Everett Griffith, Jr. & Associates Inc.
ENGINEERS • SURVEYORS

March 24, 2023

Texas Commission on Environmental Quality
Water Availability Division, MC-160
Building F, Ste. 3101
12100 Park 35 Circle
Austin, Texas 78753

RE: City of Center - Water Rights Permitting Application
Application to Amend Certificate of Adjudication 06-4404

Dear Sir or Ma'am:

Please find attached herewith one (1) copy of the application for the above-mentioned project. An electronic copy of this application has also been submitted directly to the TCEQ via e-mail at the following address: WRPT@tceq.texas.gov.

Please note that the application fee has been submitted to the TCEQ Financial Division under separate cover. A copy of the application fee check is also included in this attachment.

Please feel free to contact me at (936) 634-5528 or via e-mail at [redacted] if you have any questions, comments, or require any additional information.

Sincerely,

Craig Largent

encl.

408 North Third Street
P.O. Box 1746
Lufkin, Texas 75902-1746
936/634-5528 • FAX # 936/634-7989
admin@everettgriffith.com

Texas Engineering Firm No. F-1156
Texas Surveying Firm No. 10029100

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): CITY OF CENTER

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	
YES	**Administrative Information Report**	NO	**Worksheet 3.0**
N/A	Additional Co-Applicant Information	N/A	Additional W.S 3.0 for each Point
N/A	Additional Co-Applicant Signature Pages	N/A	Recorded Deeds for Diversion Points
YES	Written Evidence of Signature Authority	N/A	Consent For Diversion Access
NO	**Technical Information Report**	NO	**Worksheet 4.0**
N/A	USGS Map (or equivalent)	N/A	TPDES Permit(s)
N/A	Map Showing Project Details	N/A	WWTP Discharge Data
N/A	Original Photographs	N/A	Groundwater Well Permit
N/A	Water Availability Analysis	N/A	Signed Water Supply Contract
NO	**Worksheet 1.0**	NO	**Worksheet 4.1**
N/A	Recorded Deeds for Irrigated Land	NO	**Worksheet 5.0**
N/A	Consent For Irrigation Land	N/A	Addendum to Worksheet 5.0
NO	**Worksheet 1.1**	NO	**Worksheet 6.0**
N/A	Addendum to Worksheet 1.1	N/A	Water Conservation Plan(s)
YES	**Worksheet 1.2**	N/A	Drought Contingency Plan(s)
NO	Additional W.S 2.0 for Each Reservoir	N/A	Documentation of Adoption
N/A	Dam Safety Documents	NO	**Worksheet 7.0**
N/A	Notice(s) to Governing Bodies	N/A	Accounting Plan
N/A	Recorded Deeds for Inundated Land	NO	**Worksheet 8.0**
N/A	Consent For Inundation Land	YES	Fees

ADMINISTRATIVE INFORMATION REPORT

The following information **is required** for **all** new applications and amendments.

****Applicants are strongly encouraged 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

__X__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."

PART 5.B. OF CERTIFICATE OF ADJUDICATION 06-4404 MAKES REFERENCE TO THE DISCHARGE OF DIVERTED WATER THAT WAS NOT CONSUMED AT A POINT IN THE WESTLEY HILL SURVEY, ABSTRACT 282, SHELBY COUNTY. HOWEVER, ACCORDING TO DATA FROM THE SHELBY COUNTY APPRAISAL DISTRICT, THE EAST BANK WASTEWATER TREATMENT PLANT AND ITS CURRENT DISCHARGE POINT ARE LOCATED WITHIN ABSTRACT 279 OF THE WESTLEY HILL SURVEY. THEREFORE, THE CITY WISHES TO UPDATE THE ABSTRACT NUMBER IN THE CERTIFICATE OF ADJUDICATION.

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?

THE CITY OF CENTER, TEXAS

(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 : 600254270 (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: CHAD NEHRING

Title: CITY MANAGER

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? **Y/N** YES

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: CITY OF CENTER, TEXAS

Mailing Address: P.O. BOX 1744

City: CENTER State: TEXAS ZIP Code: 75935

Indicate an X next to the type of Applicant:

___Individual	___Sole Proprietorship-D.B.A.
___Partnership	___Corporation
___Trust	___Estate
___Federal Government	___State Government
___County Government	X City Government
___Other Government	___Other_____

For Corporations or Limited Partnerships, provide:
State Franchise Tax ID Number: N/A SOS Charter (filing) Number: N/A

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: BOB STAEHS, P.E.

Title: CITY ENGINEER

Organization Name: EVERETT GRIFFITH, JR. & ASSOCIATES, INC.

Mailing Address: P.O. BOX 1746

City: LUFKIN State: TEXAS ZIP Code: 75902-1746

Phone Number: (936) 634-5528

Fax Number: (936) 634-7989

E-mail Address: [redacted]

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. Applicants 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** N/A

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/SurveyStatus_PriorThreeYears

   Applicant has submitted all required TWDB surveys of groundwater and surface water?
   Yes / No N/A

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, CHAD NEHRING — CITY MANAGER

(Typed or printed name) — (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: _____ Date: 2/14/23

(Use blue ink)

Subscribed and Sworn to before me by the said

on this 14th day of February, 20 23.

My commission expires on the 6th day of August, 20 23.

_____

Notary Public

ESTHER ELIZONDO
NOTARY PUBLIC
STATE OF TEXAS
ID # 12413085-0
My Comm. Expires 08-06-2023

[SEAL]

Shelby
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 to schedule a meeting.

Date of pre-application meeting: JANUARY 3, 2023

1. 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 NO

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 NO (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 NO (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: **CERTIFICATE OF ADJUDICATION 06-4404**

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? Y / N_____(if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right
NOT APPLICABLE	**NOT APPLICABLE**

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 **NO**

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.*** **N/A**

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 **NO**

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.*** **N/A**

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 **NO**
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 **NO**
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) **N/A**
- **Worksheet 5.0 – Environmental Information** (Required for <u>any</u> new diversion points that are not already authorized in a water right) **N/A**

e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N **NO**

If yes, submit: **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir) **N/A**

f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N_____*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/A**

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: **N/A**

1. *Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or* **N/A**
2. *Seller must amend its underlying water right under Section 2.* **N/A**

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/A**

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/A**

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/A**

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/A**

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** **N/A**
- **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) **N/A**
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances) **N/A**

- **Worksheet 4.0 - Discharge Information Worksheet** (for each discharge point) **N/A**
- **Worksheet 5.0 - Environmental Information Worksheet N/A**
- **Worksheet 6.0 - Water Conservation Information Worksheet N/A**
- **Worksheet 7.0 - Accounting Plan Information Worksheet N/A**
- **Worksheet 8.0 - Calculation of Fees; and Fees calculated - see instructions Page. 34 N/A**
- **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":

THE CITY OF CENTER PROPOSES TO CONSTRUCT A NEW 1.0 MGD WATER TREATMENT PLANT NEAR THEIR EAST BANK WWTP. IT IS PROPOSED THAT TREATED EFFLUENT FROM THE EAST BANK WWTP BE REUSED AS THE SOURCE OF RAW WATER FOR THIS FACILITY. THE EAST BANK WWTP IS PERMITTED TO DISCHARGE ITS EFFLUENT TO WATERS OF THE STATE VIA TWO OUTFALL POINTS. OUTFALL POINT 001 IS LOCATED AT THE EAST BANK WWTP AND IS CURRENTLY IN USE. OUTFALL POINT 002 WAS ADDED TO THE FACILITY'S PERMIT BY MAJOR AMENDMENT IN 2012 AND IS LOCATED APPROXIMATELY 4 MILES SOUTH AT LAKE CENTER (IMMEDIATELY UPSTREAM FROM THE CITY'S MILL CREEK WATER TREATMENT PLANT). HOWEVER, IN ORDER FOR OUTFALL 002 TO BE USED IT WILL BE NECESSARY TO CONSTRUCT A PUMP STATION AND FORCE MAIN TO LAKE CENTER. THE CONSTRUCTION OF THE PUMP STATION HAS NOT YET BEEN IMPLEMENTED AND THUS OUTFALL 002 IS NOT CURRENTLY IN USE.

IT IS PROPOSED THAT THE TREATED EFFLUENT FROM THE EAST BANK WWTP BE REUSED AS THE RAW WATER SOURCE FOR THE NEW WATER TREATMENT PLANT. TO ACCOMPLISH THIS, A PUMP STATION WOULD BE CONSTRUCTED AT THE EAST BANK WWTP BETWEEN THE LAST TREATMENT UNIT AND OUTFALL 001 TO ALLOW FOR THE EFFLUENT TO BE PUMPED DIRECTLY TO THE NEW WATER TREATMENT PLANT RATHER THAN PUMP THE EFFLUENT TO OUTALL 002 AT LAKE CENTER (AS PER THE CURRENT DISCHARGE PERMIT). THE PROPOSED PROJECT WOULD SIMPLY PUMP THE EFFLUENT TO THE ADJACENT WATER TREATMENT PLANT LOCATED AT THE SAME SITE.

THE REUSE OF THE CITY'S EFFLUENT IS ADDRESSED IN THE 2021 REGIONAL WATER PLAN IN APPENDIX 5B-A (PAGE 5B-A-150) AS STRATEGY 49.

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

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 N/A

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) *(Include losses for Bed and Banks)*	**State Water Source (River Basin) or Alternate Source** *each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0*	**Purpose(s) of Use**	**Place(s) of Use** **requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer*
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A
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. N/A

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. N/A

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. N/A

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

d. See Worksheet 1.2, Marshall Criteria, and submit if required. **N/A**

e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required. **N/A**

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/A

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); N/A

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; N/A

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); N/A

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: **N/A** (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: **N/A**

   (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer; **N/A**
   (ii) the amount and purposes of use in the receiving basin for which water is needed; **N/A**
   (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures; **N/A**
   (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use; **N/A**
   (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and **N/A**
   (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; **N/A**

f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and **N/A**

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. **N/A**

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*

1. 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. **PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE**

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. **PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE**

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. **PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE**

d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge. **PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE**

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.

PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE

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.

PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE

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 irrespectiveof the fact that the water right can be used to its full authorized amount.

PLEASE REFER TO SUPPLEMENTAL ATTACHMENT 1 FOR RESPONSE

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), andthe 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. N/A Diversion Point No.
2. N/A Upstream Limit of Diversion Reach No.
3. N/A 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
N/A	Directly from stream	N/A
N/A	From an on-channel reservoir	N/A
N/A	From a stream to an on-channel reservoir	N/A
N/A	Other method (explain fully, use additional sheets if necessary)	N/A

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. N/A

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.
N/A

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/gwdbrpt.asp. Additionally, provide well numbers or identifiers **N/A**.
3. Indicate how the groundwater will be conveyed to the stream or reservoir.

   N/A

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. **N/A**

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**, _____ 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.
N/A

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), **N/A**

a. Identify the appropriate description of the water body.

☐ Stream **N/A**

☐ Reservoir **N/A**

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 **N/A**

☐ Intermittent with Perennial Pools - enduring pools **N/A**

☐ Perennial - normally flowing **N/A**

Check the method used to characterize the area downstream of the new diversion location.

☐ USGS flow records **N/A**

☐ Historical observation by adjacent landowners **N/A**

☐ Personal observation **N/A**

☐ 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 **N/A**

☐ Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored **N/A**

☐ Common Setting: not offensive; developed but uncluttered; water may be colored or turbid **N/A**

☐ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored **N/A**

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) **N/A**

☐ Secondary contact recreation (fishing, canoeing, or limited contact with water) **N/A**

☐ Non-contact recreation **N/A**

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 mapsubmitted with the application indicating the location of the photograph and the direction of the shot. **N/A**

2. If the application includes a proposed reservoir, also include:

   i. A brief description of the area that will be inundated by the reservoir. **N/A**

   ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager. **N/A**

   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. **N/A**

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. **N/A**

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: **N/A**
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. **N/A**

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Chloride, mg/L	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Total Dissolved Solids, mg/L	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
pH, standard units	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**
Temperature*, degrees Celsius	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**

* 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. The model plans can also be downloaded from the TCEQ webpage. ***Please use the most up-to-date plan documents available on the webpage.***

1. 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. **N/A**

2. Request to amend water right to increase appropriation of State Water. **N/A**

3. Request to amend water right to extend a term. **N/A**

4. Request to amend water right to change a place of use. **N/A**
   **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. **N/A**
   **applicant need only address new uses.*

6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water. **N/A**
   **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. **N/A** Municipal Use. See 30 TAC § 288.2. **

2. **N/A** Industrial or Mining Use. See 30 TAC § 288.3.

3. **N/A** Agricultural Use, including irrigation. See 30 TAC § 288.4.

4. **N/A** 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 **N/A**

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. N/A Municipal Uses by public water suppliers. See 30 TAC § 288.20.

2. N/A Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.

3. N/A 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:

- 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; **N/A**
- For applications for new major water supply reservoirs; **N/A**
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan; **N/A**
- For applications with complex environmental flow requirements; **N/A**
- For applications with an alternate source of water where the water is conveyed and diverted; and **N/A**
- For reuse applications.

2. Accounting Plan Requirements

a. A **text file** that includes:
   1. an introduction explaining the water rights and what they authorize; **N/A**
   2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data; **N/A**
   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 **N/A**
   4. Should provide a summary of all sources of water. **N/A**

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; **N/A**
   2. Method for accounting for inflows if needed; **N/A**
   3. Reporting of all water use from all authorizations, both existing and proposed; **N/A**
   4. An accounting for all sources of water; **N/A**
   5. An accounting of water by priority date; **N/A**
   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; **N/A**
   7. Accounting for conveyance losses; **N/A**
   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; **N/A**
   9. An accounting for spills of other water added to the reservoir; and **N/A**
   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. **N/A**

WORKSHEET 8.0
CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page. 34**

1. NEW APPROPRIATION

	Description	Amount ($)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under **Amount ($).** In Acre-Feet a. Less than 100 $100.00 b. 100 - 5,000 $250.00 c. 5,001 - 10,000 $500.00 d. 10,001 - 250,000 $1,000.00 e. More than 250,000 $2,000.00	**N/A**
Recording Fee		$25.00
Agriculture Use Fee	*Only for those with an Irrigation Use.* Multiply 50¢ x_____Number of acres that will be irrigated with State Water. **	**N/A**
Use Fee	*Required for all Use Types, **excluding Irrigation Use**.* Multiply $1.00 x_____Maximum annual diversion of State Water in acre-feet. **	**N/A**
Recreational Storage Fee	*Only for those with Recreational Storage.* Multiply $1.00 x_____acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	**N/A**
Storage Fee	*Only for those with Storage, **excluding Recreational Storage.*** Multiply 50¢ x_____acre-feet of State Water to be stored at normal max operating level.	**N/A**
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	**N/A**
	TOTAL	$ **N/A**

2. AMENDMENT *OR* SEVER AND COMBINE

	Description	Amount ($)
Filing Fee	Amendment: $100	**$100.00**
	OR Sever and Combine: $100 x___of water rights to combine	**N/A**
Recording Fee		$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	**N/A**
	TOTAL INCLUDED	$ **$112.50**

3. BED AND BANKS

	Description	Amount ($)
Filing Fee		$100.00
Recording Fee		$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	**N/A**
	TOTAL INCLUDED	$ **N/A**

SUPPLEMENTAL ATTACHMENT 1

MARSHALL CRITERIA

SUPPLEMENTAL ATTACHMENT 1 - MARSHALL CRITERIA

Worksheet 1.2 of Form TCEQ-10214C requires that a supplemental attachment be submitted with responses to the following items. For ease of reading, the responses are provided in *italic* font:

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 Title30 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.

This application meets the requirements for an amendment pursuant to the code sections listed above.

B. **BENEFICIAL USE** - Discuss how the 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.

This amendment is not requesting a change of the current use. It only requests an update to the abstract number in the Certificate of Adjudication.

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.

The proposed amendment will not be detrimental to the public welfare. The requested amendment only requests an update to the abstract number in the Certificate of Adjudication.

D. **GROUNDWATER EFFECTS** - Discuss effects of proposed amendment on groundwater or groundwater recharge.

The proposed amendment will not have any effect on groundwater or groundwater recharge. The amendment only calls for an update the abstract number in the Certificate of Adjudication.

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.

This amendment request has come about as part of the City's plan to construct a new water treatment plant for the direct potable reuse of effluent from the City's wastewater treatment plant. That project would consist of the City constructing a new 1.0 MGD water treatment plant near their existing East Bank WWTP. The treated effluent from the East Bank WWTP be reused as the source of raw water for this facility. The reuse of the city's effluent is addressed in the 2021 regional water plan in Appendix 5B-A (page 5B-A-150) as Strategy 49.

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.

The City of Center has an active water conservation plan and drought contingency plan. Copies of these plans area attached for reference.

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.

The proposed amendment will not impact water right holders or on-stream environment. The amendment only calls for an update the abstract number in the Certificate of Adjudication.

SUPPLEMENTAL ATTACHMENT 2

EVIDENCE OF SIGNATORY AUTHORITY

RESOLUTION 2023-05

A Resolution of the City of Center, Authorizing Activity and Submission of Amendments to Water Rights Permits and Certificates of Adjudication

WHEREAS, the City of Center has been authorized use of waters of the State of Texas and United States of America through water rights contained within Certificates of Adjudication 5-4657 (priority dates 8/4/1922 and 8/14/1952) and 6-4404 (priority date 2/7/1972); and,

WHEREAS, the Water Production Report of August 2022 was accepted by Council with direction to pursue project activities related to enhanced treatment efficiency through treatment plant renovation and development of water reuse for added capacity; and,

WHEREAS, the TCEQ and/or USEPA require submission of applications, amendments and modifications to certificates of adjudication for existing water rights, certification of testing, documentation of design alternatives and request for approval related to construction activities for approved projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CENTER, TEXAS, that;

The City Manager is designated as signatory and primary contact for submission of applications for amendment or modification to water rights permits or certificates of adjudication and all other required documentation, conforming to the utility system plans and directed activities for expanded water availability from reuse, including modified diversion and/or impoundment, evaluation, certification and documentation providing for the long-term water supply of the City of Center.

PASSED and APPROVED on the 13th day of February, 2023.

David Chadwick, Mayor

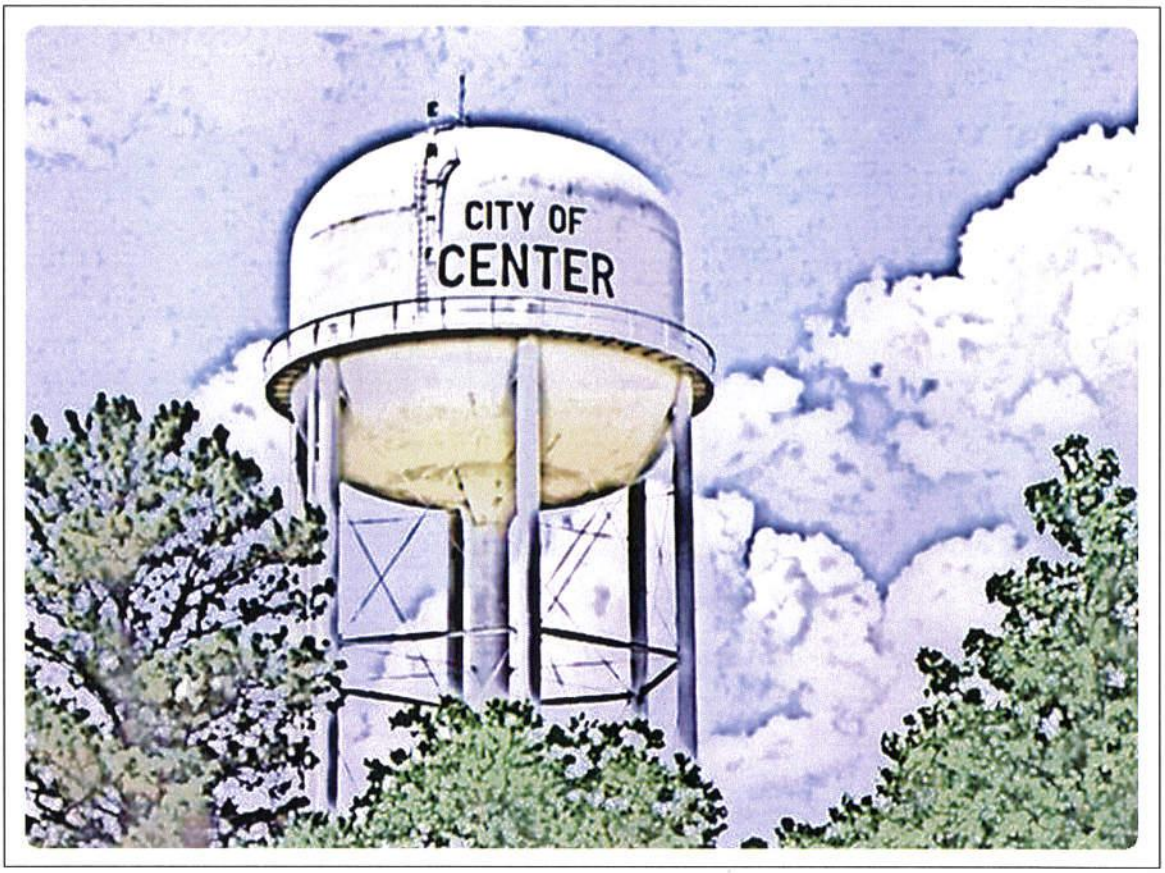
ATTEST:

Esther Elizondo, City Secretary

THE CITY OF CENTER ★ TEXAS ★ SHELBY COUNTY

SUPPLEMENTAL ATTACHMENT C

WATER CONSERVATION PLAN



Water Conservation & Drought Contingency Plan

2019

Contents


CITY OF CENTER
CITY HALL

DECLARATION OF POLICY, PURPOSE, AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, to protect and preserve public health, welfare, and safety, and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Center hereby adopts the following practices, regulations, and restrictions on the delivery, use, and consumption of water by City Ordinance.

Water uses regulated or prohibited under this Water Conservation and Drought Contingency Plan are considered to be wasteful, non-essential, or discretionary. Uses of water considered wasteful or violations of restricted uses during times of water shortage or other emergency water supply conditions subjects the offender(s) to penalties as defined in the Implementation and Enforcement section of this Plan.

AUTHORIZATION

The City Manager or his/her designee is hereby authorized and directed to implement this Water Conservation Plan and the applicable provisions of this Drought Contingency Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The City Manager or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the City of Center. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

OVERVIEW

GEOGRAPHY

The City of Center is located on seven square miles in the center of Shelby County and is seventeen miles from the Louisiana border. The City is in the Sabine River Basin within the geographical boundaries of the Region I East Texas Regional Water Planning Group. Currently, there are approximately 5,300 residents.

CLIMATE

The average annual rainfall during 2018 for Center is 54.24 inches with the month December typically having the most rainfall (5.5 inches). The City averages 93 days with rainfall each year. Monthly temperature averages range from 52.2°F in January to 97.3°F in July. On average, there are 100 days per year where the temperature exceeds 90°F and 40 days where the temperature falls below 32°F.

WATER RESOURCES

The City of Center obtains 100% of its water from Lake Pinkston and Center Lake and holds Certificates of Adjudication 06-4404 and 05-4657 respectively for a combined total of 5,260 acre-feet authorized for municipal use. The water rights certificates can be found in Appendix A.

Lake Pinkston

Center Lake

INTRODUCTION

OBJECTIVE

The objective of Center's Water Conservation and Drought Contingency Plan is to increase efficiency of water use and reduce water demands without adversely affecting the population and economic growth of the City. The fundamental strategy for this Plan is to promote and publicize water conservation activities and drought management strategies in order to meet our water conservation goals and respond appropriately to water supply concerns or emergencies.

The City of Center recognizes that the amount of water available to the City and its water utility customers may be limited and subject to depletion during periods of extended drought. Representing the best interests of the citizens of Center, Texas, the City deems it expedient and necessary to establish and maintain certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

STATUTORY REQUIREMENTS

Texas Water Code §11.1271. ADDITIONAL REQUIREMENTS: **WATER CONSERVATION PLANS.** (b) The commission shall require the holder of an existing permit, certified filing, or certificate of adjudication for the appropriation of surface water in the amount of 1,000 acre-feet a year or more for municipal, industrial, and other uses, and 10,000 acre-feet a year or more for irrigation uses, to develop, submit, and implement a water conservation plan, consistent with the appropriate approved regional water plan, that adopts reasonable water conservation measures as defined by Subdivision (8)(B), Section 11.002, of this code.

Texas Water Code §11.1272. ADDITIONAL REQUIREMENT: DROUGHT CONTINGENCY PLANS FOR CERTAIN APPLICANTS AND WATER RIGHT HOLDERS. (a) The commission shall by rule require wholesale and retail public water suppliers and irrigation districts to develop drought contingency plans consistent with the appropriate approved regional water plan to be implemented during periods of water shortages and drought.

RULE REQUIREMENTS

Title 30 Texas Administrative Code, Chapter 288.30 **REQUIRED SUBMITTALS**.

(1) Water conservation plans for municipal, industrial, and other non-irrigation uses. The holder of an existing permit, certified filing, or certificate of adjudication for the appropriation of surface water in the amount of 1,000 acre-feet a year or more for municipal, industrial, and other non-irrigation uses shall develop, submit, and implement a water conservation plan meeting the requirements of Subchapter A of this chapter (relating to Water Conservation Plans). The water conservation plan must be submitted to the executive director not later than May 1, 2005. Thereafter, the next revision of the water conservation plan for municipal, industrial, and other non-irrigation uses must be submitted not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group.

(5)(B) For all the retail public water suppliers, the drought contingency plan must be prepared and adopted not later than May 1, 2005 and must be available for inspection by the executive director upon request. Thereafter, the retail public water suppliers shall prepare and adopt the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. Any new retail public water supplier providing water service to less than 3,300 connections shall prepare and adopt a drought contingency plan within 180 days of commencement of operation, and shall make the plan available for inspection by the executive director upon request.

(6) Drought contingency plans for wholesale public water suppliers. Wholesale public water suppliers shall submit a drought contingency plan meeting the requirements of Subchapter B of this chapter to the executive director not later than May 1, 2005, after adoption of the drought contingency plan by the governing body of the water supplier. Thereafter, the wholesale public water suppliers shall submit the next revision of the plan not later than May 1, 2009, and every five years after that date to coincide with

the regional water planning group. Any new or revised plans must be submitted to the executive director within 90 days of adoption by the governing body of the wholesale public water supplier. Wholesale public water suppliers shall also provide a copy of the drought contingency plan to the regional water planning group for each region within which the wholesale water supplier operates.

REPORTING REQUIREMENTS

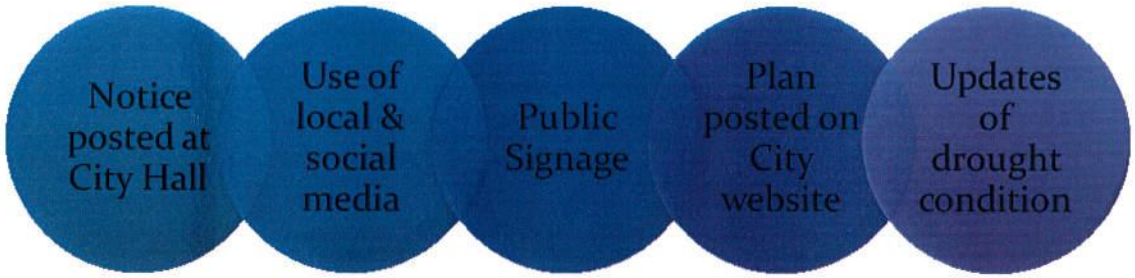
The Texas Water Development Board (TWDB) requires that the City submit a Water Conservation Plan every five years to coincide with the Regional Water Planning Cycle. The TWDB also requires that the City submit the following information annually:

1. Water Loss Audit
2. Annual Report
3. Water Use Survey

The Texas Commission on Environmental Quality (TCEQ) requires that the City submit a Water Conservation & Drought Contingency Plan every five years to coincide with the Regional Water Planning Cycle.

PUBLIC EDUCATION

Opportunity for public input is always available at City Council meetings, City events, telephone, and email. The City of Center will periodically provide the public with information about this Plan, including information, and/or notification, about ongoing water conservation efforts, the conditions under which each drought stage would be initiated or terminated, and the drought response measures to be implemented in each stage. This information will be provided by means of posted notices, local radio and television announcements, public signage, and other public activities.



PROHIBITION ON WATER WASTE AND NON-ESSENTIAL USES

PROHIBITION ON WATER WASTE

Following the guidelines set forth by the TWDB, the following is intended to educate customers in effort to reduce waste of water as a conservation effort. However, the following shall be **unlawful once a drought response stage has been initiated and until rescinded** for any person, firm, corporation, business, or other entity:

• Failing to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet. Operating a permanently installed irrigation system with a broken head, out of adjustment or misting due to high water pressure.

• Operating an automated in-ground irrigation system or hose-end sprinkler on any day of the week between 10:00 a.m. and 6:00 p.m.

• Irrigation or landscape watering during any form of precipitation.

• Allowing water to pond in a street or parking lot to a depth of greater than one quarter (¼) of an inch. Allowing water to run off a property and form a stream of water in a street for a distance of fifty (50) feet or greater.

NON-ESSENTIAL/DISCRETIONARY USES OF WATER

The following uses of water are considered non-essential or discretionary uses of water:

• Irrigation of landscape areas including yards, parks, athletic fields, and golf courses.

• Use of water to wash any motor vehicle, boat, trailer, airplane, or other vehicle.

• Use of water to wash down any sidewalks, walkways, driveways, parking lots, athletic courts, or buildings or other structures for purposes other than immediate fire protection, other hard surfaced areas. Flushing gutters or permitting water to run or accumulate in any gutter or street.

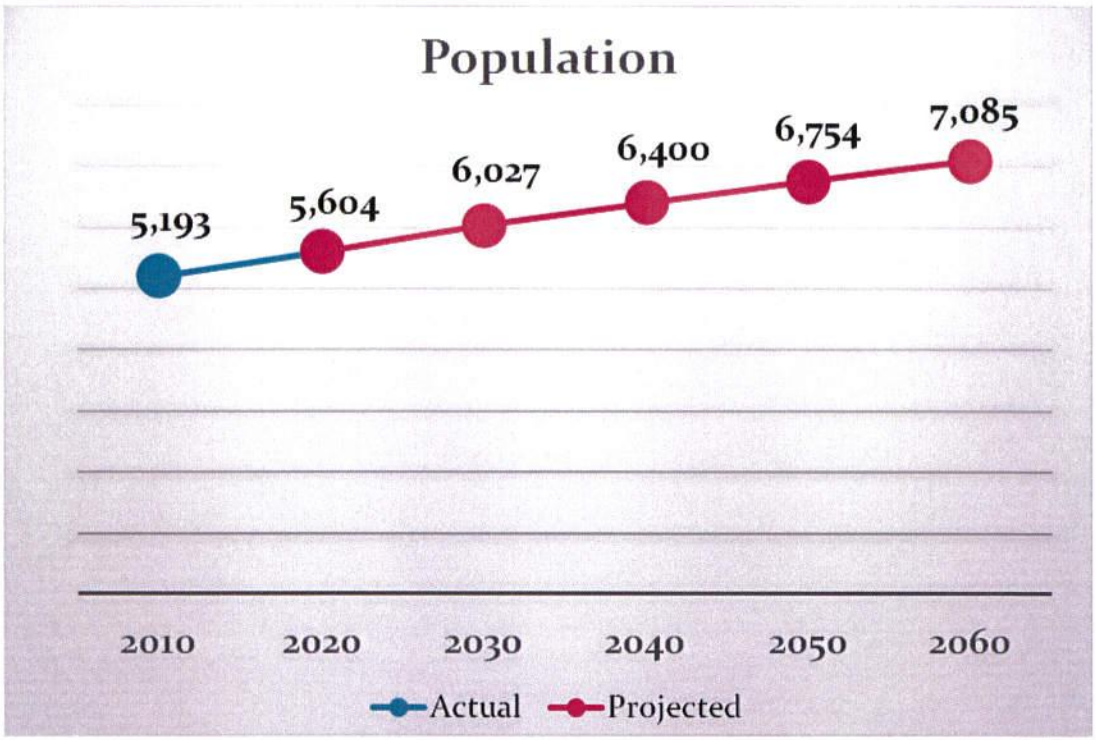
• Use of water to fill, refill, or add to any swimming pools or Jacuzzi type pools or any outdoor recreational use of water. Use of water in an outside fountain or pond for aesthetic or scenic purposes, except where necessary to support aquatic life.

UTILITY PROFILE

The TWDB Utility Profile form is located in Appendix B and a map of the City is located in Appendix C. Data is managed by utility staff on a daily basis and organized to be able to track water production and deliveries to the highest practicable levels.

POPULATION

The population of the City has increased steadily throughout its history. The approved 2016 TWDB and Region I population projections, shown below, predict that the City will grow to have over 7,000 residents by 2060.



WATER SYSTEM

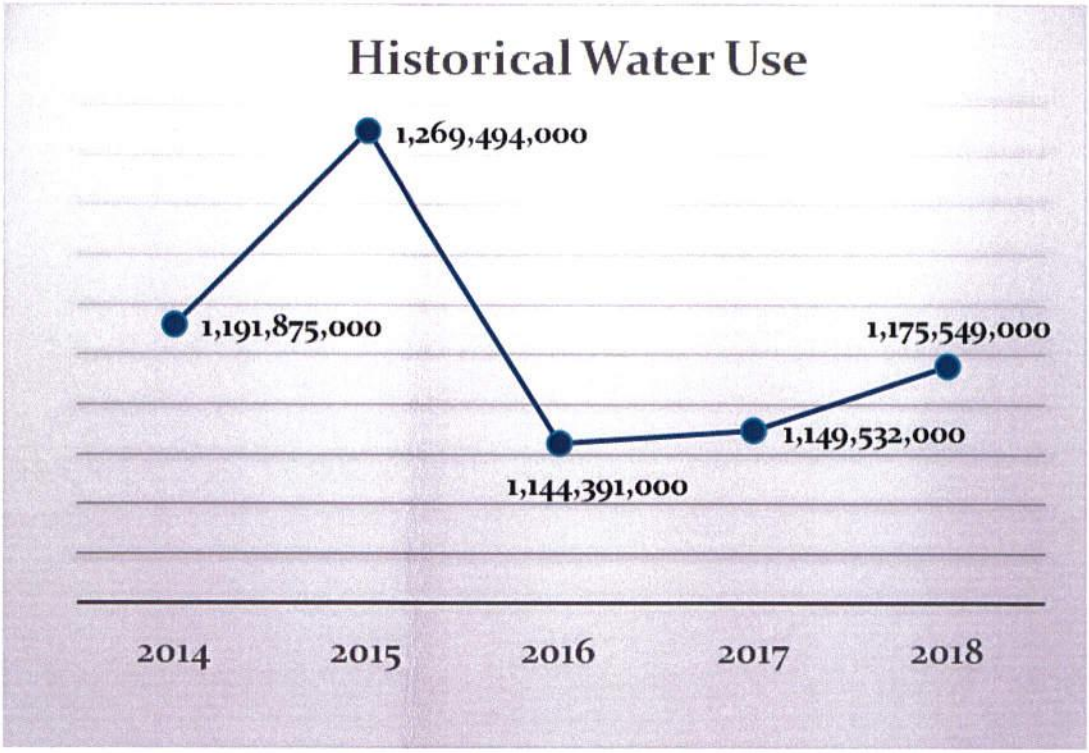
The City currently has 2,421 active connections. The City operates two water treatment plants with a combined treatment capacity of 4.5 million gallons per day (MGD). The City maintains 3 storage tanks and a standpipe with a ground storage capacity of 4.75 million gallons and an elevated storage capacity of 1.50 million gallons. Wastewater is treated at the City's East Bank Wastewater Treatment Plant, which is permitted for a design flow of 1.77 MGD and a two-hour peak flow of 4.40 MGD.

WATER SUPPLY

The City of Center obtains 100% of its water from Lake Pinkston and Center Lake. Lake Pinkston is located in the Neches Basin and up to 3,800 acre-feet per year can be diverted under COA 06-4404.Center Lake is located in the Sabine Basin and up to 1,460 acre-feet per year can be diverted under Certificate of Adjudication (COA) No. 05-4675. Both Certificates of Adjudications are located in Appendix A.

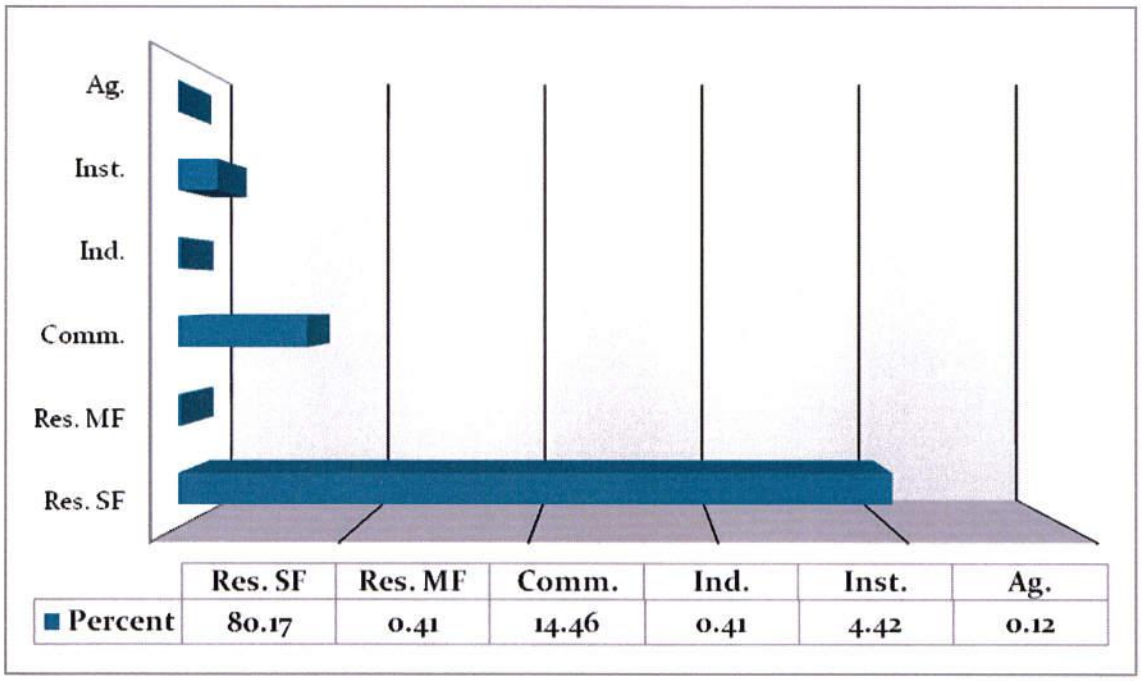
WATER DEMANDS

Over the previous 5 years, the City averages 1,186,164,600 gallons (3,640 acre-feet) of water use annually.

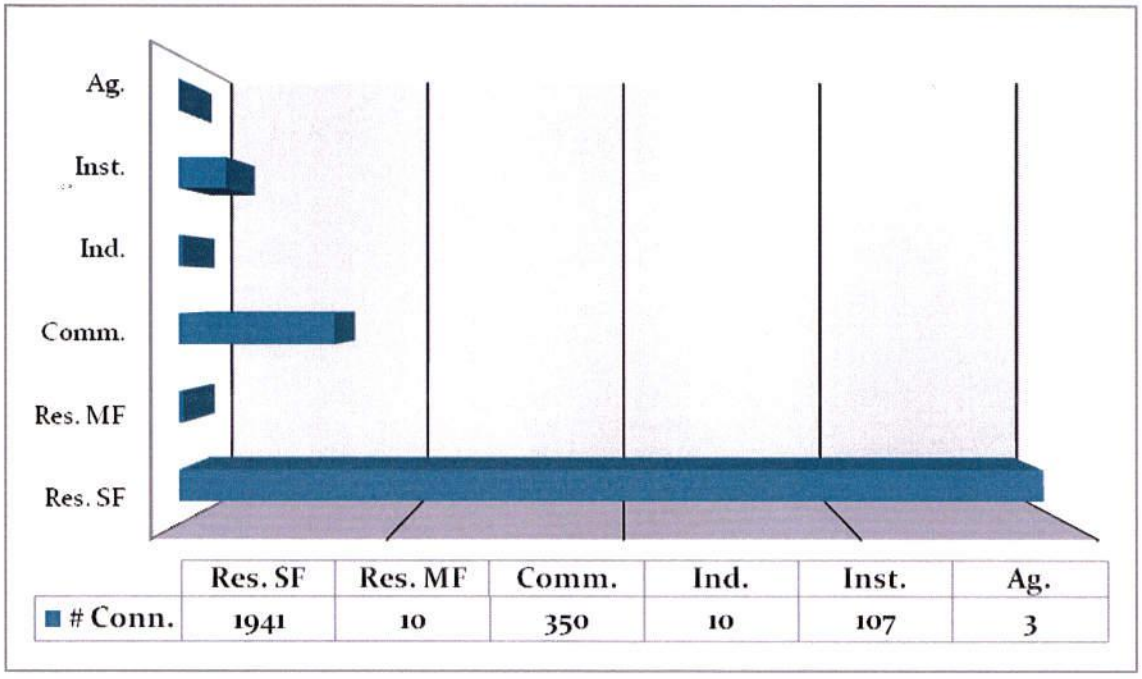


WATER USE SECTORS

2018 Distribution (**percentage and number of connections**) of retail service connections is shown
below.

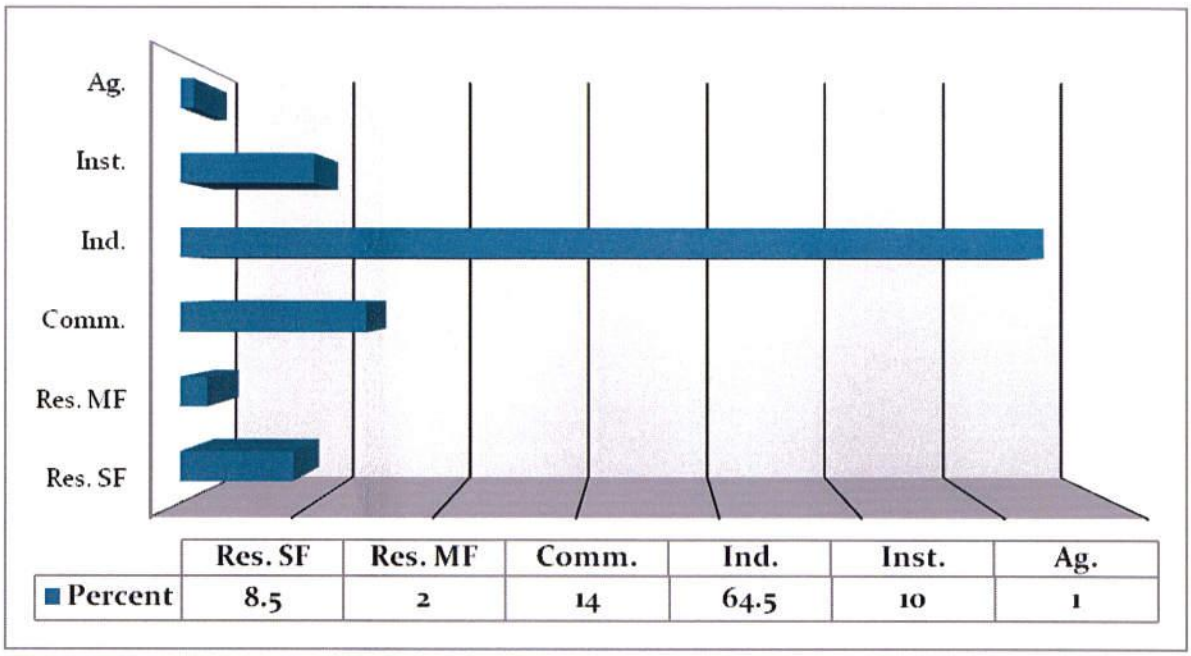


	Res. SF	Res. MF	Comm.	Ind.	Inst.	Ag.
Percent	80.17	0.41	14.46	0.41	4.42	0.12

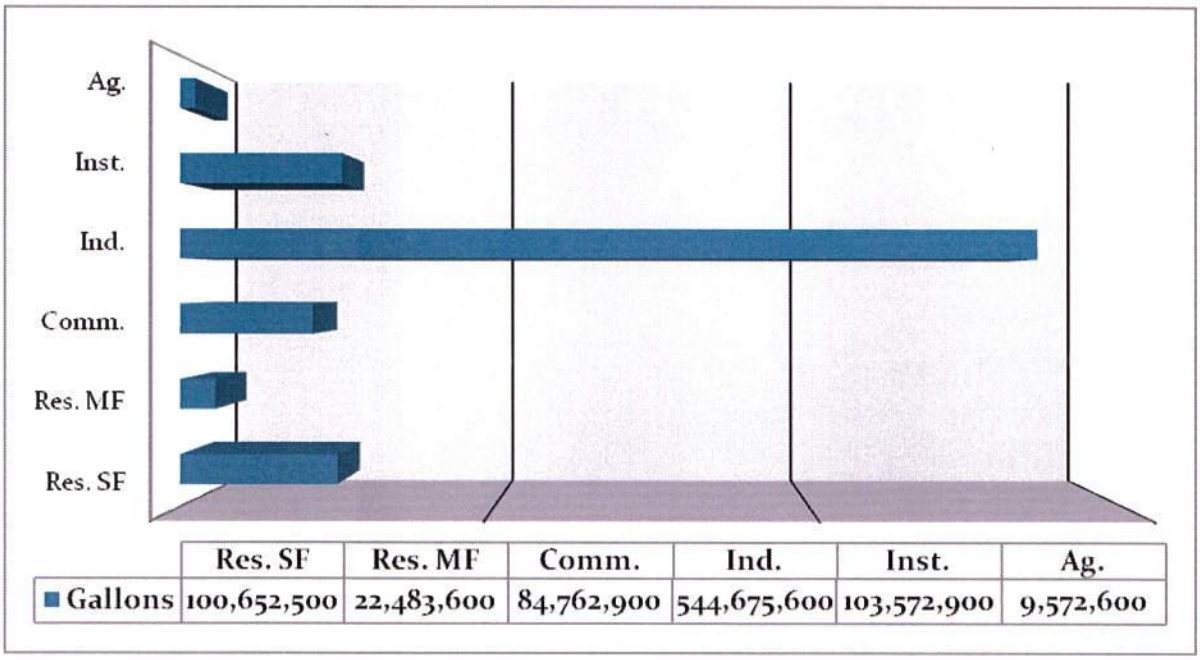


	Res. SF	Res. MF	Comm.	Ind.	Inst.	Ag.
# Conn.	1941	10	350	10	107	3

2018 Water use (**percentage and gallons consumed**) for each sector is shown below.



	Res. SF	Res. MF	Comm.	Ind.	Inst.	Ag.
Percent	8.5	2	14	64.5	10	1



	Res. SF	Res. MF	Comm.	Ind.	Inst.	Ag.
Gallons	100,652,500	22,483,600	84,762,900	544,675,600	103,572,900	9,572,600

Of the 2,421 retail connections, 80.17 % are Single Family (SF) Residential, 14.46 % are Commercial, 4.42 % are Institutional, 0.41 % are Multi-Family (MF) Residential, and 0.41 % are Industrial.

Water use totals, however, Industrial represents 64.5%, 10% are institutional, 8.5% are SF Residential, 14% are Commercial, and 2% are MF Residential. Residential use represents 10.5% of total water use.

PER CAPITA WATER USE

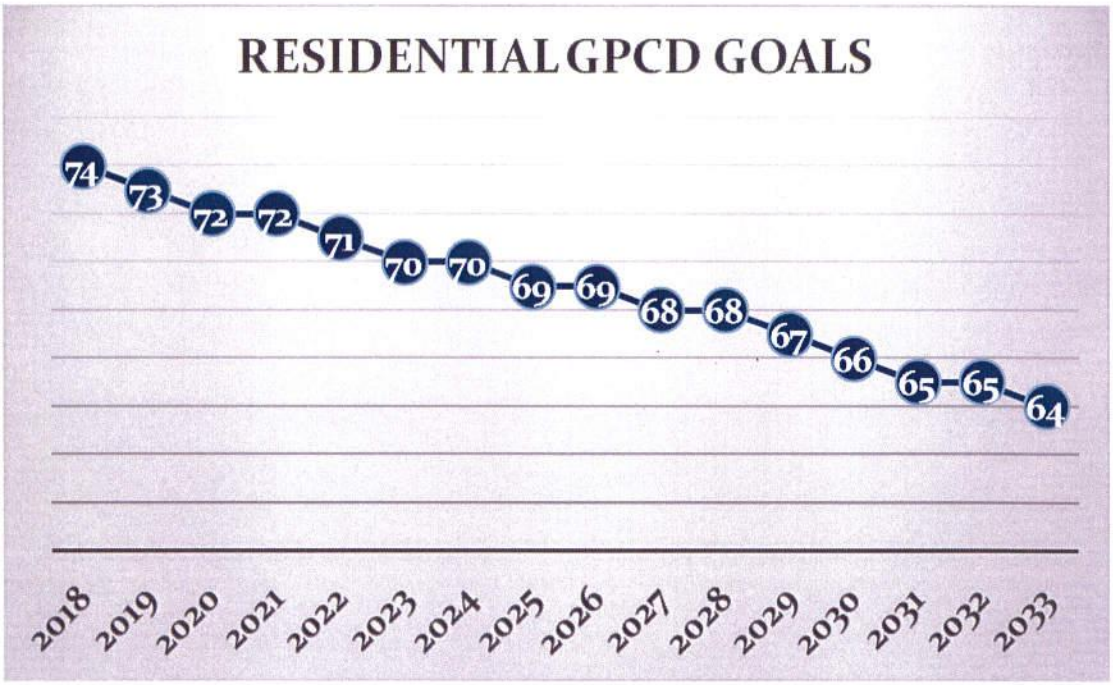
Per capita water use is generally expressed in gallons per customer per day (GPCD) and is the average amount of water used by each person in the population served by a water utility. Variables that can influence GPCD include the relative amount of non-residential water uses, the rate and type of growth, economics, demographics, and for Residential uses particularly the weather.

Residential GPCD is a superior metric for understanding how much water each resident is actually using and does not include commercial, institutional, or industrial uses. For the previous five years, Total and Residential GPCD for the City are shown below. At this time, Single Family and Multi-Family Residential uses are combined.

Year	Population	Residential Use (SF + MF)	Residential GPCD (SF + MF)	Total System Input	Total GPCD
2014	5,300	143,506,700	83	1,184,442,412	612
2015	6,000	133,794,200	69	1,149,457,286	525
2016	6,342	130,365,400	70	1,078,459,596	466
2017	4,850	121,587,600	69	1,048,107,696	553
2018	5,193	123,136,100	70	1,058,147,157	557

PER CAPITA WATER USE GOALS

The City of Center's per capita water conservation goals for the next 10 years are based upon the Texas Water Conservation Implementation Task Force's recommendation of a reduction in per capita water use by 1% per year, however adjusting the targets and goals annually, is important for conservation, one year's water demand is rarely the same as the next. Due to the disproportionate amount of non-population dependent water use for the City, meaningful Total GPCD goals are somewhat unrealistic or useful to use for a true guide. One customer alone consumes 64% of all water treated. The 5 & 10-year Total GPCD goals are 538 and 535 respectively. See Appendix F for complete water saving goals. Residential per capita usage goals, shown below, are based upon the average usage for the previous five years.



SCHEDULE AND TRACKING

The City Manager or his designee will act as the Administrator of the water conservation program. The Administrator will oversee the execution and implementation of all elements of the program. The Administrator is responsible for maintaining adequate records for program verification.

The Administrator will monitor the progress of the Water Conservation Plan, using data from water utility records and staff. Additionally, if no "triggers" or cause for concerns are noted, and water consumed/produced aren't in conflict, continuation of monitoring will go forward. During report due dates, if amendments are necessary to achieve more water saving practices, the WCP would be updated. The Administrator will be responsible for submission of an annual report to the TWDB on the progress, and any changes to, the Water Conservation Plan.

UNIVERSAL METERING AND RECORDS MANAGEMENT

The City employs metering devices on all source water diverted capable of measuring the amount of water to within an accuracy of plus or minus 5%. The City requires all retail connections to be metered. All water metered and billed is recorded using the City's billing software, Incode.

METER TESTING, REPAIR, AND REPLACEMENT

The City's meter testing, repair, and replacement program:

- Master meters are tested and calibrated annually to within an accuracy of plus or minus 5%.
- Meters that have abnormally high or low water usage, are changed out as they are identified.
- Meters are replaced on a continuous 10-year cycle.

LEAK DETECTION, REPAIR, AND WATER LOSS CONTROL

The City of Center operates and maintains the water transmission system within the city. In order to maintain water delivery service and to reduce and control unaccounted-for water, Center staff routinely visually inspects the distribution system to identify abnormal conditions indicating leaks. The staff is equipped to respond and repair equipment and pipeline breaks or employ contract assistance as required. As a result of these measures, water loss (the difference between water purchased and water sold) has averaged 11.14% over the previous five years. The City's goals for water loss for the next five (5) and ten (10) years is to maintain less than 15% water loss.

WATER RATE STRUCTURE

The City of Center has a uniform water rate structure that is cost based and does not encourage the excessive use of water. Minimum and per thousand gallons water rates are based upon water use sector. The current City of Center rate schedule can be found in Appendix D.

RESERVOIR SYSTEMS OPERATIONS PLAN

The City operates two reservoirs, Lake Pinkston in the Sabine River basin and Center Lake in the Neches River basin. The two reservoirs, however, are in different river basins and cannot be coordinated.

PLUMBING FIXTURES

The State of Texas has recently adopted more stringent water saving performance measures for plumbing fixtures, found in the Health & Safety Code, Chapter 372. The

following maximum flow standards are subsequently listed in the Texas Administrative Code, Title 30, Chapter 290, Subchapter G:

Customers in existing buildings that do not have water saving plumbing fixtures are encouraged to retrofit their old plumbing fixtures. New construction, including remodeling of existing structures, must comply with City and State plumbing fixture standards. There are a wide assortment of water efficient fixtures, clothes and dish washers that provide the same performance, but use less water. A water efficient home can save more than 20% of annual indoor water use.

WATER-CONSERVING LANDSCAPING

Water-conserving landscaping is a development concept that encourages residents to adopt low- water- using landscaping principles and methods for use around the home. The same concepts can be applied to other landscaped areas as well, including parks and other public places.

A popular method of reducing water use for landscape irrigation is to encourage residents to use the following techniques for landscaping. Many local contractors pass along simple recommendations and advises to call City Hall for further information. Generally accepted principles when planning a water efficient yard are:

- Planning and design. During this step an appropriate plan is developed considering such variables as climate, existing vegetation, intended use of the space, and topographic features.

- Soil analysis. Examine the soil types covering the whole site.

- Appropriate plant selection. Plants should be selected which are native to the area or are adaptive to the site.

- Practical turf areas. Plan where turf areas should be located and consider increasing the area of decks, porous paving, paths, and mulched planting beds to reduce turf.

- Efficient irrigation. Landscaped areas should only be watered as needed and then usually during the early morning or late evening to avoid water loss due to evaporation, keeping in mind some plant species may experience mold and/or fungus growth if watered at night.

- Use of mulches. A three- to four-inch layer of mulch should cover all exposed soil areas and be replenished twice a year.

- Appropriate maintenance. Keep the yard well maintained to reduce the use of fertilizer, chemicals, and water.

CUSTOMER SERVICE INSPECTIONS

A customer service inspection certification as required by the Texas Commission on Environmental Quality (TCEQ), 30 Texas Administrative Code, Chapter 290, §290.46, shall be completed prior to providing continuous water service to new construction or any existing service when the City has reason to believe that cross-connections or

other unacceptable plumbing practices exist; or after any material improvement, correction, or addition to the private plumbing facilities. The existence of a serious threat to the integrity of the public water supply shall be considered sufficient grounds for immediate termination of water service.

ADDITIONAL WATER CONSERVATION STRATEGIES

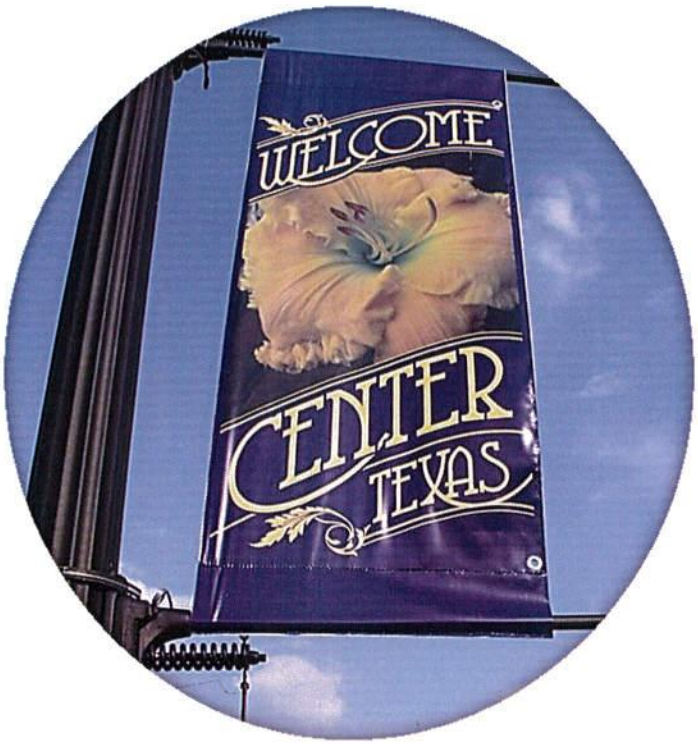
The City will select any combination of the following strategies, in addition to those strategies listed above, if they are necessary to achieve the stated water conservation goals of this Water Conservation Plan. The TCEQ may also require that any of the following strategies be implemented by the City if the TCEQ determines that the strategy is necessary to achieve the goals of this Water Conservation Plan. The additional strategies that may be implemented are:

- Revision of water rates to promote increased water conservation.
- Additional programs to encourage the retrofit of water-conserving plumbing fixtures in existing structures.
- A program for pressure control and/or reduction in the distribution system and/or for customer connections.
- Any other conservation practice, method, or technique which the City shows to be appropriate to achieving the stated goal or goals of this Water Conservation Plan.

WHOLESALE WATER CONSERVATION PROVISION

The City of Center will include a requirement in every water supply contract entered into or renewed after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the

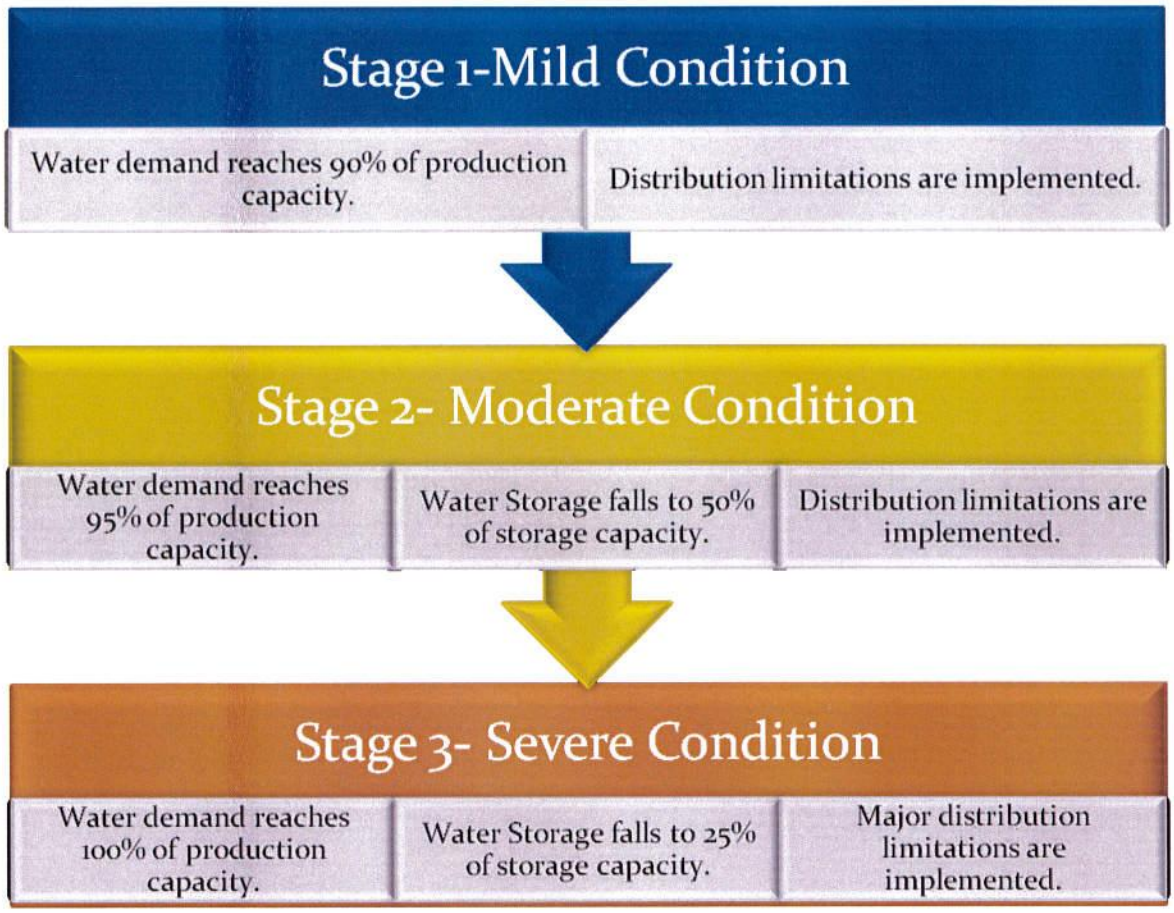
applicable elements of this chapter. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with applicable provisions of Title 30 Texas Administrative Code, Chapter 288.



DROUGHT TRIGGERS

The City Manager will, with the concurrence of the City Council, order the implementation of a drought response stage or water emergency when it is determined that conditions warrant the implementation of the plan.

The City Manager, or designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan.



WATERING SCHEDULE

The City of Center's landscape watering schedule is shown below.

Stage 1

- Even Addresses Wed & Sat
- Odd Addresses Thu & Sun

Stage 2

- Even Addresses Sat
- Odd Addresses Sun

Stage 3

- All outdoor, non-essential, or discretionary uses are prohibited.

Stage 1- Mild Condition

Target: 5% reduction in total water use	Require customers to adhere to Stage 1 watering schedule	Expand oversight of water waste and watering schedule	Request customers to discontinue non-essential uses	Contact TCEQ

Stage 2- Moderate Condition

Target: 10% reduction in total water use	Require customers to adhere to Stage 2 watering schedule	Expand enforcement of water waste and watering schedule	Contact TCEQ

Stage 3- Severe Condition

Target: 15% reduction in total water use	All landscape, non-essential, and discretionary uses of water prohibited	Continue to enforce water waste and water use restrictions	Examine alternative sources

Emergency Responses

In the event of an identified water shortage declaration, the City of Center will distribute water to wholesale customers according to Texas Water Code, § 11.039.

In the event of a contamination event, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified immediately. In the event of a backflow incident, loss of pressure, or an Acute Maximum Contaminant Level coliform violation, a Boil Water Notice will be implemented as prescribed in 30 TAC Chapter 290.

In the event of a catastrophic failure due to natural or man-made events, appropriate emergency procedures will be implemented and appropriate emergency response officials will be notified.

In the event of an emergency loss of water supply, the City will consider purchases of water by the truckload or in bottles for the health and public safety of the City's residents.

VARIANCES

The City Manager or designee may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.

- Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for a variance with the City of Center within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the City Manager or designee, and shall include the following:

- Name and address of the petitioner(s).

- Purpose of water use.

- Specific provision(s) of the Plan from which the petitioner is requesting relief.

- Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.

- Description of the relief requested.

- Period of time for which the variance is sought.

- Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.

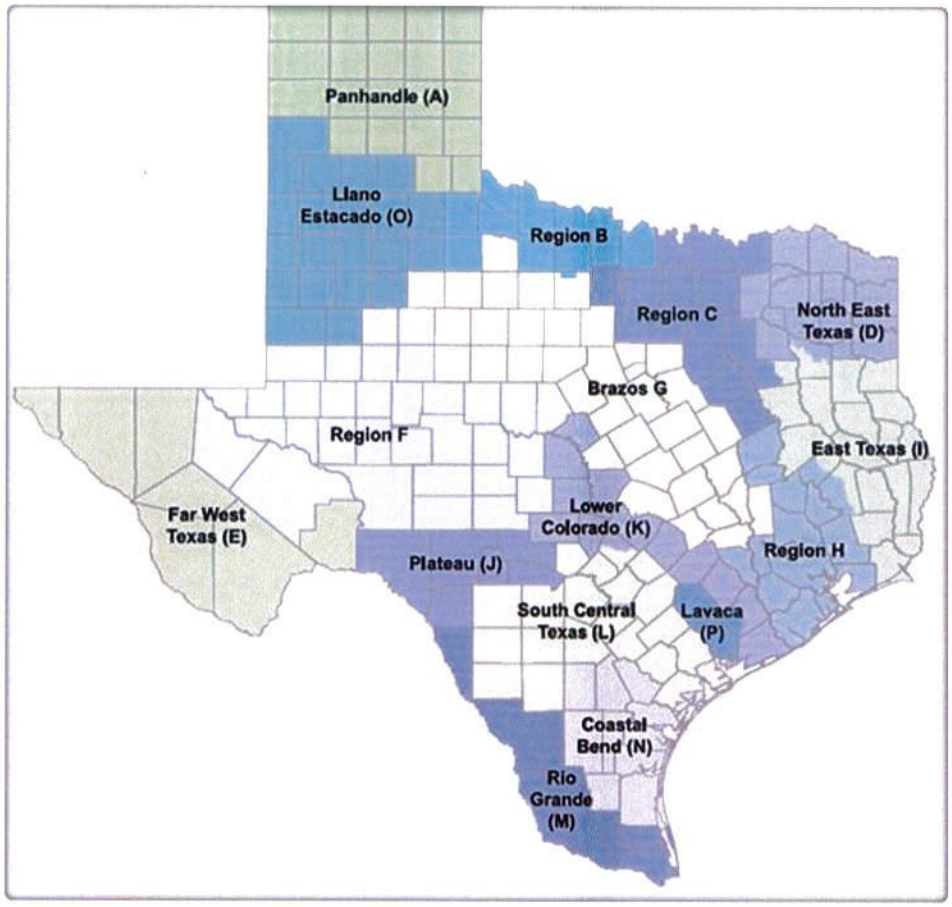
- Other pertinent information.

WHOLESALE DROUGHT CONTINGENCY PROVISION

The City of Center will include a provision in every wholesale water contract entered into after adoption of the Plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

COORDINATION WITH REGION I PLANNING GROUP

The service area of the City of Center is located within the Region I East Texas Regional Water Planning Group. A copy of this plan will be provided to Region I.


Panhandle (A)
Llano Estacado (O)
Region B
Region C
North East Texas (D)
Brazos G
Region F
East Texas (I)
Lower Colorado (K)
Far West Texas (E)
Plateau (J)
Region H
South Central Texas (L)
Lavaca (P)
Coastal Bend (N)
Rio Grande (M)

APPENDIX A – CERTIFICATES OF ADJUDICATION

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 06-4404 OWNER: City of Center
P. O. Box 311
Center, Texas 75935

COUNTY: Shelby PRIORITY DATE: February 7, 1972

WATERCOURSE: Sandy Creek, tributary of West Creek, tributary of Attoyac Bayou, tributary of the Angelina River, tributary of the Neches River BASIN: Neches River

WHEREAS, by final decree of the 344th Judicial District Court of Chambers County, in Cause No. 344-10864, In Re: The Adjudication of Water Rights in the Lower Neches and Angelina Rivers Segment of the Neches River Basin and the Eastern Portion of the Neches-Trinity Coastal Basin, dated October 30, 1985, a right was recognized under Permit 2727 authorizing the City of Center to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Neches River Basin is issued to the City of Center, subject to the following terms and conditions:

1. IMPOUNDMENT

   Owner is authorized to maintain an existing dam and reservoir on Sandy Creek and impound therein not to exceed 7,380 acre-feet of water. The dam is located in the Matthew Moore Survey, Abstract 475, Shelby County, Texas.

2. USE

   A. Owner is authorized to divert and use not to exceed 3,800 acre-feet of water per annum from the aforesaid reservoir for municipal purposes.

   B. Owner is also authorized to use the water impounded in the aforesaid reservoir for recreation.

   C. Owner is further authorized to use an unspecified amount of water from the reservoir for emergency fire-fighting purposes.

3. DIVERSION

   A. Location:
   At the perimeter of the aforesaid reservoir.

   B. Maximum rate: 5.00 cfs (2250 gpm).

4. PRIORITY

   The time priority of owner's right is February 7, 1972.

5. SPECIAL CONDITIONS

   A. Owner shall maintain a suitable outlet in the aforesaid dam authorized herein to allow the free passage of water that owner is not entitled to divert or impound.

   B. Water diverted but not consumed by the City of Center shall be treated in accordance with state water standards and discharged into the Sabine River Basin at a point which bears N 48°05'W, 4,550 feet from the most southern east corner of the Westley Hill Survey, Abstract 282, Shelby County, Texas.

Certificate of Adjudication 06-4404

C. Owner shall install and maintain a continuous lake level measuring device for the reservoir authorized herein and maintain the following daily records: (a) Reservoir content; (b) Diversions from the reservoir, and (c) Discharges through the dam. All records shall be compiled monthly and reported to the Commission annually and at other times on request.

D. Owner shall survey and monument an appropriate number of sediment ranges in the reservoir prior to impoundment of water. Drawings showing the location and profile of each range will be submitted to the Commission along with a revised elevation-area-capacity table based on the survey ranges.

E. Revised elevation-area-capacity tables based on new sediment surveys conducted at 10-year intervals following initial filling of the reservoir shall be submitted to the Commission.

The locations of pertinent features related to this certificate are shown on Page 16 of the Lower Neches and Angelina Rivers Segment Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Water Commission, Austin, Texas and the Shelby County Clerk.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 344th Judicial District Court of Chambers County, Texas, in Cause No. 344-10864, In Re: The adjudication of Water Rights in the Lower Neches and Angelina Rivers Segment of the Neches River Basin and the Eastern Portion of the Neches-Trinity Coastal Basin dated October 30, 1985 and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Neches River Basin.

This certificate of adjudication is issued subject to the Rules of the Texas Water Commission and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

TEXAS WATER COMMISSION

Paul Hopkins

Paul Hopkins, Chairman

DATE ISSUED:

ATTEST:

Mary Ann Hefner

Mary Ann Hefner, Chief Clerk

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 05-4657

OWNER: City of Center
P. O. Box 311
Center, Texas 75935

COUNTY: Shelby

PRIORITY DATES: August 4, 1922 and
August 14, 1952

WATERCOURSE: Mill Creek, tributary of Huana Creek, tributary of Tenaha Creek, tributary of the Sabine River

BASIN: Sabine River

WHEREAS, by final decree of the 188th Judicial District Court of Gregg County, in Cause No. 86-256-A, In Re: The Adjudication of Water Rights in the Lower Sabine River Segment of the Sabine River Basin dated June 9, 1986, a right was recognized under Permit 664 and Permit 1650 authorizing the City of Center to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Sabine River Basin is issued to the City of Center, subject to the following terms and conditions:

1. IMPOUNDMENT

Owner is authorized to maintain an existing dam and reservoir on Mill Creek, known as Center Lake, and impound therein not to exceed 446 acre-feet of water. The dam is located in the Jonathan Bittuch Grant, Abstract 1 and the Mason M. Vann Survey, Abstract 751, Shelby County, Texas.

2. USE

Owner is authorized to divert and use not to exceed 1460 acre-feet of water per annum from the aforesaid reservoir for municipal purposes.

3. DIVERSION

A. Location:
At the perimeter of the aforesaid reservoir.

B. Maximum rate: 2.67 cfs (1200 gpm).

4. PRIORITY

The time priority of owner's right is August 4, 1922 for the impoundment of 446 acre-feet of water in the aforesaid reservoir and the diversion and use of the first 330 acre-feet of water and

Certificate of Adjudication 05-4657

August 14, 1952 for the diversion and use of the remaining 1130 acre-feet of water.

5. SPECIAL CONDITION

Owner shall maintain a suitable outlet in the aforesaid dam authorized herein to allow the free passage of water that owner is not entitled to divert or impound.

The locations of pertinent features related to this certificate are shown on Page 16 of the Lower Sabine River Segment Certificates of Adjudication Maps, copies of which are located in the office of the Texas Water Commission, Austin, Texas.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 188th Judicial District Court of Gregg County, Texas, in Cause No. 86-256-A, In Re: The Adjudication of Water Rights in the Lower Sabine River Segment of the Sabine River Basin dated June 9, 1986, and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Sabine River Basin.

This certificate of adjudication is issued subject to the obligations of the State of Texas pursuant to the terms of the Sabine River Compact.

This certificate of adjudication is issued subject to the Rules of the Texas Water Commission and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

TEXAS WATER COMMISSION

Paul Hopkins

Paul Hopkins, Chairman

DATE ISSUED:

DEC 10 1986

ATTEST:

Mary Ann Hefner

Mary Ann Hefner, Chief Clerk

APPENDIX B – UTILITY PROFILE

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

CONTACT INFORMATION

Name of Utility: City of Center

Public Water Supply Identification Number (PWS ID): TX2100001

Certificate of Convenience and Necessity (CCN) Number: 10397

Surface Water Right ID Number: 4404, 4657, 5810

Wastewater ID Number: 20148

Contact: First Name: Marcus Last Name: Cameron

Title: Utility Director

Address: P.O. Box 1744 City: Center State: TX

Zip Code: 75935 Zip+4: 1744 Email: MCAMERON@CENTERTEXAS.ORG

Telephone Number: 9365982941 Date: 1/20/2019

Is this person the designated Conservation Coordinator? (•) Yes ( ) No

Regional Water Planning Group: I

Groundwater Conservation District:

Our records indicate that you:

☑ Received financial assistance of $500,000 or more from TWDB

☐ Have 3,300 or more retail connections

☑ Have a surface water right with TCEQ

A. Population and Service Area Data

1. Current service area size in square miles: 7

Attached file(s):

File Name	File Description
City of Center Service Area Map.pdf	City of Center Service Area Map

Page 1 of 13

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

2. Historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Water Service
2018	5,193	2,788	5,193
2017	5,193	0	5,193
2016	6,342	0	5,193
2015	6,000	0	5,193
2014	5,193	0	5,193

3. Projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Water Service
2020	5,604	2,788	5,043
2030	6,027	2,820	5,424
2040	6,400	2,835	5,760
2050	6,754	2,880	6,079
2060	7,085	2,930	6,385

4. Described source(s)/method(s) for estimating current and projected populations.

Population projections were obtained from the Region I Water Planning Group and TWDB. Wholesale population projection data obtained from Wholesale accounts system managers.

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

B. System Input

System input data for the previous five years.
Total System Input = Self-supplied + Imported – Exported

Year	Water Produced in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
2018	1,102,252,525	0	44,105,368	1,058,147,157	557
2017	1,086,622,222	0	38,514,526	1,048,107,696	552
2016	1,078,459,596	0	49,614,747	1,028,844,849	443
2015	1,149,457,286	0	0	1,149,457,286	524
2014	1,216,180,612	0	31,738,200	1,184,442,412	624
Historic 5-year Average	1,126,594,448	0	32,794,568	1,093,799,880	540

C. Water Supply System

Attached file(s):

File Name	File Description
Utility System Details.doc	Water System Details

1. Designed daily capacity of system in gallons: 5,000,000
2. Storage Capacity
   - 2a. Elevated storage in gallons: 1,500,000
   - 2b. Ground storage in gallons: 4,750,000

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

D. Projected Demands

1. The estimated water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demand (gallons)
2020	5,604	1,010,152,300
2021	5,650	1,020,547,600
2022	5,700	1,030,942,900
2023	5,745	1,041,338,200
2024	5,790	1,051,733,500
2025	5,835	1,062,128,800
2026	5,880	1,072,524,100
2027	5,930	1,082,919,400
2028	5,950	1,093,314,700
2029	6,000	1,103,710,000

2. Description of source data and how projected water demands were determined.

Used historical water used trend over the previous eight (8) years. Population data was estimated using Region I data, and population trend estimate.

Attached file(s):

File Name	File Description
2010-18 Water Production Worksheet.xlsx	Historical water prod. trend

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

E. High Volume Customers

1. The annual water use for the five highest volume **RETAIL customers.**

Customer	Water Use Category	Annual Water Use	Treated or Raw
Tyson Foods	Industrial	544,675,600	Treated
Pilgrims Pride	Industrial	4,360,600	Treated
Hidden Creek Mobile Park	Residential	4,330,800	Treated
Pine Grove Nursing Home	Institutional	3,076,700	Treated
Shofner's Washateria	Commercial	2,146,700	Treated

2. The annual water use for the five highest volume **WHOLESALE customers.**

Customer	Water Use Category	Annual Water Use	Treated or Raw
Sandhill WSC	Municipal	38,268,300	Treated
Flatfork WSC	Municipal	3,631,800	Treated

F. Utility Data Comment Section

Additional comments about utility data.

Data compiled using Incode software. Consumption reports & customer ranking. City of Center usages, (water/sewer plants, parks and offices not included)

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Section II: System Data

A. Retail Water Supplier Connections

1. List of active retail connections by major water use category.

Water Use Category Type	Total Retail Connections (Active + Inactive)	Percent of Total Connections
Residential - Single Family	1,941	80.17 %
Residential - Multi-Family	10	0.41 %
Industrial	10	0.41 %
Commercial	350	14.46 %
Institutional	107	4.42 %
Agricultural	3	0.12 %
Total	2,421	100.00 %

2. Net number of new retail connections by water use category for the previous five years.

	Net Number of New Retail Connections						
Year	Residential - Single Family	Residential - Multi-Family	Industrial	Commercial	Institutional	Agricultural	Total
2018	2	0	0	2	0	0	4
2017	0	0	0	0	0	0	0
2016	188	0	0	0	0	3	191
2015	0	0	0	3	4	0	7
2014	35	0	4	0	0	0	39

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

B. Accounting Data

The previous five years' gallons of RETAIL water provided in each major water use category.

Year	Residential - Single Family	Residential - Multi-Family	Industrial	Commercial	Institutional	Agricultural	Total
2018	100,652,500	22,483,600	544,675,600	54,762,900	103,572,900	9,572,600	835,720,100
2017	96,760,600	24,827,000	510,550,400	68,085,100	105,133,400	6,625,900	811,982,400
2016	107,956,000	22,409,400	519,793,100	82,621,500	92,145,100	4,907,200	829,832,300
2015	113,220,100	20,574,100	564,770,300	72,789,000	39,317,000	8,653,300	819,323,800
2014	121,311,900	22,194,800	557,856,700	70,338,300	31,875,100	0	803,576,800

C. Residential Water Use

The previous five years residential GPCD for single family and multi-family units.

Year	Residential - Single Family	Residential - Multi-Family	Total Residential
2018	70		70
2017	69		69
2016	70		70
2015	69		69
2014	83		83
Historic Average	72	0	72

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

D. Annual and Seasonal Water Use

1. The previous five years' gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Water				
	2018	2017	2016	2015	2014
January	87,300,000	95,809,000	86,995,000	92,571,000	92,855,000
February	79,720,000	80,966,000	86,400,000	101,255,000	78,448,000
March	86,297,000	93,603,000	89,247,000	111,442,000	84,530,000
April	90,933,000	88,658,000	83,900,000	94,879,000	81,775,000
May	95,720,000	90,947,000	87,640,000	91,051,000	85,125,000
June	98,714,000	90,745,000	89,143,000	82,830,000	84,290,000
July	98,655,000	91,710,000	90,766,000	96,592,000	87,156,000
August	98,064,000	94,591,000	92,026,000	100,214,000	90,193,000
September	91,230,000	85,702,000	90,071,000	94,770,000	87,274,000
October	93,496,000	90,630,000	95,529,000	96,046,000	90,362,000
November	86,336,000	83,922,000	89,182,000	89,711,000	80,400,000
December	84,765,000	88,473,000	86,776,000	92,349,000	86,008,000
Total	1,091,230,000	1,075,756,000	1,067,675,000	1,143,710,000	1,028,416,000

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

2. The previous five years' gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Water				
	2018	2017	2016	2015	2014
January	0	0	0	0	0
February	0	0	0	0	0
March	0	0	0	0	0
April	0	0	0	0	0
May	0	0	0	0	0
June	0	0	0	0	0
July	0	0	0	0	0
August	0	0	0	0	0
September	0	0	0	0	0
October	0	0	0	0	0
November	0	0	0	0	0
December	0	0	0	0	0
Total	0	0	0	0	0

3. Summary of seasonal and annual water use.

	Summer RETAIL (Treated + Raw)	Total RETAIL (Treated + Raw)
2018	295,433,000	1,091,230,000
2017	277,046,000	1,075,756,000
2016	271,935,000	1,067,675,000
2015	279,636,000	1,143,710,000
2014	261,639,000	1,028,416,000
Average in Gallons	11,547,408.33	45,056,558.33

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

E. Water Loss

Water Loss data for the previous five years.

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
2018	94,861,455	50	8.97 %
2017	108,091,500	57	10.31 %
2016	89,306,543	39	8.68 %
2015	133,376,623	61	11.60 %
2014	191,036,440	101	16.13 %
Average	123,334,512	62	11.14 %

F. Peak Day Use

Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)
2014	2,817,578	2843902	1.0093
2015	3,133,452	3039521	0.9700
2016	2,925,136	2955815	1.0105
2017	2,947,276	3011369	1.0217
2018	2,989,671	3211228	1.0741

G. Summary of Historic Water Use

Water Use Category	Historic Average	Percent of Connections	Percent of Water Use
Residential - Single Family	107,980,220	80.17 %	13.17 %
Residential - Multi-Family	22,497,780	0.41 %	2.74 %
Industrial	539,529,220	0.41 %	65.79 %
Commercial	69,719,360	14.46 %	8.50 %
Institutional	74,408,700	4.42 %	9.07 %
Agricultural	5,951,800	0.12 %	0.73 %

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

H. System Data Comment Section

Section III: Wastewater System Data

A. Wastewater System Data

Attached file(s):

File Name	File Description
Sewer System Details.doc	Sewer System Details

1. Design capacity of wastewater treatment plant(s) in gallons per day: 1,770,000

2. List of active wastewater connections by major water use category.

Water Use Category	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal			0	0.00 %
Industrial	0	0	0	0.00 %
Commercial	0	10	10	2.14 %
Institutional	0	350	350	74.95 %
Agricultural	0	107	107	22.91 %
Total	0	467	467	100.00 %

3. Percentage of water serviced by the wastewater system: 90.00 %

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

4. Number of gallons of wastewater that was treated by the utility for the previous five years.

Month	Total Gallons of Treated Water				
	2018	2017	2016	2015	2014
January	26,266,000	36,137,000	37,927,000	40,195,000	30,198,000
February	38,822,000	28,249,000	30,552,000	29,499,000	29,812,000
March	44,597,000	32,044,000	45,229,000	52,982,000	35,424,000
April	38,932,000	31,040,000	41,321,000	50,405,000	34,080,000
May	32,248,000	37,759,000	37,667,000	53,794,000	40,059,000
June	34,029,000	44,960,000	40,751,000	45,709,000	40,841,000
July	33,050,000	38,414,000	36,536,000	38,962,000	39,323,000
August	31,241,000	47,053,000	40,164,000	35,508,000	35,292,000
September	33,483,000	37,774,000	32,290,000	31,602,000	32,434,000
October	47,994,000	29,679,000	29,968,000	32,799,000	31,142,000
November	49,142,000	25,964,000	29,032,000	41,984,000	27,822,000
December	55,239,000	23,910,000	32,562,000	43,665,000	28,017,000
Total	465,043,000	412,983,000	433,999,000	497,104,000	404,444,000

5. Could treated wastewater be substituted for potable water?

○ Yes ◉ No

B. Reuse Data

1. Data by type of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site Irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (park,golf courses)	0
Agricultural	
Discharge to surface water	465,043,000
Evaporation Pond	
Other	
Total	465,043,000

Page 12 of 13

Texas Water Development Board

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

C. Wastewater System Data Comment

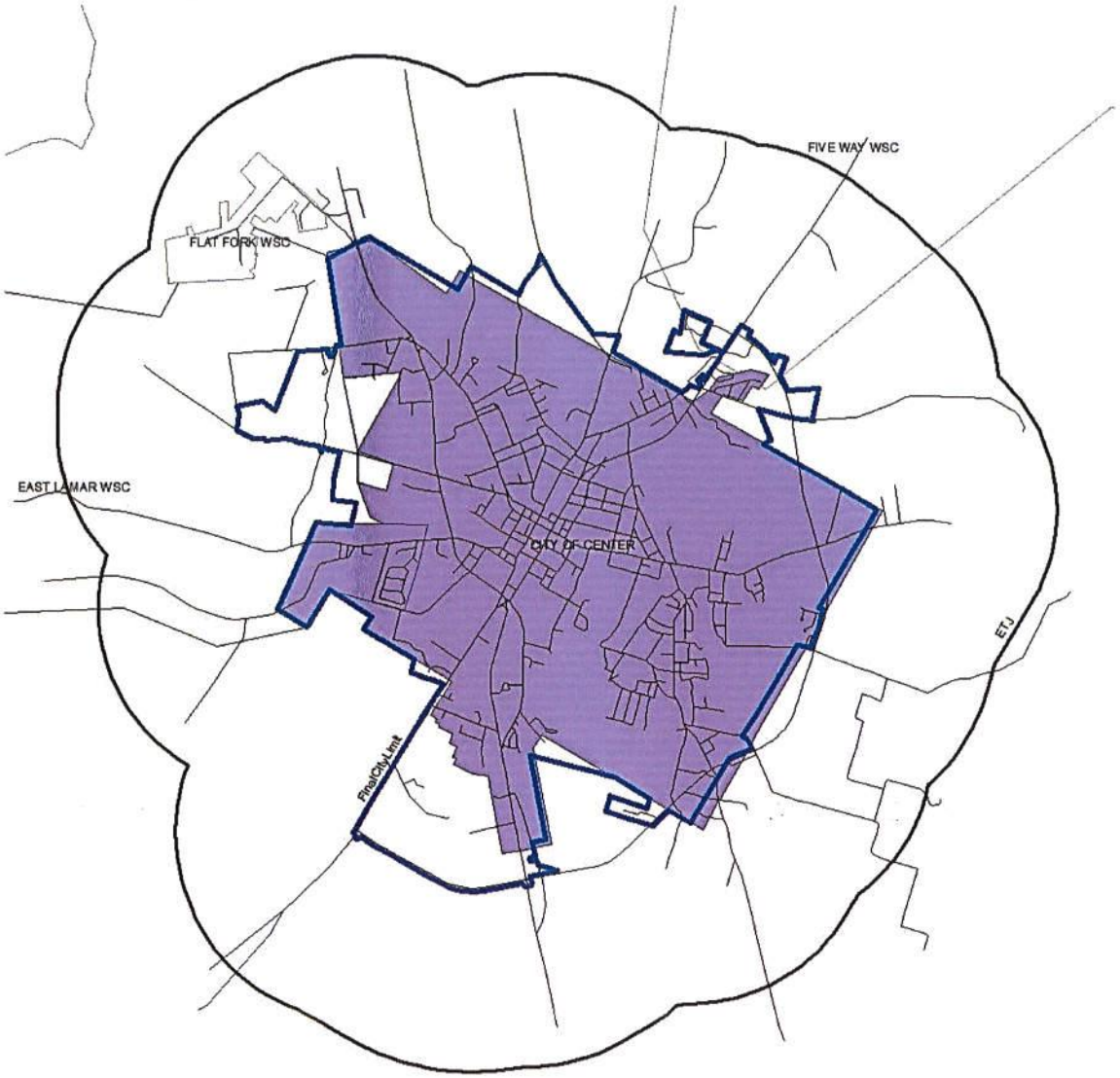
Additional comments and files to support or explain wastewater system data listed below.

Used Wastewater production worksheet also used for NetDMR

Attached file(s):

File Name	File Description
2018 WW Treatment Worksheet.xlsx	WW Production Worksheet

APPENDIX C – CITY MAP



APPENDIX D – RATE SCHEDULE

A. WATER RATES

1. Monthly Minimum Charge:

METER SIZE	Residential/ Commercial	Small Industrial/ Manufacturer 200,000 gal. incl.	Wholesale 50,000 gal. incl.	Large Industrial/ Manufacturer 5,000,000 gal. incl.	Industrial/Manufacturer Supplemental Meter Charges at Same Facility
5/8	11.95				
¾	11.95				
1	16.80				
1.5	24.90				
2	33.75	825	265	12,500	48.50
3	50.50	900	360	12,750	138
4	67.50	1,050	510	13,150	315
6	101.00	1,375	790	13,675	590
8		1,785	1,275	14,500	1,020
10		2,400	1,810	15,600	1,650
SPRINKLERS	19.50				

2. Unit Cost per 1,000 gallons:

Residential, Commercial, and Sprinklers	$3.88
Small Industrial/Manufacturer	$3.32
Wholesale	$3.32
Large Industrial/Manufacturer	$2.05
Over 1.75 M/day or 30M/month	$2.50
Over 2M/day or 40M/month	$3.35
Bulk Water	$3.88

3. Outside City Rates are double (2X) the amounts shown in the rate table.

B. SEWER RATES

Residential: $14.00 + ½ Water Bill with a maximum monthly charge of $42.00
Commercial: $15.00 + ½ Water Bill with no maximum monthly charge
Fixed Rates: $270 per month (Tyson office acct.)

Outside City: Double (2X) the rates as shown.
Sewer Disposal - .06 per gallon.

C. GARBAGE RATES

1. Residential and Hand Collection Commercial

Customer Class	Fee
Residential	$ 21.75
Comm. Small	$ 25.75
Comm. Large	$ 34.85

APPENDIX E – ORDINANCE

ORDINANCE NO. 2019-05

AN ORDINANCE OF THE CITY OF CENTER, TEXAS, AMENDING THE WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN; ESTABLISHING DATA, INFORMATION AND POLICY FOR WATER CONSERVATION PROGRAMS; ESTABLISHING CRITERIA FOR INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES AND RESTRICTIONS ON CERTAIN WATER USES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT, A SEVERABILITY CLAUSE, A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE AND AN EFFECTIVE DATE

WHEREAS, Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require the holder of an existing permit, certified filing, or certificate of adjudication for the appropriation of surface water in the amount of 1,000 acre-feet a year or more for municipal, industrial, and other non-irrigation uses to develop, submit, and implement a water conservation plan; and

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public and wholesale water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the citizens of Center, Texas, the City Council deems it expedient and necessary to establish certain rules and policies for the ongoing conservation of water and the orderly and efficient management of limited water supplies during drought and other water supply emergencies.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTER:

Section 1. That the City of Center, Texas Water Conservation & Drought Contingency Plan 2019 attached hereto and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the City.

Section 2. That all ordinances, or parts of ordinances, in conflict with this ordinance are hereby repealed and that all others not in conflict shall remain in full force and effect.

Section3. Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

Section 4. Any individual, business, firm, company, or corporation found guilty of violating this ordinance including the Drought Contingency Plan shall be deemed guilty of committing a misdemeanor and upon conviction in the Municipal Court of the City of Center shall be punished by a fine not to exceed TWO THOUSAND DOLLARS ($2,000.00) for each offense as defined in Section 1-17 of the Center Code of Ordinances.

Section 5. This ordinance shall take effect immediately upon passage by the City Council of the City of Center and the publication of the caption, as the law in such cases provides.

PASSED AND APPROVED this the 25th day of March, 2019

CITY OF CENTER:

David Chadwick, Mayor

THE CITY OF CENTER * TEXAS * SHELBY COUNTY

ATTEST:

Barbara Boyd, City Secretary

APPENDIX F – 5 & 10 YEAR GOALS

Water Conservation Plan Goals Table
TWDB Form No.1964
Revised 12/14/2012 1:53 PM

WATER CONSERVATION PLAN
5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: City of Center

Water Conservation Plan Year: 2019

	Historic 5yr Average	Baseline	5-yr Goal for year 2024	10-yr Goal for year 2029
Total GPCD[1]	540	540	538	535
Residential GPCD[2]	72	72	70	67
Water Loss (GPCD)[3]	62	62	62	62
Water Loss (Percentage)[4]	11 %	11 %	12 %	12 %

1. Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365
2. Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365
3. Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365
4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100