

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087 MC-160, Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-4770

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Water Availability Division

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

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

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

1. **Data on Applicant and Project:** Social Security or Federal ID No. [REDACTED]
- A. Name: The John Fairey Garden Conservation Foundation (PECKARWOOD GARDENS CONSERVATION FOUNDATION, INC)
- B. Mailing Address: 20559 FM 359 RD, Hempstead, TX 77445
- C. Telephone Number: 979-826-3232 Fax Number: _____ E-mail Address: [REDACTED]
- D. Applicant owes fees or penalties? Yes No
If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

- E. Describe Use of Water: Irrigation of a garden and greenhouses
- F. Description of Project (TDH Project No. if applicable): Diversion of water unnamed creek - called "Dry Creek"
- G. Highway Designation No. FM 359 Rd. County Waller

2. **Type of Diversion (check one):** From Stream From Reservoir
3. **Rate of Diversion:**
A. Maximum 100 gpm
(capacity of pump)

4. **Amount and Source of Water:**
60 acre-feet of water within a period of 36 months (specify term period not to exceed a three year term). The water is to be obtained from Dry Creek (unofficial name), tributary of Clear Creek, tributary of _____, tributary of lower Brazos River, Brazos River Basin.

5. **Location of Diversion Point:** Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 30.0588909 °N, Longitude 96.0373805 °W, (calculated with Google Earth) near the stream crossing of FM 359 Rd Highway, located in Zip Code 77445, located 3.63 miles in a SE direction from Hempstead (County Seat), Waller County, and 3.88 miles in a SW direction from Prairie View, a nearby town shown on County road map. Note: Distance in straight line miles.

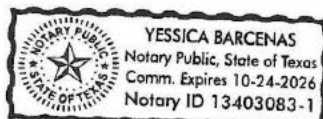
Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

- | | | | |
|---|---|------------------|-----------------------|
| 6. Access to Diversion Point (check one): | 7. Fees Enclosed: | 10 ac-ft or less | greater than 10 ac-ft |
| <input type="checkbox"/> Public right-of-way | Filing | \$ 100.00 | \$ 250.00 |
| <input type="checkbox"/> Private property | Recording..... | \$ 1.25 | \$ 1.25 |
| (A letter of permission from landowner is attached) | Use (\$1.00 per ac-ft or fraction thereof) | \$ _____ | \$ 60.00 |
| <input checked="" type="checkbox"/> Other --We own the property where the diversion is occurring. | (Note: 1 ac-ft = 325,851 gals. Total 1 ac-ft = 7758.35 bbls.) | \$ _____ | \$ 311.25 |

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

[Signature] Name (sign) _____ Randy Twaddle Name (print) _____

Subscribed and sworn to me as being true and correct before me this 13 day of December, 2022



[Signature]
Notary Public, State of Texas