

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

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

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

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

- 1. Data on Applicant and Project: Social Security or Federal ID No. [redacted]
A. Name: IEA Constructors (Mike Behringer, Project Manager)
B. Mailing Address: 6325 Digital Way Suite 460 Indianapolis, IN 46278
C. Telephone Number: 812-249-5995 Fax Number: E-mail Address: [redacted]
D. Applicant owes fees or penalties? [ ] Yes [X] No
If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:
E. Describe Use of Water: Dust Control & Fire Protection
F. Description of Project (TDH Project No. if applicable): Tres Bahias Solar
G. Highway Designation No. FM 2143 County Calhoun

- 2. Type of Diversion (check one): [X] From Stream [ ] From Reservoir
3. Rate of Diversion:
A. Maximum 500 gpm (capacity of pump)

- 4. Amount and Source of Water:
8 acre-feet of water within a period of 2 years (specify term period not to exceed a three year term). The water is to be obtained from Keller Creek, tributary of Keller Bay, tributary of Gulf of Mexico, tributary of Basin.

- 5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.
At Latitude 28^41'16.212" N, Longitude 96^29' 0.606" W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) East (R-O-W) (Highway), located in Zip Code 77979, located 3.5 miles in a E direction from SR35 Port Lavaca (County Seat), Calhoun County, and 7 miles in a S direction from Point Comfort, Texas, 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.

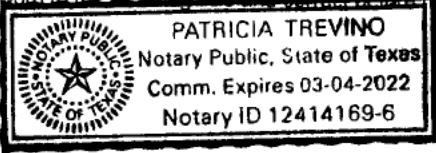
6. Access to Diversion Point (check one): [X] Public right-of-way [ ] Private property [ ] Other (Explain)
7. Fees Enclosed:
Table with columns for fee type (Filing, Recording, Use), amount per unit, and total for 10 ac-ft or less and greater than 10 ac-ft.

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

Signature of Mike Behringer, Name (sign)

Mike Behringer, Name (print)

Subscribed and sworn to me as being true and correct on this 25th day of January, 2022



Signature of Patricia Trevino, Notary Public, State of Texas

RECEIVED
JAN 28 2022
Water Availability Division