a response to the letter dated April, 3 2012 indicating the request for additional information. The responses directly correlate to the numerical order of the comment letter:

1. That is correct.

Please feel free to contact me should you have any questions or require additional information. Thank you very much for your consideration in this matter.

Sincerely,

Adam C. Cohen, PE  
Project Manager

ACC/dl

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 3, 2012

Mr. Adam Cohen  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042-3703

**CERTIFIED MAIL**

91 7108 2133 3935 1948 0597

RE: SR Superior LLC  
WRPERM 5712  
CN603487182, RN104486410  
Application No. 5712A to Amend Water Use Permit No. 5712  
Texas Water Code §11.122, Requiring Full Basin Mailed and Published Notice  
Unnamed tributary of Lake Creek, San Jacinto River Basin  
Montgomery County

Dear Mr. Cohen:

This acknowledges receipt, on March 9 and 15, 2012, of additional information.

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


1. Confirm that all inflows of state water will be passed should they be required to satisfy senior and superior water rights. Note that there is no distinction between base flows and other types of flow.

Please submit the requested information by **May 4, 2012**, or the application may be returned pursuant to Title 30 Texas Administrative Code §281.18.

2. Prior to completion of technical review, provide the following information:
  - a. Explain how a weekly reading of an instantaneous flow measurement will indicate that no flows have been impounded.
  - b. Explain the running quarterly average calculation.
  - c. Explain how the evaporation will be determined and used.
  - d. Indicate the height of the steel weir plate above the flowline.

If you have any questions concerning this matter, please contact me by e-mail at [sarah.henderson@tceq.texas.gov](mailto:sarah.henderson@tceq.texas.gov) or by telephone at (512) 239-2535.

Sincerely,

  
Sarah Henderson, Project Manager  
Water Rights Permitting & Availability Section  
Water Availability Division

**LJA Engineering & Surveying, Inc.**

2929 Briarpark Drive, Suite 600  
 Houston, Texas 77042-3703  
 www.ljaengineering.com  
 Phone: 713.953.5200  
 Fax: 713.953.5026

RECEIVED  
 TCEQ  
 TSD SUPPLY DIV.



2012 MAR 15 PM 1 18

**LETTER OF TRANSMITTAL**

To: Water Rights Permitting Team  
Water Supply Division  
T.C.E.Q.  
P.O. Box 13087 / MC – 160  
512.239.4770

Date: March 13, 2012
LJA Job No. 1282-1001(6.1)
Attention: Ms. Sarah Henderson
Re: Water Rights Permit Amendment to Permit No. 5712 (Response Package)
VIA: Mail

WE ARE SENDING YOU the following items:

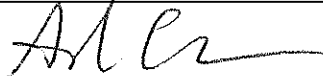
- Shop Drawings     Prints     Plans     Samples     Specifications
- Copy of Letter     Change Order     Other

Copies	Date	Description
1	03/13/12	Response Package to February 14, 2012 Letter

THESE ARE TRANSMITTED as checked below:

- For approval     Approved as submitted     Resubmit \_\_\_ copies for approval
- For your use     Approved as noted     Submit \_\_\_ copies for distribution
- As requested     Returned for corrections     Return \_\_\_ corrected prints
- For review & comment     For signatures     \_\_\_\_\_
- FOR BIDS DUE \_\_\_\_\_     Prints returned after loan to us

REMARKS: Ms. Henderson, attached please find the above mentioned information for your review and comment. Should you have any questions or require additional information, please contact me at 71353.5222. Thanks.

c: \_\_\_\_\_ SIGNED:   
 Adam Cohen, PE  
 Project Manager



2012 MAR 15 PM 1 18

March 9, 2012

Ms. Sarah Henderson, Project Manager  
Texas Commission on Environmental Quality (TCEQ)  
Attn: Water Rights Permitting & Availability Section  
P.O. Box 13087/MC-160  
Austin, Texas 78711-3087

Re: SR Superior LLC 28 Acre Lake (Lake "A") – Water Rights Permit Amendment  
TCEQ Water Rights Permit No. 5712, Montgomery County, Texas  
LJA Job No. 1282-1001 (6.0)

Dear Ms. Henderson:

On behalf of SR Superior, LLC (owner of the above mentioned facility), LJA Engineering, Inc. (LJA) would like to submit this letter to the TCEQ as a response to the letter dated February, 14 2012 indicating the request for additional information. The responses directly correlate to the numerical order of the comment letter:

1. That is correct.
2. That is correct.
3. No groundwater is proposed to be discharged into the reservoir.
4. The current design is proposed to pass all base flows of state water coming on to the owner's property.
5. The ultimate purpose of monitoring base flows upstream and downstream of the Skye Ranch property is to effectively demonstrate to the TCEQ that no base flows are being impounded by Lake "A".

In order to monitor the flows, LJA Engineering, Inc. recommends designing a depth gauge weir both upstream and downstream of the property boundaries. See Exhibit A for location of monitoring stations. The channel that outfalls into Lake "A" shall have a five foot long concrete lining installed along with a galvanized steel V-notch weir. The weir side slopes shall be constructed at a ninety-degree angle. See Exhibit B for a generic cross-section exhibit.

It is proposed that a representative of the owner will go out once a week to take readings on the depth of flow and log it into a data form. See attached Exhibit C for proposed log form. A running quarterly average will be calculated utilizing this information. In addition, the Texas Water Development Board (TWDB) monthly lake surface evaporation rates will be calculated and subtracted from the difference of the two flows, which will indicate no impoundment of surface flows.



Sarah Henderson  
March 9, 2012  
Page 2

Calculations, in cubic foot per second (ft<sup>3</sup>/sec), will be calculated by using a V-notch weir equation:  $Q = 2.49 h_1^{2.48}$  where Q is the discharge (in ft<sup>3</sup>/sec) and h<sub>1</sub> is the head (in feet). Attached as Exhibit D is a spreadsheet indicating Q per foot of head.

Please feel free to contact me should you have any questions or require additional information. Thank you very much for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Cohen", with a long horizontal flourish extending to the right.

Adam C. Cohen, PE  
Project Manager

ACC/dl

Attachment(s)



SCALE: 1" = 1000'

Property Boundary Line

Property Line

EXHIBIT "A"  
MONITORING STATION  
LOCATION FOR  
SR SUPERIOR, LLC

Engineering & Surveying, Inc.  
Phone 713.953.6200  
Fax 713.953.6026  
FRN - F-1388  
O. 1282-1001 | DATE: MAR. 2012

WATER RIGHTS MONITORING STATION

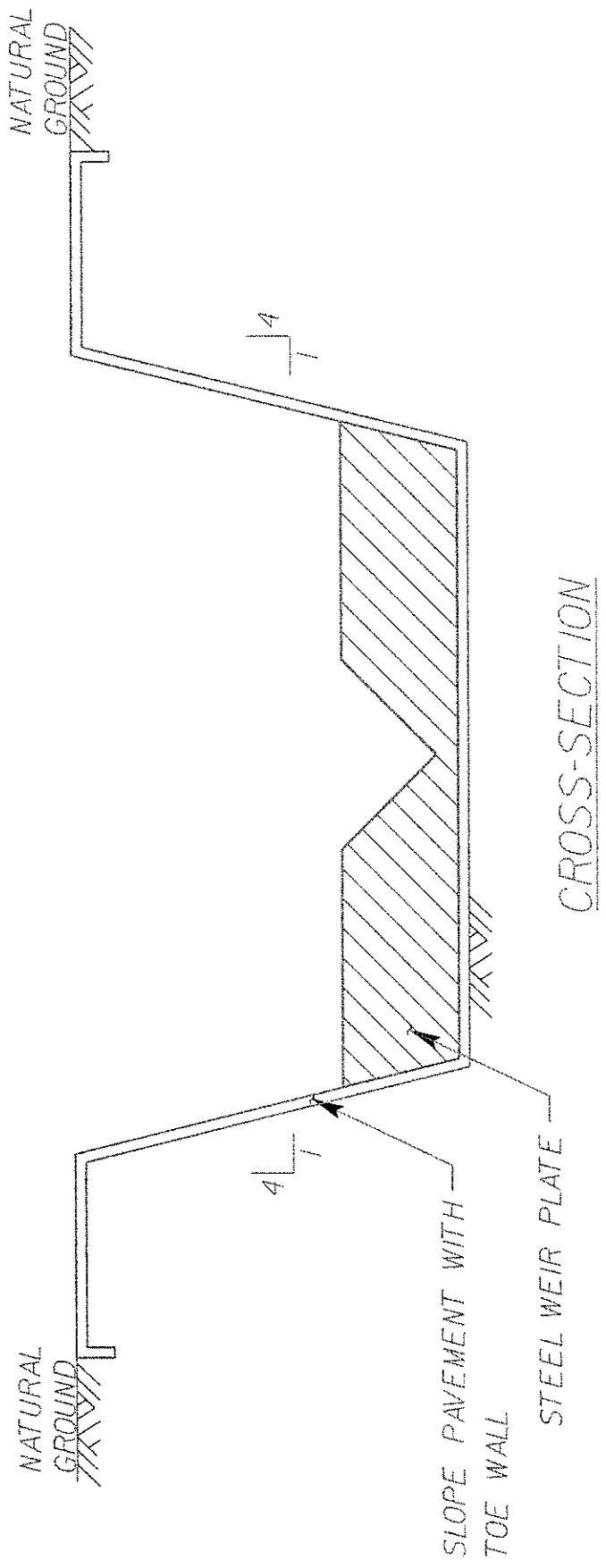


EXHIBIT "B"

DATE: MARCH, 2012

**LJA Engineering & Surveying, Inc.**  
2929 Briarpark Drive  
Suite 600  
Houston, Texas 77042-3703  
Phone 713.953.5200  
Fax 713.953.5026  
FRN - F - 1386

EXHIBIT "C"

MONTGOMERY COUNTY M.U.D. NO. 123 BASE FLOW LOG FORM

DATE:   
TIME:   
READING BY:

LOCATION 1		LOCATION 2
HEIGHT/DEPTH (FT):	<input type="text"/>	<input type="text"/>
FLOW (CFS):	<input type="text"/>	<input type="text"/>

EVAPORATION (FT):

FLOW DIFFERENCE:

(LOCATION 2 - LOCATION 1 - EVAPORATION)

# EXHIBIT "D"

**Table A7-4.** Discharge of 90° V-notch weirs, in ft<sup>3</sup>/sec, computed from the formula  $Q=2.49h_1^{2.48}$ .

Head H, ft	Discharge Q, ft <sup>3</sup> /sec	Head H, ft	Discharge Q, ft <sup>3</sup> /sec	Head H, ft	Discharge Q, ft <sup>3</sup> /sec	Head H, ft	Discharge Q, ft <sup>3</sup> /sec
0.20	0.046	0.65	0.856	1.10	3.15	1.55	7.38
.21	.052	.66	.889	1.11	3.23	1.56	7.50
.22	.058	.67	.922	1.12	3.30	1.57	7.62
.23	.065	.68	.957	1.13	3.37	1.58	7.74
.24	.072	.69	.992	1.14	3.45	1.59	7.86
.25	.080	.70	1.03	1.15	3.52	1.60	7.99
.26	.088	.71	1.06	1.16	3.60	1.61	8.11
.27	.097	.72	1.10	1.17	3.68	1.62	8.24
.28	.106	.73	1.14	1.18	3.75	1.63	8.36
.29	.116	.74	1.18	1.19	3.83	1.64	8.49
.30	.126	.75	1.22	1.20	3.91	1.65	8.62
.31	.136	.76	1.26	1.21	3.99	1.66	8.75
.32	.148	.77	1.30	1.22	4.08	1.67	8.88
.33	.159	.78	1.34	1.23	4.16	1.68	9.02
.34	.172	.79	1.39	1.24	4.25	1.69	9.15
.35	.184	.80	1.43	1.25	4.33	1.70	9.28
.36	.198	.81	1.48	1.26	4.42	1.71	9.42
.37	.212	.82	1.52	1.27	4.50	1.72	9.56
.38	.226	.83	1.57	1.28	4.59	1.73	9.70
.39	.241	.84	1.62	1.29	4.68	1.74	9.83
.40	.257	.85	1.66	1.30	4.77	1.75	9.98
.41	.273	.86	1.71	1.31	4.86	1.76	10.1
.42	.290	.87	1.76	1.32	4.96	1.77	10.3
.43	.307	.88	1.81	1.33	5.05	1.78	10.4
.44	.325	.89	1.87	1.34	5.15	1.79	10.6
.45	.344	.90	1.92	1.35	5.24	1.80	10.7
.46	.363	.91	1.97	1.36	5.34	1.81	10.8
.47	.383	.92	2.02	1.37	5.44	1.82	11.0
.48	.403	.93	2.08	1.38	5.53	1.83	11.1
.49	.425	.94	2.14	1.39	5.63	1.84	11.3
.50	.446	.95	2.19	1.40	5.74	1.85	11.4
.51	.469	.96	2.25	1.41	5.84	1.86	11.6
.52	.492	.97	2.31	1.42	5.94	1.87	11.8
.53	.516	.98	2.37	1.43	6.05	1.88	11.9
.54	.540	.99	2.43	1.44	6.15	1.89	12.1
.55	.565	1.00	2.49	1.45	6.26	1.90	12.2
.56	.591	1.01	2.55	1.46	6.36	1.91	12.4
.57	.618	1.02	2.62	1.47	6.47	1.92	12.6
.58	.645	1.03	2.68	1.48	6.58	1.93	12.7
.59	.673	1.04	2.74	1.49	6.69	1.94	12.9
.60	.701	1.05	2.81	1.50	6.81	1.95	13.0
.61	.731	1.06	2.88	1.51	6.92	1.96	13.2
.62	.761	1.07	2.94	1.52	7.03	1.97	13.4
.63	.792	1.08	3.01	1.53	7.15	1.98	13.5
.64	.823	1.09	3.08	1.54	7.27	1.99	13.7



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 14, 2012

Mr. Adam Cohen  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042-3703

**CERTIFIED MAIL**

91 7108 2133 3935 1988 1646

RE: SR Superior LLC  
WRPERM 5712  
CN603487182, RN104486410  
Application No. 5712A to Amend Water Use Permit No. 5712  
Texas Water Code §11.122, Requiring Full Basin Mailed and Published Notice  
Unnamed tributary of Lake Creek, San Jacinto River Basin  
Montgomery County

Dear Mr. Cohen:

This acknowledges receipt, on January 10 and 18, 2012, of additional information and fees in the amount of \$219.69 (Receipt Nos. R216415A/B, copies enclosed).

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

1. Confirm that the application requests to impound 199 acre-feet of state water.
2. Confirm the drainage area above the reservoir to be 194 acres. The breach analysis report indicates a drainage area of 194 acres.
3. Indicate whether any groundwater will continue to be discharged into the reservoir.
4. Confirm that inflows of state water will be passed should they be required to satisfy senior and superior water rights.
5. Prior to completion of technical review, provide the locations of the monitoring devices, indicate how they will be operated on a daily basis, and provide an example of the calculations used to determine the flows leaving the reservoir. Indicate how the Texas Water Development Board (TWDB) monthly lake surface evaporation rates will be used in these calculations. Note that these rates are not available on a real time basis.

SR Superior LLC  
February 14, 2011  
Page 2 of 2

Please submit the requested information by March 14, 2012, 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 by e-mail at [sarah.henderson@tceq.texas.gov](mailto:sarah.henderson@tceq.texas.gov) or by telephone at (512) 239-2535.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Henderson".

Sarah Henderson, Project Manager  
Water Rights Permitting & Availability Section  
Water Availability Division

Enclosure



TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

23-JAN-12 08:18 AM

Fee Description	Fee Code	Account#	Account Name	Ref#1	Ref#2	Paid In By	Check Number	CC Type	Tran Code	Slip Key	Tran Date	Tran Amount
				Card Auth.	User Data	Rec Code	Document#					
WTR USE PERMITS	WUP			R216415A	38727	N	HS00021086				2012 JAN 24 PM 3 57	-\$101.25
WUP				5712A	011912	CK	D2802344					
WATER USE PERMITS				LJA	RCROWDER							
				ENGINEERING								
				& SURVEYING								
				INC								

Total (Fee Code) :

-\$101.25

RECEIVED  
 SUPPLY DIV.  
 23-JAN-12 10:50  
 2012 JAN 24 PM 3 57



23-JAN-12 08:18 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

Fee Description	Fee Code	Account#	Account Name	Ref#1	Ref#2	Paid In BY	Check Number	CC Type	Card Auth.	User Data	Tran Code	Rec Code	Slip Key	Document#	Tran Date	Tran Amount
WTR USE PERMITS	WUP		WUP	R216415A			38727								23-JAN-12	-\$101.25
WUP			WUP	5712A			011912				N					
WATER USE PERMITS			WATER USE PERMITS	LJA			RCROWDER				CK					
			ENGINEERING													
			& SURVEYING													
			INC													
															Total (Fee Code) :	-\$101.25

JAN 24 PM 3 57  
 SUPPLY DIV.  
 RECEIVED  
 23-JAN-12





2929 Briarpark Drive  
Suite 600  
Houston, Texas 77042-3703

Phone 713.953.5200  
Fax 713.953.5026  
www.ljaengineering.com

January 10, 2012

Sarah Henderson, Project Manager  
Texas Commission on Environmental Quality (TCEQ)  
Attn: Water Rights Permitting & Availability Section  
P.O. Box 13087/MC-160  
Austin, Texas 78711-3087

RECEIVED  
TCEQ  
WATER RIGHTS DIV.  
2012 JUN 10 PM 2:14

Re: SR Superior LLC 28 Acre Lake (Lake "A") – Water Rights Permit Amendment  
TCEQ Water Rights Permit No. 5712, Montgomery County, Texas  
LJA Job No. 1282-1001 (6.0)

Dear Ms. Henderson:

On behalf of SR Superior, LLC (owner of the above mentioned facility), LJA Engineering, Inc. (LJA) would like to submit this letter to the TCEQ as a response to the letter dated December 6, 2011 indicating the request for additional information. The responses directly correlate to the numerical order of the comment letter:

1. Please see the attached letter signed by Mr. Doug Brown, Managing Director of SR Superior, LLC appointing Adam Cohen as an agent for the owner with respect to permit amendments on TCEQ Water Rights Permit No. 5712 pursuant to Title 30 Texas Administrative Code (TAC) 295.14 (5).
2. Please see the attached Existing Dam form filled out.
3. Please see the attached USGS 7.5 minute topographical map showing the location of the existing dam.
4. The location of the dam has been confirmed and the Latitude and Longitude calculated by staff is correct.
5. Due to the withdrawal restrictions imposed by the Lone Star Groundwater Conservation District, groundwater cannot be utilized to maintain the reservoir at the existing normal water surface elevation. The owner is, however, proposing to lower the water surface elevation in order to reduce the amount of impounded surface water.
6. The drainage area of the reservoir has been calculated to be 825 acres or 1.29 sq. miles and exhibits provided to the TCEQ in the Emergency Action Plan and Breach Analysis which was submitted in October 2010. Additional copies can be provided if requested.
7. LJA Engineering, Inc. is currently working on a process in order to determine flows entering and leaving the reservoir. Once complete, that process will be submitted to staff for review and comment.



8. The application requests that the existing permit be amended to allow impoundment of 199 ac-ft of surface water. However through monitoring, the owner will show that all base flows, within the watershed entering the property, will leave the property. Due to the withdrawal restrictions imposed by the Lone Star Groundwater Conservation District, groundwater cannot be utilized to maintain the reservoir level. The owner is, however, proposing to lower the water surface elevation in order to reduce the amount of impounded surface water. According to the Texas Water Development Board, the monthly lake surface evaporation (in inches) for Montgomery County, is:

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2010	2.07	1.92	3.73	4.45	5.55	6.01	5.43	6.52	4.79	4.99	2.99	3.79	52.24

9. Please see the attached fee of \$219.69.

Please feel free to contact me should you have any questions or require additional information. Thank you very much for your consideration in this matter.

Sincerely,



Adam C. Cohen, PE  
Project Manager

ACC/dl

# Texas Commission on Environmental Quality


## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name Douglas S. Brown Title Managing Director  
Organization SR Superior, LLC

  
(Signature of Owner)

(Date)

Owner's Address 11990 San Vicente Boulevard, Suite 200  
City Los Angeles State California Zip Code 90049  
Phone Number (310) 806-9800 Emergency Contact Phone (713) 953-5222 (Engineer)  
Fax Number (310) 806-9801 E-mail [REDACTED] (Engineer)

Owner Code (Please check one):  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built 2004 Year Modified N/A

Dam and Reservoir Use (Please check one):  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm LJA Engineering, Inc.  
Project Engineer Adam C. Cohen, PE Texas P.E. License Number 99329  
Engineering Firm Address 2929 Briarpark Dr., Suite 600  
City Houston State Texas Zip Code 77042  
Phone (713) 953-5200 Fax 713) 953-5026  
E-mail [REDACTED]

### SECTION 2: GENERAL INFORMATION

Name of Dam Skye Ranch Dam "A"  
Other Name(s) of Dam Grand Lake Estates Section 2 Dam  
Reservoir Name Skye Ranch Lake "A"  
Location Montgomery County MUD 123 Latitude 30.280895° N Longitude 95.637628° W  
County Montgomery County Stream Name Unnamed Tributary to Lake Creek  
River Basin San Jacinto Topographic Map No. N/A  
Distance & Direction from Nearest City or Town Approximately 15 miles southwest of Conroe, Texas  
Last Inspection Date 12-11-07 Inspected by (name of company or agency) TCEQ  
TX Number 07262 Water Rights Number 5712  
Date of Emergency Action Plan (EAP), if one exists Submitted in October 2010  
Describe the current operating condition of dam overall good condition with minor maintenance recommendations

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms.*

TCEQ-20344 (1/07)

C:\USERS\INSTANTON.REGENT\APPPDATA\LOCAL\MICROSOFT\WINDOWS\TEMPORARY  
FILES\CONTENT.OUTLOOK\BE0DVICY\INFORMATION SHEET EXISTING DAM.DOC

INTERNET  
FRN F-1386  
LJA Engineering & Surveying, Inc.

They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

### SECTION 3: INFORMATION ON DAM

#### Classification

Size Classification:  Large  Medium  Small  
Hazard Classification:  High  Significant  Low  
Number of People at Risk 3 residence Study Year 2010

Type of Dam:  Concrete  Gravity  Earthfill  Rockfill  Masonry  Other (specify) \_\_\_\_\_

**Dam Structure** (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height 21 ft (natural surface of ground to bottom of emergency spillway at longitudinal centerline)  
Embankment Height 23.25 ft (natural surface of ground to crest of dam at centerline)  
Structural Height 2.25 ft (bottom of cutoff trench to crest of dam at centerline)  
Length of Dam 35 ft Crest Width 12 ft  
Normal Pool Elevation 245.25 ft-MSL Principal Spillway Elevation 245.25 ft-MSL  
Emergency Spillway Elevation 245.25 ft-MSL Top of Dam Elevation 247.5 ft-MSL  
Embankment Volume N/A cu yd  
Maximum Impoundment Capacity 315 ac-ft (at top of dam)  
Normal Reservoir Capacity 240 ac-ft (at normal or conservation pool)  
Reservoir Surface Area 26.64 acres (at normal or conservation pool)

#### Outlet

Outlet Diameter: N/A  in  ft (check one)  
Type: Trap weir 12' BW

#### Principal Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): 12' weir ft Capacity: 1118 cfs

#### Emergency Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): N/A ft Capacity: N/A cfs  
Total Spillway Capacity: N/A cfs (crest of the dam)

### SECTION 4: HYDROLOGIC INFORMATION

Required Hydrologic Criteria (% PMF) 25 % PMF Passing 43  
PMF Study Year 2000  
Drainage Area: 825 acres, or 1.29 sq mi  
Curve Number (AMC III condition) N/A  
Time of Concentration 1.16 hr  
Peak Discharge 2600 (PMF) cfs  
Peak Stage 248.8 ft-MSL  
Storm Duration Causing Peak Stage 1 hr

TCEQ-20344 (1/07)

C:\USERS\INSTANTON.REGENT\APPPDATA\LOCAL\MICROSOFT\WINDOWS\TEMPORARY  
FILES\CONTENT.OUTLOOK\BE0DVICY\INFORMATION SHEET EXISTING DAM.DOC

INTERNET  
FRN F-1386  
LJA Engineering & Surveying, Inc.



**REGENT PROPERTIES**

January 2, 2012

Sarah Henderson, Project Manager  
Texas Commission on Environmental Quality (TCEQ)  
Attn: Water Rights Permitting & Availability Section  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: SR Superior LLC 28 Acre Lake (Lake "A")  
TCEQ Water Rights Permit No. 5712, Montgomery County, Texas  
LJA Job No. 1282-1001 (6.0)

Dear Ms. Henderson:

On behalf of SR Superior, LLC (owner of the above mentioned facility), I appoint LJA Engineering, Inc. (LJA), specifically Adam C. Cohen, P.E., as acting agent with respect to permit amendments on TCEQ Water Rights Permit No. 5712 pursuant to Title 30 Texas Administrative Code (TAC) 295.14 (5).

Please feel free to contact me should you have any questions or require additional information. Thank you very much for your consideration in this matter.

Sincerely,

Doug Brown  
Managing Director  
SR Superior LLC



23-JAN-12 08:18 AM

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>Check Number</u>	<u>CC Type</u>	<u>Card Auth.</u>	<u>Tran Code</u>	<u>Slip Key</u>	<u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP			R216415A		38727			N	BS00021086		23-JAN-12	-\$101.25
	WUP			5712A		011912				D2802344			
			WATER USE PERMITS	LTA									
			ENGINEERING & SURVEYING										
			INC										

Total (Fee Code) :

-\$101.25

RECEIVED  
 TCEQ  
 WATER SUPPLY DIV.  
 23-JAN-12 08:18 AM



23-JAN-12 08:18 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u>	<u>Account#</u>	<u>Ref#1</u>	<u>Ref#2</u>	<u>Check Number</u>	<u>CC Type</u>	<u>Card Auth.</u>	<u>Tran Code</u>	<u>Slip Key</u>	<u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
NOTICE FEES-WUP- WATER USE PERM	PTGU		R216415B		38727			N	BS00021086		23-JAN-12	-\$118.44
	PTGU		5712A		011912				D2802344			
NOTICE FEES WUP WATER USE PERMITS			LJA		RCROWDER			CK				
			ENGINEERING & SURVEYING INC									
<b>Total (Fee Code):</b>												<b>-\$118.44</b>

**Sarah Henderson - Water Rights Permit No. 5712**

---

**From:** Adam Cohen <[REDACTED]>  
**To:** Sarah.Henderson@tceq.texas.gov  
**Date:** 1/10/2012 6:15 PM  
**Subject:** Water Rights Permit No. 5712  
**Attachments:** Information Sheet Existing Dam\_signed.pdf; skye\_usgs\_dam.pdf;  
TCEQ\_Henderson\_DamA\_itr\_signed 1-2-12.pdf; WRPerm5712\_ResponseLetter.pdf;  
WRPerm5712\_Check.pdf

---

Ms. Henderson,

Attached please find a response letter as well as the necessary backup regarding your request for additional information dated December 6, 2012. The original will be placed in the mail to your attention. Please feel free to contact me should you have any questions or require additional information. Thank you for your consideration in this matter.

Adam C. Cohen, PE  
Project Manager  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, TX. 77042  
Direct: 713.953.5222  
Fax: 713.953.5026





## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 6, 2011

Mr. Adam Cohen  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, Texas 77042-3703

**CERTIFIED MAIL**

91 7108 2133 3935 2147 8254

RE: SR Superior LLC  
WRPERM 5712  
CN603487182, RN104486410  
Application No. 5712A to Amend Water Use Permit No. 5712  
Texas Water Code §11.122, Requiring Full Basin Mailed and Published Notice  
Unnamed tributary of Lake Creek, San Jacinto River Basin  
Montgomery County

Dear Mr. Cohen:

This acknowledges receipt, on October 13, 2011, of the referenced application.

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

1. Provide documentation evidencing that Mr. Adam Cohen has authority to sign for SR Superior LLC pursuant to Title 30 Texas Administrative Code (TAC) §295.14(5) (copy enclosed).
2. Complete and return the *Information Sheet: Existing Dam* (copy enclosed).
3. Provide a USGS 7.5 minute topographical map showing the location of the existing dam.
4. Confirm the location of the reservoir. Staff has calculated the coordinates of the reservoir to be Latitude 30.280895° N and Longitude 95.637628° W.
5. Clarify whether groundwater will be used to maintain the reservoir at a reduced water surface elevation and indicate that elevation. Also, if groundwater is to be used, provide a copy of the revised Lone Star Groundwater Conservation District's (LGCD) groundwater permit.
6. Confirm the drainage area of the reservoir. Staff has calculated the drainage area to be 224.4 square miles.

7. Prior to completion of technical review, provide the locations of the monitoring devices, indicate how they will be operated on a daily basis, and provide an example of the calculations used to determine the flows entering and leaving the reservoir.
8. Confirm that the application does not request authorization to impound state water.
9. Remit fees in the amount of **\$219.69**, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing	\$100.00
Recording (\$1.25 x 1 page)	\$1.25
<u>Postage (San Jacinto River Basin)</u>	<u>\$118.44</u>
Total Fees	\$219.69
<u>Fees Received</u>	<u>\$0.00</u>
<b>Fees Due</b>	<b>\$219.69</b>

Please submit the requested information and fees by January 6, 2011, or the application may be returned pursuant to Title 30 TAC §281.18.

If you have any questions concerning this matter, please contact me by e-mail at [sarah.henderson@tceq.texas.gov](mailto:sarah.henderson@tceq.texas.gov) or by telephone at (512) 239-2535.

Sincerely,



Sarah Henderson, Project Manager  
Water Rights Permitting & Availability Section  
Water Availability Division

Enclosures

[<<Prev Rule](#)

# Texas Administrative Code

[Next Rule>>](#)

**TITLE 30**

ENVIRONMENTAL QUALITY

**PART 1**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

**CHAPTER 295**

WATER RIGHTS, PROCEDURAL

**SUBCHAPTER A**

REQUIREMENTS OF WATER RIGHTS APPLICATIONS GENERAL PROVISIONS

**DIVISION 1**

GENERAL REQUIREMENTS

**RULE §295.14**

**Signature of Applicant**

The application shall be signed as follows.

(1) If the applicant is an individual, the application shall be signed by the applicant or the applicant's duly appointed agent. An agent shall provide written evidence of his or her authority to represent the applicant. If the applicant is an individual doing business under an assumed name, the applicant shall attach to the application an assumed name certificate from the county clerk of the county in which the principal place of business is located.

(2) A joint application shall be signed by each applicant or each applicant's duly authorized agent, with written evidence of such agency to be submitted with the application. If land is owned by both husband and wife, each shall sign the application. Joint applicants shall select one among them to act for and represent the others in pursuing the application with the commission, with written evidence of such representation to be submitted with the application.

(3) If the application is by a partnership, the application shall be signed by one of the general partners. If the applicant is a partnership doing business under an assumed name, it shall attach to the application an assumed name certificate from the county clerk of the county in which the principal place of business is located.

(4) If the applicant is an estate or guardianship, the application shall be signed by the duly appointed guardian or representative of the estate, and a current copy of the letters issued by the court shall be attached to the application.

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

(6) If the applicant is acting as trustee for another, the applicant shall sign as trustee, and in the application shall disclose the nature of the trust agreement and give the name and current address of each trust beneficiary.

**Source Note:** The provisions of this §295.14 adopted to be effective May 28, 1986, 11 TexReg 2324.

[Next Page](#)

[Previous Page](#)

[List of Titles](#)

[Back to List](#)





Texas Dam Safety Program, MC 174  
 Field Operations Support Division, Office of Compliance and Enforcement  
 Texas Commission on Environmental Quality  
 P.O. Box 13087  
 Austin, TX 78711

## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

(Signature of Owner)

(Date)

Owner's Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number ( ) \_\_\_\_\_ Emergency Contact Phone ( ) \_\_\_\_\_

Fax Number ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Owner Code (Please check one):  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built \_\_\_\_\_ Year Modified \_\_\_\_\_

Dam and Reservoir Use (Please check one):  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm \_\_\_\_\_

Project Engineer \_\_\_\_\_ Texas P.E. License Number \_\_\_\_\_

Engineering Firm Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_

### SECTION 2: GENERAL INFORMATION

Name of Dam \_\_\_\_\_

Other Name(s) of Dam \_\_\_\_\_

Reservoir Name \_\_\_\_\_

Location \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

County \_\_\_\_\_ Stream Name \_\_\_\_\_

River Basin \_\_\_\_\_ Topographic Map No. \_\_\_\_\_

Distance & Direction from Nearest City or Town \_\_\_\_\_

Last Inspection Date \_\_\_\_\_ Inspected by (name of company or agency) \_\_\_\_\_

TX Number \_\_\_\_\_ Water Rights Number \_\_\_\_\_

Date of Emergency Action Plan (EAP), if one exists \_\_\_\_\_

Describe the current operating condition of dam \_\_\_\_\_

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.*

### SECTION 3: INFORMATION ON DAM

#### Classification

Size Classification:  Large  Medium  Small  
Hazard Classification:  High  Significant  Low  
Number of People at Risk \_\_\_\_\_ Study Year \_\_\_\_\_

**Type of Dam:**  Concrete  Gravity  Earthfill  Rockfill  Masonry  Other (specify) \_\_\_\_\_

**Dam Structure** (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height \_\_\_\_\_ ft (natural surface of ground to bottom of emergency spillway at longitudinal centerline)  
Embankment Height \_\_\_\_\_ ft (natural surface of ground to crest of dam at centerline)  
Structural Height \_\_\_\_\_ ft (bottom of cutoff trench to crest of dam at centerline)  
Length of Dam \_\_\_\_\_ ft Crest Width \_\_\_\_\_ ft  
Normal Pool Elevation \_\_\_\_\_ ft-MSL Principal Spillway Elevation \_\_\_\_\_ ft-MSL  
Emergency Spillway Elevation \_\_\_\_\_ ft-MSL Top of Dam Elevation \_\_\_\_\_ ft-MSL  
Embankment Volume \_\_\_\_\_ cu yd  
Maximum Impoundment Capacity \_\_\_\_\_ ac-ft (at top of dam)  
Normal Reservoir Capacity \_\_\_\_\_ ac-ft (at normal or conservation pool)  
Reservoir Surface Area \_\_\_\_\_ acres (at normal or conservation pool)

#### Outlet

Outlet Diameter: \_\_\_\_\_  in  ft (check one)  
Type: \_\_\_\_\_

#### Principal Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): \_\_\_\_\_ ft Capacity: \_\_\_\_\_ cfs

#### Emergency Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): \_\_\_\_\_ ft Capacity: \_\_\_\_\_ cfs  
Total Spillway Capacity: \_\_\_\_\_ cfs (crest of the dam)

### SECTION 4: HYDROLOGIC INFORMATION

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
PMF Study Year \_\_\_\_\_  
Drainage Area: \_\_\_\_\_ acres, or \_\_\_\_\_ sq mi  
Curve Number (AMC III condition) \_\_\_\_\_  
Time of Concentration \_\_\_\_\_ hr  
Peak Discharge \_\_\_\_\_ cfs  
Peak Stage \_\_\_\_\_ ft-MSL  
Storm Duration Causing Peak Stage \_\_\_\_\_ hr

**LJA Engineering, Inc.**



2929 Briarpark Drive      Phone    713.953.5200  
Suite 600                      Fax        713.953.5026  
Houston, Texas 77042-3703    www.ljaengineering.com

October 13, 2011

Ms. Sarah Henderson  
Water Rights Permitting Team  
Water Supply Division  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087/MC-160  
Austin, Texas 78711-3087

Re:    SR Superior LLC 28 Acre Lake (Lake "A")  
      TCEQ Water Rights Permit No. 5712, Montgomery County, Texas  
      TCEQ Investigation Number: 899115  
      LJA Job No. 1282-0901 (6.0)

Dear Ms. Henderson:

Enclosed please find the Application for Amendment to Water Rights Permit No. 5712 for TCEQ's review and comment. Also enclosed is a letter indicating the requested changes as well as an exhibit depicting those changes.

Please feel free to contact me should you have any questions or require additional information. Thank you very much for your consideration in this matter.

Sincerely,

Adam C. Cohen, PE  
Project Manager

ACC/dl

Attachment

2011 OCT 18 PM 11 41  
RECEIVED  
TCEQ  
WATER SUPPLY DIV.



Texas Commission on Environmental Quality

PO Box 13087, MC-160, Austin, Texas 78711-3087
Telephone (512) 239-4691, FAX (512) 239-4770

APPLICATION FOR AMENDMENT TO A WATER RIGHT

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

Customer Reference Number (if issued): CN 603487182

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

1. Name: SR SUPERIOR, LLLC 40 LSA ENGINEERING, INC. ATTN: ADAM COHEN, PE.
Address: 2929 BRIARPARK DR., SUITE 600 HOUSTON, TX. 77042
Phone Number: 713.953.5222 Fax Number: 713.953.5026
Email Address: [REDACTED]

2. Applicant owes fees or penalties?
[ ] Yes [X] No
If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:
N/A

3. [X] Permit No. 5712 [ ] Certificate of Adjudication No.
Stream: UNNAMED TRIBUTARY OF LAKE CREEK Watershed: LAKE CREEK
Reservoir (present condition, if one exists): EXISTING 28 AC RESERVOIR
County: MONTGOMERY

4. Proposed Changes To Water Right Authorizations:
SEE ATTACHED LETTER WITH EXHIBIT

(Attach additional page as necessary, attach map/plot depicting project location, diversion point, place of use, and other pertinent data).

5. I understand the Agency may require additional information in regard to the requested amendment before considering this application.

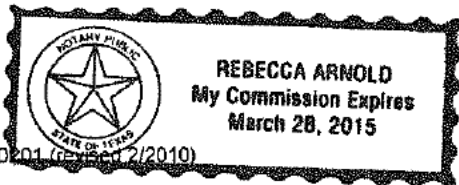
[Signature]
Name (sign)

ADAM COHEN
Name (print)

[Signature]
Name (sign)

[Signature]
Name (print)

Subscribed and sworn to me as being true and correct before me this 12th day of October, 2011.



[Signature]
Notary Public, State of Texas

RECEIVED
TCEQ
WATER SUPPLY DIV.
2011 OCT 18 PM 11 41

## Supplemental Diversion Point Information Sheet

Diversion Point No. DAM "A"

1) Watercourse: UNNAMED TRIBUTARY OF LAKE CREEK, TRIBUTARY OF WEST FORK SAN JACINTO RIVER, TRIBUTARY OF SAN JACINTO RIVER  
 Location of point of diversion at Latitude 30.28 °N, Longitude 95.63 °W, also,

bearing S 29.61° W, 2292 feet (distance) from the NE corner of the \_\_\_\_\_  
H. R. OEST Original Survey No. -, Abstract No. 412, in

MONTGOMERY County, Texas. (Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places. Indicate the method used to calculate the diversion point location).

3) Location from County Seat: 11 miles in a SW direction from CONROE,  
MONTGOMERY County, Texas.

Location from nearby town (if other than County Seat): 11 miles in a SOUTHWEST  
 direction from CITY OF CONROE, a nearby town shown on county highway map.

4) Zip Code: 77305

5) The diversion will be (check (√) all appropriate boxes and if applicable, indicate whether existing or proposed):

	Existing	Proposed
Directly from stream		
From an on-channel reservoir	N/A	N/A
From a stream to an off-channel reservoir	N/A	N/A
From a stream to an on-channel reservoir	✓	N/A
From an off-channel reservoir	N/A	N/A
Other method (explain fully, use additional sheets if necessary)	N/A	N/A

6) Rate of Diversion (Check (√) applicable provision):

N/A 1. Diversion Facility:

A. N/A Maximum gpm (gallons per minute)

1) N/A Number of pumps

2) N/A Type of pump

3) N/A gpm, Pump capacity of each pump

4) Portable pump N/A Yes or N/A No

✓ 2. If by gravity:

A. \_\_\_\_\_ Headgate  Diversion Dam \_\_\_\_\_ Maximum gpm

B. \_\_\_\_\_ Other method (explain fully - use additional sheets if necessary)

7) The drainage area above the diversion point is 28 acres or 0.044 square miles.



# Supplemental Dam/Reservoir Information Sheet

## Dam (structure), Reservoir and Watercourse Data

A. Type of Storage Reservoir (indicate by checking (✓) all applicable)

on-channel    off-channel    existing structure    proposed structure\*    exempt structure\*\*

\* Applicant shall provide a copy of the notice that was mailed to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir, will be located as well as copies of the certified mailing cards.

\*\* TWC Section 11.143 for uses of water for other than domestic, livestock, or fish and wildlife from an existing, exempt reservoir with a capacity of 200 acre-feet or less. Please complete Paragraph 6 below if proceeding under TWC 11.143.

Date of Construction 2001/2002

B. Location of Structure No. N/A

1) Watercourse: UNNAMED TRIBUTARY OF LAKE CREEK, TRIBUTARY OF WEST FORK SAN JACINTO RIVER,  
2) Location from County Seat: 11 miles in a SW direction from CONROE MONTGOMERY County, Texas. TRIBUTARY OF SAN JACINTO RIVER

Location from nearby town (if other than County Seat): 11 miles in a SW direction from CITY OF CONROE, a nearby town shown on county highway map.

3) Zip Code: 77305

4) The dam will be/is located in the H. R. DEST Original Survey No. -, Abstract No. 412 in MONTGOMERY County, Texas.

5) Station S+12 on the centerline of the dam is S 29.61° W (bearing), 2,292 feet (distance) from the NE corner of H. R. DEST Original Survey No. -, Abstract No. 412, in MONTGOMERY County, Texas, also being at Latitude 30.28 °N, Longitude 95.63 °W. (Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places. Indicate the method used to calculate the diversion point location).

C. Reservoir:

1) Acre-feet of water impounded by structure at normal maximum operating level: 255 AC-FT.

2) Surface area in acres of reservoir at normal maximum operating level: 28.39 AC.

D. The drainage area above the dam is 28 acres or 0.044 square miles.

E. Other:

1) If this is a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure, provide the Site No. N/A and watershed project name N/A

2) Do you request authorization to close the "ports" or "windows" in the service spillway?

Yes    No

## Supplemental Discharge Point Information Sheet

Discharge Point No. or Name: DAM "A"

1) Select the appropriate box for the source of water being discharged:

Treated effluent

Groundwater

Other SURFACE WATER

2) Location of discharge point will be/is at Latitude 30.28 ° N, Longitude 95.63 ° W,  
also bearing S 29.61° W, 2292 feet from the NE corner of the H.R. OEST

Original Survey No. -, Abstract No. 412, in MONTGOMERY County, Texas.

Provide the latitude and longitude coordinates in decimal degrees, to at least six decimal places, and indicate the method used to calculate the diversion point location. (i.e., GPS Unit, USGS 7.5 Topographic Map, etc.)

30.28° N, 95.63° W PER EXISTING WATER RIGHTS PERMIT 5712

3) Location from County Seat: 11 miles in a SW direction from CONROE,  
MONTGOMERY County, Texas.

Location from nearby town (if other than County Seat): 11 miles in a SOUTHWEST  
direction from CITY OF CONROE, TX., a nearby town shown on county highway map.

4) Zip Code: 77305

5) Water will be discharged into N/A stream/reservoir,  
(tributaries) UNNAMED TRIBUTARY OF LAKE CREEK, TRIBUTARY OF WEST FORK SAN JACINTO RIVER, TRIBUTARY  
SAN JACINTO RIVER Basin. OF SAN JACINTO RIVER.

6) Water will be discharged at a maximum rate of 637 cfs (285,886 gpm).

7) The amount of water that will be discharged is 534 acre-feet per year.

8) The purpose of use for the water being discharged will be NORMAL RUNOFF FLOWS.

9) Additional information required:

For groundwater

1. Provide water quality analysis and 24 hour pump test for the well if one has been conducted.
2. Locate and label the groundwater well(s) on a USGS 7.5 Minute Topographic Map
3. Provide a copy of the groundwater well permit if it is located in a Groundwater Conservation District.
4. What aquifer the water is being pumped from?

For treated effluent

1. What is the TPDES Permit Number? Provide a copy of the permit.
2. Provide the monthly discharge data for the past 5 years.
3. What % of treated water was groundwater, surface water?
4. If any original water is surface water, provide the base water right number.



2929 Briarpark Drive Phone 713.953.5200  
Suite 600 Fax 713.953.5026  
Houston, Texas 77042-3703 www.ljaengineering.com

October 12, 2011

Ms. Sarah Henderson  
Water Rights Permitting Team  
Water Supply Division  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087/MC-160  
Austin, Texas 78711-3087

Re: SR Superior LLC 28 Acre Lake (Lake "A")  
TCEQ Water Rights Permit No. 5712, Montgomery County, Texas  
TCEQ Investigation Number: 899115  
Application for Amendment to a Water Right – Answer to Question Four  
LJA Job No. 1282-0901 (6.0)

Dear Ms. Henderson:

The Lone Star Groundwater Conservation District's (LGCD) regulatory requirements for achieving sustainability of the Gulf Coast Aquifer by reducing groundwater dependency within Montgomery County are the reason for this amendment request. The LGCD has reduced the owner's yearly permitted groundwater usage by 50% and the new District Regulatory Plan requires an additional 30% reduction by 2016.

The owner respectfully requests modification of the existing dam control structure by constructing one 24-inch pipe approximately 2-foot below the existing spillway elevation to provide pass-thru outfall for upstream surface runoff during normal "non-event" flows and an additional 6-inch pipe approximately 6-foot below the existing spillway elevation to provide pass-thru flows during drought conditions. Please see the attached exhibit.

In addition, and pursuant to TCEQ request, the owner intends to develop a monitoring process, to confirm that surface water run-off is not being impounded on the owner's property. The proposed system will consist of flow measuring devices at the north and south end of the property that would monitor the inflow and outflow of surface water through the site. Impoundment of surface water would then be determined based on a running average of flows entering and leaving the property.

The owner respectfully requests that the following requirements be removed:

1. "WHEREAS, the applicant has indicated that the reservoir will be maintained full at all times with groundwater"
2. Under SPECIAL CONDITIONS a: "Permittee shall fill and maintain the reservoir at operating level at all times with ground water. Failure to maintain the reservoir full at all times may impact the downstream water rights and thus constitutes a violation of the permit conditions."

Please feel free to contact me should you have any questions or require additional information. Thank you very much for your consideration in this matter.

Sincerely,

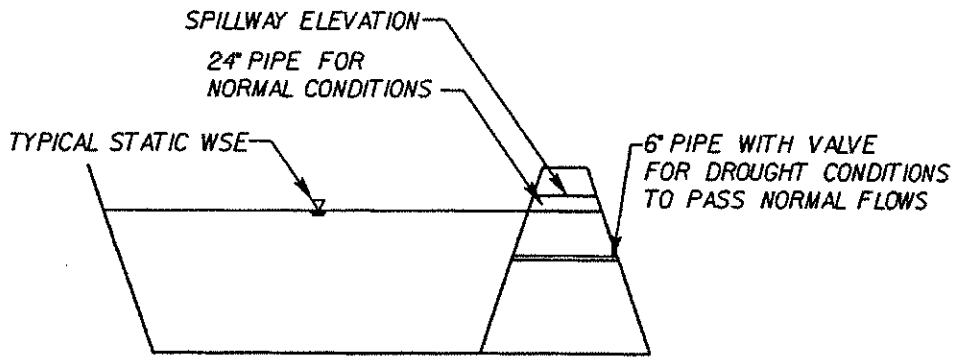
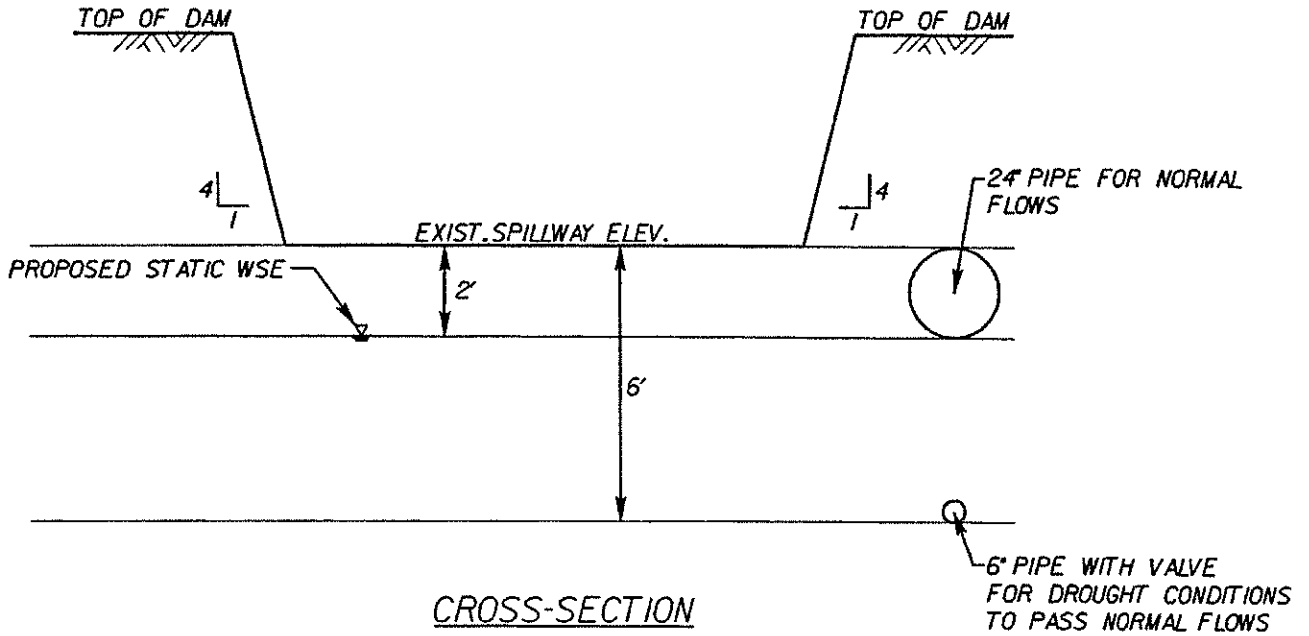
Adam C. Cohen, PE  
Project Manager

ACC/dl

Attachment



PROPOSED DAM "A" MODIFICATION



DATE: JULY, 2011

**LJA Engineering, Inc.**

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