

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): Lite Oil, Ltd.

RECEIVED

By Eddie Valencia at 9:42 am, Apr 01, 2025

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 **Administrative Information Report**

N Additional Co-Applicant Information

N Additional Co-Applicant Signature Pages

Y Written Evidence of Signature Authority

Y **Technical Information Report**

Y USGS Map (or equivalent)

N Map Showing Project Details

N Original Photographs

N Water Availability Analysis

Y **Worksheet 1.0**

N Recorded Deeds for Irrigated Land

Y Consent for Irrigated Land

Y **Worksheet 1.1**

N Addendum to Worksheet 1.1

Y **Worksheet 1.2**

Y **Worksheet 2.0**

N Additional W.S. 2.0 for Each Reservoir

N Dam Safety Documents

N Notice(s) to Governing Bodies

N Recorded Deeds for Inundated Land

N Consent for Inundated Land

Y/N

Y **Worksheet 3.0**

N Additional W.S. 3.0 for each Point

Y Recorded Deeds for Diversion Points

Y Consent for Diversion Access

Y **Worksheet 4.0**

N TPDES Permit(s)

N WWTP Discharge Data

N Groundwater Well Permit

N Signed Water Supply Contract

Y **Worksheet 4.1**

Y **Worksheet 5.0**

N Addendum to Worksheet 5.0

N **Worksheet 6.0**

N Water Conservation Plan(s)

N Drought Contingency Plan(s)

N Documentation of Adoption

Y **Worksheet 7.0**

N Accounting Plan

Y **Worksheet 8.0**

Y Fees

Y Public Involvement Plan

ADMINISTRATIVE INFORMATION REPORT

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

*****Applicants are REQUIRED to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4600.**

1. TYPE OF APPLICATION (Instructions, Page. 6)

Indicate, by marking X, next to the following authorizations you are seeking.

☐ New Appropriation of State Water

☒ Amendment to a Water Right *

☐ Bed and Banks

****If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2 does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.***

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

Applicant is seeking a second diversion point for Certificate of Adjudication 23-570 on a new place of use in Maverick County.

The new place of use is owned by Nowell Borders.

The amended water right will not be appurtenant to the land.

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?

Lite Oil, Ltd.

(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 : 606325272 (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: Nowell Borders

Title: Director

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

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: Lite Oil, Ltd.

Mailing Address: P. O. Box 3609

City: McAllen State: Texas ZIP Code: 78582

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 ☐ City Government

☐ Other Government ☐ Other _____

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 14215686651 SOS Charter (filing) Number: 0800123525

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: Jerry Ahrens

Title: Authorized Representative

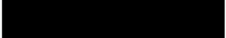
Organization Name: _____

Mailing Address: 1010 Whiskey Canyon

City: Kerrville State: Texas ZIP Code: 78028

Phone Number: (210) 219-7293

Fax Number: _____

E-mail Address: 

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: Nowell Borders

Title: Owner

Organization Name: Lite Oil, Ltd.

Mailing Address: 601 W. Monte Cristo Rd.

City: Edinburg State: Texas ZIP Code: 78541

Phone Number: (956) 383-0712

Fax Number:

E-mail Address:

4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION (Instructions, Page. 9)

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and **all** owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following:

First and Last Name: _____ N/A

Title: _____

Organization Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Phone Number: _____

Fax Number: _____

E-mail Address: _____

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: _____ Amount past due: _____
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: _____ Amount past due: _____
- b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>
Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No** Yes
- c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5). Applicants should check survey status on the TWDB website prior to filing:
https://www3.twdb.texas.gov/apps/reports/WU_REP/SurveyStatus_PriorThreeYears
Applicant has submitted all required TWDB surveys of groundwater and surface water?
Yes / No N/A

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Lite Oil, Ltd.

(Typed or printed name)

Member

(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: [Signature]

(Use blue ink)

NOWELL BORDERS

Date: 3-28-25

Subscribed and Sworn to before me by the said NOWELL BORDERS

on this 28 day of March, 20 25.

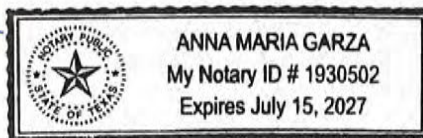
My commission expires on the 15 day of July, 20 27.

[Signature]

Notary Public

Hidalgo

County, Texas



[SEAL]

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

March 28, 2025

Attention: TCEQ Water Permitting

Re: Regarding Lite Oil, Ltd. Application

I hereby acknowledge that Certificate of Adjudication 23-570 will have a new place of use and diversion point if the application is approved and I agree that these will be on the farm I own personally in Maverick County (described in the application).

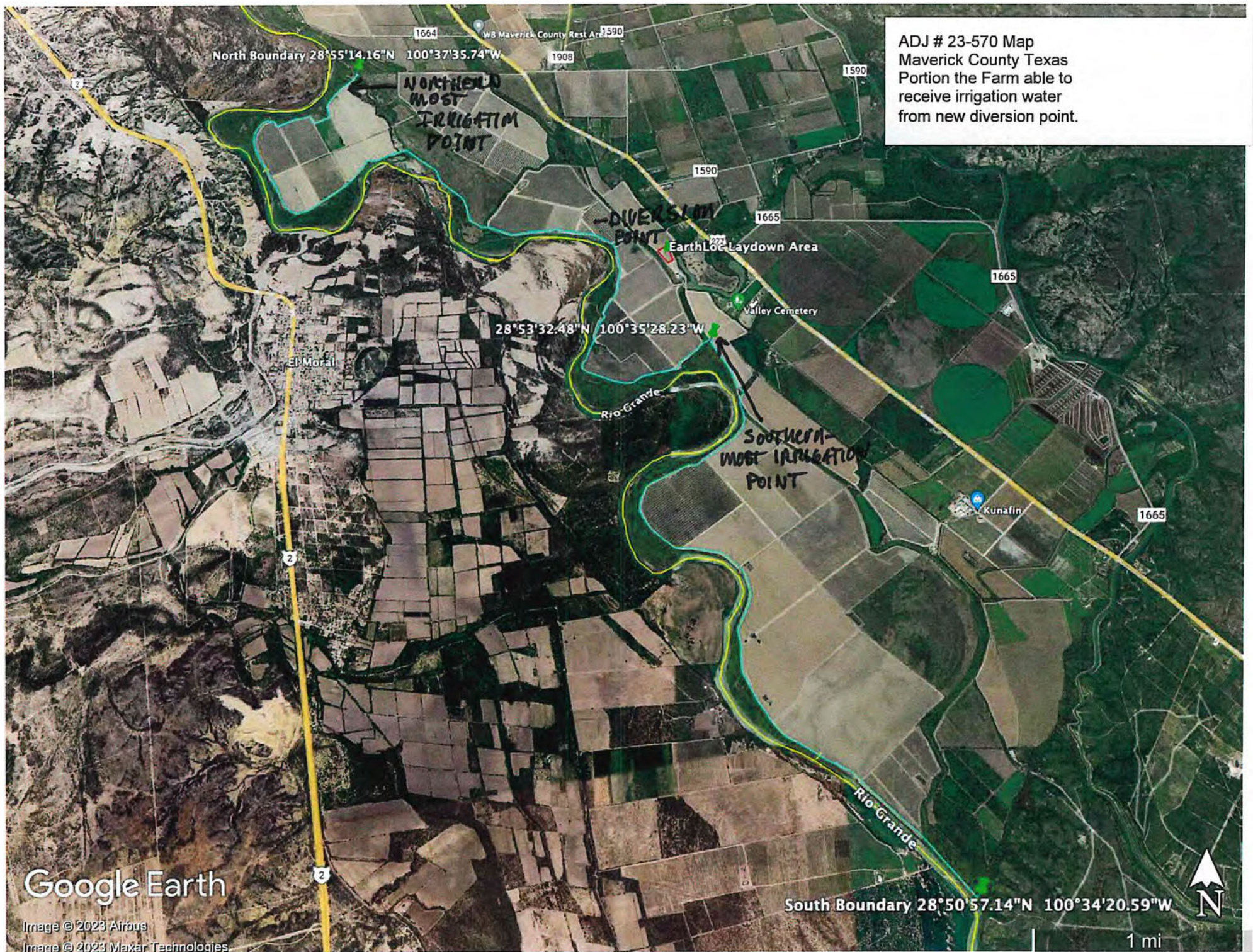
Furthermore, the water right 23-570, as amended, will not become appurtenant to the Maverick County farm.

Sincerely,



Nowell Borders

ADJ # 23-570 Map
Maverick County Texas
Portion the Farm able to
receive irrigation water
from new diversion point.



TCEQ Water Rights Change of Ownership Memorandum

To: Records Management

Date: December 10, 2024

Thru: SD Sandra Douglas, Team Leader
Water Rights Compliance Assurance Team

Certificate of Adjudication No. 23-570

From: Amy McKellar, Project Manager
Water Rights Compliance Assurance Team

Source County: Val Verde, Kinney,
Maverick, Webb,
Zapata, Starr, Hidalgo,
Cameron

Subject: Change of Ownership

Source Basin: Rio Grande

Delete: Ringgold Farms Partnership, Ltd., as owner

Add: Lite Oil, Ltd., as owner

Conveyance Documents Reviewed

Title	Dated	Doc. No.
Warranty Deed	01/13/2022	366559 (Starr)
	01/13/2022	3215707 (Hidalgo)
Warranty Deed	01/13/2022	366560 (Starr)
	01/13/2022	3215707 (Hidalgo)

The change of ownership application and \$100 recording fee (Voucher No. 731259) were received on November 15, 2024. The review of the application was completed on December 10, 2024. The conclusions in this memo are based upon a review of the above-mentioned conveyance documents submitted by the applicants from the Official Public Records of Starr and Hidalgo counties, Texas. The conclusions are subject to change if additional information is received.

Ownership of Record with Addresses and Remarks:

Lite Oil, Ltd.
c/o Kenneth Wilkins
PO Box 3609
McAllen, TX 78502-3609

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

This water right falls under the jurisdiction of the Rio Grande Watermaster Program. Prior to diverting, please contact the Rio Grande Watermaster's Office at (800) 609-1219.

Amy McKellar

Amy McKellar

RESOLUTIONS ADOPTED BY UNANIMOUS WRITTEN CONSENT

**OF THE
MEMBERS**

OF

KWNB MANAGEMENT, LLC.

We, NOWELL BORDERS and KENNETH WILKINS as the sole members of **KWNB MANAGEMENT, LLC.**, a Limited Liability Corporation organized under the Texas Business Corporation Act, being the only members as presently constituted, do by this writing consent to take the following actions and adopt the following resolutions:

RESOLVED, that Nowell Borders shall individually execute documents specifically related to the Texas Commission on Environmental Quality (TCEQ) for purposes of this corporation and its Limited Partners.

RESOLVED FURTHER, that the address of the corporation shall be changed to 601 W. Monte Cristo Rd., Edinburg, Texas 78541

We, Nowell Borders and Kenneth Wilkins, direct that the original of these minutes and statement of consent be filed in the minute records of said corporation.

Date as of March 17th, 2025.



NOWELL BORDERS, Managing Member



KENNETH WILKINS, Managing Member

AGREEMENT OF LIMITED PARTNERSHIP OF LITE OIL, LTD

THIS AGREEMENT OF LIMITED PARTNERSHIP is made and entered into on the 9TH day of September, 2002. It is between **KWNB MANAGEMENT, LLC** a Texas limited liability company, referred to in this agreement as the "*General Partner*", and **KENNETH WILKINS** and **NOWELL BORDERS** as the initial Limited Partners, together with any additional or substituted limited partners admitted to the Partnership in accordance with the terms of this agreement, all of whom are referred to in this agreement as "*Limited Partners*."

ARTICLE I

DEFINITIONS

The following terms have the following meanings when used in this agreement:

"Act" means the Texas Revised Limited Partnership Act.

"Affiliate" means any person or entity that controls or is controlled by the General Partner, or is controlled by the same person or entity that controls the General Partner. In this definition, the term "control" includes the ownership of more than 50 percent of the beneficial interest in the person or entity.

"Agreement" or "partnership agreement" means this agreement of limited partnership, including any amendments that may be made.

"Bankruptcy" means, as to any Partner, the Partner's taking, or acquiescing in the taking, of any action seeking relief under, or advantage of, any applicable debtor relief, liquidation, receivership, conservatorship, bankruptcy, moratorium, rearrangement, insolvency, reorganization or similar law affecting the rights or remedies of creditors generally, as in

WARRANTY DEED WITH VENDOR'S LIEN

Date: October 15, 1998

Grantor: THE ESTATE OF ROLAND E. WALTERS, DECEASED
by and through Rolinda Schmidt and R. Corey Walters,
Co-Independent Executors

Grantor's Mailing Address (including county):

222 Sidney Baker South, Suite 305
Kerrville, Kerr County, Texas 78028

Grantee: NOWELL BORDERS

Grantee's Mailing Address (including county):

P. O. Box 299
Hargill, Hidalgo County, Texas 78549

Consideration:

(1) TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION CASH IN HAND PAID.

(2) A NOTE OF EVEN DATE IN THE PRINCIPAL AMOUNT OF FIVE HUNDRED THOUSAND AND NO/DOLLARS (\$500,000.00), EXECUTED BY GRANTEE, PAYABLE TO THE ORDER OF J.W. THOMAS. THE NOTE IS SECURED BY A VENDOR'S LIEN RETAINED IN FAVOR OF J.W. THOMAS IN THIS DEED AND BY A DEED OF TRUST OF EVEN DATE FROM GRANTEE TO JARROD G. HAMIL, TRUSTEE.

Property (including any improvements):

TRACT ONE:

2,225.513 ACRE TRACT OF LAND, MORE OR LESS, OUT OF AND PART OF A 2,339.16 ACRE TRACT OF LAND CONVEYED FROM JEREMIAH INGELS RHODES, TRUSTEE TO MKN CATTLE COMPANY AS CONVEYANCE IS DESCRIBED IN VOL. 45, PAGES 529 THROUGH 532 OF THE DEED RECORDS OF MAVERICK COUNTY, TEXAS, AND OUT OF AND PART OF THE FOLLOWING SURVEYS:

<u>SURVEY</u>	<u>ABSTRACT NO.</u>	<u>GRANTEE</u>	<u>ACRES</u>
71½	856	A. William	182.16
70	100	Manuel Flores	291.70
69	853	Robert Wheally	435.05
68	98	James Eaves	229.50
67	787	P. Rockerfellow	451.80
66	78	C.C. Colley	546.803
65	767	John Potter	88.50
TOTAL ACREAGE			2,225.513 Acres

THE 291.70 ACRES IN SURVEY NO. 70 INCLUDES 36.56 ACRES AS ORIGINALLY IDENTIFIED AS BEING IN SUBDIVISION C, G. BEDELL MOORE LANDS AND 17.85 ACRES IN SUBDIVISION B, G. BEDELL MOORE LANDS.

THE 435.05 ACRES IN SURVEY NO. 69 INCLUDES 48.65 ACRES AS ORIGINALLY IDENTIFIED AS BEING IN SUBDIVISION B, G. BEDELL MOORE LANDS.

DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron stake at fence corner in intersection of the Southwest line of U.S. Highway No. 277 and the Northwest line of Cemetery Road as shown on plat on file in County Clerk's Office of Maverick County, Texas.

THENCE with meanders of the Southwest line of U.S. Highway No. 277: N.35°40'48"W. 371.94 ft., N.40°07'28"W. 464.78 ft., N.42°36'48"W. 196.11 ft., N.53°33'48"W. 518.89 ft., and N.57°36'43"W. 381.50 crossing Quemado Creek to an iron stake at fence corner for the Northeast corner of Lot No. 47, Subdivision C as shown on plat in Envelope 6 of the Map Records of Maverick County, Texas, and for a corner of this tract;

THENCE with meanders of fence: S.10°13'37"W. 344.32 ft., S.0°01'20"W. 85.48 ft., S.15°31'55"E. 497.63 ft., S.28°20'25"E. 202.35 ft., S.60°24'10"E. 402.75 ft., S.74°54'10"E. 336.81 ft., S.12°04'45"W. 329.18 ft., S.49°58'30"W. 209.67 ft., N.71°46'53"W. 442.75 ft., N.27°13'30"W. 36.4 ft., N.79°22'13"W. 514.93 ft., N.3°43'53"W. 250.58 ft., N.29°16'48"W. 548.01 ft., N.30°02'55"W. 204.46 ft., N.40°41'55"W. 538.16 ft., N.40°30'34"W. 153.68 ft., N.51°21'52"E. 273.83 ft., N.41°32'18"W. 889.92 ft., N.35°54'08"W. 1,116.33 ft., N.27°23'28"W. 819.21 ft., S.43°11'15"W. 552.27 ft., N.40°50'55"W. 502.29 ft., N.18°16"W. 556.09 ft., S.84°46'15"W. 374.88 ft., N.35°33'W. 147.66 ft., and S.89°00'05"W. 227.83 ft., for a corner of this tract;

THENCE N.87°42'58"W. 500.01 ft., to Center of Cañon Grande for a corner of this tract;

THENCE with meanders of Center line of Cañon Grande: N.84°31'05"W. 409.90 ft., S.44°12'55"W. 208.40 ft., S.54°32'W. 221.73 ft., N.64°04'W. 292.0 ft., S.77°20'W. 108.0 ft., S.28°52'W. 190.0 ft., S.25°52'W. 633.0 ft., S. 39°03'W. 403.0 ft. S.23°23'W. 281.0 ft., S.18°58'W. 314.0 ft., S.41°09'W. 170.0 ft., S.30°02'W. 139.0 ft., S.38°42'W. 129.0 ft., S.28°29'W. 107.0 ft., S.04°31'W. 282.0 ft., S.9°11'E. 98.0 ft., S.70°43'E. 173.0 ft., N.68°50'E. 123.0 ft., S.62°35'E. 166.0 ft., and S.38°45'E. 140.0 ft., to intersection of Center line of Cañon Grande with the Easterly bank of the Rio Grande.

THENCE with meanders of Easterly bank of Rio Grande: N.89°33'92"E. 421.2 ft., N.87°19'27"E. 511.28 ft., N.81°15'36"E. 542.43 ft., S.84°07'33"E. 588.37 ft., S.74°54'48"E. 322.94 ft., N.88°27'24"E. 324.65 ft., S.75°24'21"E. 113.69 ft., S.58°06'24"E. 295.91 ft., S.34°09'27"E. 578.71 ft., S.1°56'02"W. 339.83 ft., S.23°35'33"W. 1,538.02 ft., S.4°34'03"E. 886.14 ft., S.5°01'04"W. 477.76 ft., S.27°05'40"W. 578.32 ft., S.11°53'20"W. 412.63 ft., S.16°20'20"W. 204.86 ft., S.5°37'40"E. 281.41 ft., S.22°58'17"E. 102.11 ft., N.78°58'53"E. 74.34 ft., S.73°13'27"E. 133.18 ft., S.48°11'57"E. 126.22 ft., S.70°08'39"E. 441.80 ft., S.81°57'08"E. 131.51 ft., S.21°30'46"E. 102.64 ft., N.74°44'19"E. 451.53 ft., S.74°14'06"E. 135.0 ft., N.67°27'44"E. 556.72 ft., N.89°52'29"E. 427.48 ft., N.54°55'37"E. 228.89 ft., N.47°33'30"E. 275.99 ft., N.61°42'E. 680.63 ft., crossing mouth of Quemado Creek, N.87°18'20"E. 375.62 ft., S.75°45'37"E. 128.91 ft., S.36°29'50"E. 1,178.28 ft., S.0°57'E. 165.18 ft., S.8°55'15"W. 987.93 ft., S.39°32'57"W. 278.68 ft., S.49°10'53"W. 448.06 ft., S.60°09'14"W. 395.3 ft., S.78°08'18"W. 636.53 ft., S.71°30'30"W. 566.48 ft., S.54°35'43"W. 433.82 ft., S.36°46'35"W. 606.36 ft., S.21°19'37"W. 331.26 ft., S.3°24'33"E. 419.26 ft., S.39°20'33"E. 917.97 ft., S.46°51'01"E. 592.60 ft., S.78°23'31"E. 1,548.18 ft., S.19°24'41"E. 904.27 ft., S.9°58'42"W. 471.77 ft., S.5°42'45"E. 2,749.43 ft., S.57°16'57"E. 3,236.31 ft., S.49°29'13"E. 462.51 ft., S.46°12'07"E. 484.99 ft., S.45°05'07"E. 1,053.31 ft., and S.76°58'40"E. 136.16 ft., crossing Drainage Ditch to an iron stake at fence for the most Southerly corner of this tract;

THENCE with meanders of fence: N.88°26'32"E. 22.0 ft., N.57°41'57"E. 47.8 ft., N.9°55'56"W. 330.78 ft., N.2°46'39"E. 202.54 ft., N.1°00'56"E. 263.69 ft., N.12°52'44"W. 129.60 ft., N.38°33'13"E. 208.84 ft., N.82°19'23"E. 51.0 ft., N.33°36'14"E. 435.92 ft., N.29°53'37"E. 184.90 ft., N.37°42'47"E. 206.47 ft., N.17°24'23"W. 86.73 ft., N.19°24'23"W. 496.40 ft., N.70°35'37"E. 24.30 ft., N.17°20'W. 400.70 ft., N.32°08'35"E. 674.19 ft., N.42°47'08"E. 1,197.40 ft., N.39°48'18"E. 110.80 ft., N.30°55'30"E. 441.15 ft., N.21°31'35"E. 769.62 ft., N.7°46'14"W. 992.88 ft., N.75°30'16"E., crossing lateral Ditch and N.88°57'06"E. 1,395.48 ft., to corner post for the most Southeasterly corner of this tract;

THENCE continuing with meanders of fence: N.6°54'06"E. 15.0 ft., N.45°05'52"W. 1,684.58 ft., N.45°59'37"W. 1,471.80 ft., crossing Road from Highway No. 277 to ranch entrance, N.46°12'42"W. 2,476.00 ft., N.46°10'52"W. 359.29 ft., crossing drainage ditch, N.45°51'49"W. 1,905.15 ft., N.45°45'16"W. 1,906.11 ft., N.46°09'26"W. 310.71 ft., N.34°48'04"W. 1,162.06 ft., N.64°59'46"E. 747.23 ft., N.45°57'09"W. 694.11 ft., and N.45°34'52"W. 660.85 ft., to fence corner for a corner of stockpens, West corner of

Quemado Valley Cemetery as shown on plat filed in the Map Records of Maverick County, Texas, and for a corner of this tract;

THENCE S.80°01'17"E. 474.03 ft., to an iron stake for a corner of this tract;

THENCE N.39°11'E. 1,042.4 ft., with the Northwest line of Cemetery Road to the PLACE OF BEGINNING.

TRACT TWO:

9.61 acres of land out the Manuel Flores Survey Number 70, Abstract 100, Maverick County, Texas. Said 9.61 acres of land being part of Tract 48, Block C, of the Quemado Valley Lands of G. Bedell Moore as shown on plat recorded in Volume 1, Page 15 of the deed and plat records of Maverick County, Texas. Said 9.61 acres of land being that same land as described in deed, Luis Rios to Alta Verde Industries, Inc., Profit Sharing Trust, dated March 21, 1989, recorded in Volume 265, Page 430 of the deed records of Maverick County, Texas. Said 9.61 acres of land being a portion of a 40.42 acre tract of land as surveyed on the ground on August 8, 1991. An original of the plat showing said 40.42 acres of land is on file in the office of W.H. Mullins, Inc., San Antonio, Texas. Said 9.61 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a found iron pin on the westerly right-of-way of State Highway Number 277 and on the south right-of-way of a 40 foot wide road. Said beginning point being the northeast corner of the hereinabove Tract 48 and the northeast corner of the hereinabove 40.42 acre Tract of land;

THENCE leaving the south right-of-way of the 40 foot wide road with the westerly right-of-way of State Highway Number 277, South 36°49'47"East, 298.39 feet to a found iron pin being the most northerly corner of a 4.30 acre tract of land as described in deed Osvaldo G. Fernandez to Israel Longoria, recorded in Volume 193, Page 165 of the deed records of Maverick County, Texas;

THENCE leaving the westerly right-of-way of State Highway 277 and with the common boundary of the 4.30 acre tract and this herein described 40.42 acre tract, generally with a fence, South 50°56'55" West, 303.87 feet to a found iron pin;

THENCE South 49°23'12" West, leaving the existing fence at 93.51 feet, a total distance of 231.35 feet to an iron pin;

THENCE South 38°38'44" East, at 123.69 feet crossing a wire fence, a total distance of 446.32 feet to a found iron pin;

THENCE generally with a fence, South 32°39'09" West, 318.10 feet to a point;

THENCE generally with a fence, South 33°36'10" West, 69.62 feet to a fence intersection;

THENCE generally with a fence, North 41°01'08" West, 358.22 feet to an iron pin;

THENCE generally with a fence, North 40°44'02" West, 152.90 feet to an iron pin;

THENCE generally with a fence, North 51°07'58" East, 274.83 feet to an iron pin;

THENCE generally with a fence, North 41°50'56" West, 483.48 feet to an iron pin on the southerly right-of-way of a 40 foot wide road;

THENCE with the southerly right-of-way of the 40 foot wide road, North 60°00'36" East, 695.45 feet to the PLACE OF BEGINNING and containing 9.61 acres of land in Maverick County, Texas.

Above described field notes prepared on October 20, 1991, by Bill Callender, Registered Professional Land Surveyor No. 4777.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of ways for all public utilities and for any irrigation and/or drainage ditches which may now or hereafter be necessary to serve this and adjacent or nearby tracts of land reserved in Deeds from G. Bedell Moore, recorded in Vol. 28, Page 582, Vol. 30, Page 511, Vol. 31, Page 15, Vol. 32, Page 435, Vol. 31, Page 399, Deed Records of Maverick County, Texas.
2. Subject to the terms and conditions of that certain oil, gas and mineral lease recorded in Vol. 10, Page 43, Miscellaneous Records of Maverick County, Texas.
3. Right of Way Conveyed to Maverick County Water Control and Improvement District No. 1, recorded in Vol. 48, Page 354 and Vol. 47, Page 12, Deed Records of Maverick County, Texas.
4. An undivided one-half of all oil, gas and other minerals in, on, under or that may be produced from the above described property, together with all rights relating thereto, expressed or implied, said minerals having been severed from the surface estate in deed recorded in Vol. 55, Page 552, Deed Records of Maverick County, Texas, together with all rights and obligations relating thereto, expressed or implied, including but not limited, to the provisions as to leasing therein contained.
5. Subject to the terms and conditions of those certain Mineral Leases recorded in Vol. 85, Page 167, Deed Records of Maverick County, Texas.

6. Subject to the terms and conditions of those certain Mineral Leases recorded in Vol. 34, Page 351, Miscellaneous Records of Maverick County, Texas, as amended in Vol. 39, Page 189, Vol. 41, Page 503, Misc. Records of Maverick County, Texas and amended in Vol. 9, Page 77, Oil and Gas Lease Records of Maverick County, Texas.
7. Right of Way Agreement granted to Texcol Gas Service, Inc., recorded in Vol. 168, Page 465, Deed Records of Maverick County, Texas.
8. Easement Agreement granted to Texcol Gas Services, Inc., Recorded in Vol. 168, Page 468, Deed Records of Maverick County, Texas.
9. Certificate of Adjudication from the Texas Water Commission, Recorded in Vol. 45, Page 476 and amended in Vol. 47, Page 181, Miscellaneous Records of Maverick County, Texas, and amended in Vol. 255, Page 121, Deed Records of Maverick County, Texas.
10. Subject to the terms and conditions of that certain Mineral Deed recorded in Vol. 242, Page 169, Deed Records of Maverick County, Texas.
11. Subject to the terms and conditions of that certain Royal Deed recorded in Vol. 279, Page 225, Deed Records of Maverick County, Texas and correction Mineral and Royalty Deed recorded in Vol. 286, Page 99, Deed Records of Maverick County, Texas.
12. Subject to the terms and conditions of that certain Oil and Gas Lease recorded in Vol. 19, Page 352, Oil and Gas Records of Maverick County, Texas.
13. Subject to the terms and conditions of that certain Oil and Gas Lease recorded in Vol. 19, Page 370, Oil and Gas Records of Maverick County, Texas.
14. Subject to the sale of 10 active acre feet of Water Rights under Cert. of Adjudication No. 23-2688B, from MTrust Corp., N.A. El Paso Trustee for the Benefit of Dale Resler Trust A and B to Kathryn Ritchie Cotter and Margaret Ritchie Hardt, recorded in Vol. 263, Page 176, Deed Records of Maverick County, Texas.
15. Subject to the terms and conditions of those certain Mineral Deeds recorded in Vol. 286, Page 402, Vol. 287, Page 200, Vol. 287, Page 473 and Vol. 287, Page 478, Deed Records of Maverick County, Texas.
16. Right of Way Reserved for all public utilities and for any irrigation and/or drainage ditches which may now or hereafter be necessary to serve this and any adjacent or nearby tracts of land reserved in deed recorded in Vol. 59, Page 512, Deed

Records of Maverick County, Texas.

17. Subject to the terms and conditions of that certain Water Rights recorded in Vol. 263, page 176, Deed Records of Maverick County, Texas.
18. Subject to the terms and conditions of that certain Assignment of Agreement dated October 27, 1989, recorded in Vol. 275, Page 4, Deed Records of Maverick County, Texas.
19. Rights of Maverick County Water Control and Improvement District No. 1 to issue bonds and levy taxes.
20. Subject to the following Water Rights Deeds: Vol. 285, Page 301, Vol. 276, Page 165, Vol. 276, Page 168, Vol. 276, Page 171, Vol. 281, Page 216, Vol. 284, Page 223, Vol. 284, Page 225, Vol. 284, Page 227, Vol. 285, Page 245, Vol. 285, Page 304, Vol. 288, Page 323, Vol. 292, Page 301, Vol. 292, Page 303, Vol. 292, Page 305, Vol. 292, Page 307, Vol. 292, Page 309, Vol. 292, Page 311, Vol. 292, Page 313, Vol. 292, Page 315, Vol. 292, Page 317, Vol. 292, Page 319, Vol. 298, Page 157, Vol. 298, Page 160, Deed Records of Maverick County, Texas and Vol. 303, Page 191, Vol. 306, Page 93, Official Public Records of Maverick County, Texas.
21. Subject to the terms and conditions of that certain Amendment of Certificate of Adjudication recorded in Vol. 47, Page 348, Miscellaneous Records of Maverick County, Texas.
22. As to Tract I and II: Visible and Apparent Easements on or across property herein described.
23. As to Tract I and II: Any portion of subject properties lying within the boundaries of a public or private roadway whether dedicated or not.
24. Subject to the terms and conditions of that certain Assignment of Appropriate or Transmit Water from Quemado Creek and to impound water in the dam on Quemado Creek as set out in instrument recorded in Vol. 314, Page 104, Official Public Records of Maverick County, Texas.
25. Subject to the terms and conditions of the following Mineral Deeds recorded in Vol. 320, Page 36, Vol. 320, Page 42, Vol. 343, Page 208, Official Public Records of Maverick County, Texas.
26. Subject to the terms and condition of that certain Memorandum giving Notice of Gas Purchase Contract recorded in Vol. 322, Page 95, Official Public Records of Maverick County, Texas.

27. Subject to the terms and conditions of Water Rights Deeds and Conveyance of Water Rights recorded in Vol. 308, Page 293, Vol. 308, Page 299, Vol. 308, Page 305, Vol. 314, Page 181, Vol. 385, Page 427, Vol. 385, Page 429, Vol. 385, Page 431, Vol. 385, Page 433, Vol. 385, Page 435, Vol. 385, Page 437, Vol. 385 Page 439, Vol. 385, Page 441, Official Public Records of Maverick County, Texas.
28. As to Tract II: Right of Way for Public Utilities, Irrigation and Drainage Ditches contained in Deed from G. Bedell Moore to J.M. Mabe dated March 9, 1942, Recorded in Vol. 34, Page 140, Deed Records of Maverick County, Texas.
29. As to Tract II: Subject to the terms and conditions of Mineral Reservation contained in Exchange Deed dated July 15, 1993, Recorded in Vol. 347, Page 307, Official Public Records of Maverick County, Texas.

Grantor, for the consideration hereinbefore stated and subject to any reservations from and exceptions to conveyance and warranty stated herein, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, to Grantee's heirs, executors, administrators, successors, and assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

The following paragraph is for third-party financing:

Mortgagee, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property are retained for the benefit of Mortgagee and are transferred to that party without recourse on Grantor.

Grantor shall have no liability for and the Grantee has agreed to indemnify Grantor from any and all liability, causes of action, claims, demands, damages, injuries, costs and expenses (including reasonable attorney's fees) (collectively "Liability") related to the property which are incurred, made or asserted against Grantor or against the property, including without limitation liability incurred, made or asserted after the date of this deed, relating to environmental conditions, violations or remedial costs, including, without limitation, those costs which result from the sole or concurrent negligence of Grantor. Grantee shall have no right or claim against Grantor for damages, rescission of the sale,

reduction of the sales price or otherwise because of the physical condition of the property (including, without limitation, its environmental condition), any such right or claim being hereby expressly waived by Grantee. The waivers and exculpation provided above shall be deemed to be covenants running with the land and binding upon all heirs and assigns of Grantee and all other operators of the property.

Current year ad valorem taxes have been pro-rated to date and are assumed by Grantee.

When the context requires, singular nouns and pronouns include the plural.

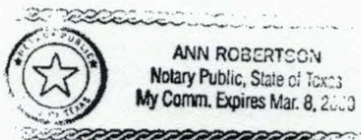
ESTATE OF ROLAND E. WALTERS, DECEASED

By: *Rolinda Schmidt*
ROLINDA SCHMIDT,
CO-INDEPENDENT EXECUTOR

By: *R. Corey Walters*
R. COREY WALTERS,
CO-INDEPENDENT EXECUTOR

STATE OF TEXAS §
 §
COUNTY OF KERR §

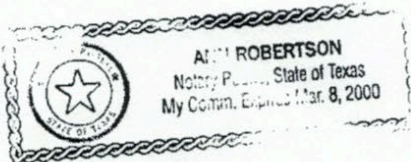
This instrument was acknowledged before me on the 15th day of October, 1998, by The Estate of Roland E. Walters, Deceased, by Rolinda Schmidt, Co-Independent Executrix.




Ann Robertson
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF KERR §

This instrument was acknowledged before me on the 15th day of October, 1998, by The Estate of Roland E. Walters, Deceased, by R. Corey Walters, Co-Independent Executor.





Notary Public, State of Texas

AFTER RECORDING RETURN TO:

✓ Nowell Borders
P.O. Box 299
Hargill, TX 78549

PREPARED BY:

HARRIS & HARRIS, P.C.
815 Jefferson Street, Suite C
Kerrville, TX 78028

091507

FILED

'98 OCT 21 AM 9 30

S. MONTEMAYOR, CO. CLERK
MAVERICK CO. TEXAS
BY Walden DEPUTY

State of Texas County of Maverick
I hereby certify that this instrument was filed
on the date and time stamped thereon by me
and was duly recorded in the OFFICIAL
PUBLIC RECORD of Maverick County, Texas.

Volume 515 Page 154-164
10-20-98

Recording Date



Sara Montemayer

Sara Montemayer
County Clerk, Maverick County

Any provision herein which restricts the sale,
rental, or use of the described real property
because of color or race is invalid and
unenforceable under federal law.

VOL. 515 PAGE 164

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: March 28, 2025

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 N
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N N (If yes, indicate the Certificate or Permit number: _____)

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

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

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: 0570-000

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

List of water rights to sever	Combine into this ONE water right

- a. Applicant requests an amendment to an existing water right to increase the amount of the appropriation of State Water (diversion and/or impoundment)? Y / N N

If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

- b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)?
Y / N N

If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

- c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N Y
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 Y
If yes, submit:

- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)
- **Worksheet 5.0 – Environmental Information** (Required for any new diversion points that are not already authorized in a water right)

- e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N N

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

- f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N 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:

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

- b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). Y / N

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

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

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

If yes, submit worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

Worksheets and information:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)

- **Worksheet 4.0 – Discharge Information Worksheet** (for each discharge point)
- **Worksheet 5.0 – Environmental Information Worksheet**
- **Worksheet 6.0 – Water Conservation Information Worksheet**
- **Worksheet 7.0 – Accounting Plan Information Worksheet**
- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

4. **General Information, Response Required for all Water Right Applications (Instructions, Page 15)**

- a. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled “Addendum Regarding the State and Regional Water Plans”:

Waiver request:

Adding one diversion point will not increase the amount of water and the combined rate of division will be the same as the original.

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

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

If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.

- c. Does the application include required Maps? (**Instructions Page. 15**) Y / N Y

WORKSHEET 1.0

Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

Submit the following information regarding quantity, purpose and place of use for requests for new or additional appropriations of State Water or Bed and Banks authorizations:

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

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

A copy of the deed(s) or other acceptable instrument describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds.

If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

2. Amendments - Purpose or Place of Use (Instructions, Page. 12)

- a. Complete this section for each requested amendment changing, adding, or removing Purpose(s) or Place(s) of Use, complete the following:

Quantity (acre- feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
432.4620	AG/MINING	AG/MINING	350.58 ACRES CERTIFICATE 23-570	350.58 ACRES 2,585.703 ACRES MAVERICK CO.
				For ag use only

**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:
- Applicant proposes to irrigate a total of 2,585.703 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 _____ acres in ATTACHED County, TX.
 - Location of land to be irrigated: In the ATTACHED DEED _____ Original Survey No. _____, Abstract No. _____.

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.

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

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

Submit this worksheet for an application for a new or amended water right which requests to transfer State Water from its river basin of origin to use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC § 16.051.

Applicant requests to transfer State Water to another river basin within the State? Y / N N

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

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

2. Exemptions (Instructions, Page. 20), TWC § 11.085(v)

Certain interbasin transfers are exempt from further requirements. Answer the following:

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

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":

- the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- 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;
- the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example - expert plans and/or reports documents may be provided to show the cost);

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website: (<http://www.twdb.texas.gov/waterplanning/swp/index.asp>);
- e. address the factors identified in the applicable most recently approved regional water plans which address the following:
 - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
 - (ii) the amount and purposes of use in the receiving basin for which water is needed;
 - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
 - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
 - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
 - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
- f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
- g. the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.

WORKSHEET 1.2

NOTICE. “THE MARSHALL CRITERIA”

This worksheet assists the Commission in determining notice required for certain **amendments** that do not already have a specific notice requirement in a rule for that type of amendment, and *that do not change the amount of water to be taken or the diversion rate*. The worksheet provides information that Applicant **is required** to submit for amendments such as certain amendments to special conditions or changes to off-channel storage. These criteria address whether the proposed amendment will impact other water right holders or the on- stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

*This worksheet is **not required** for Applications in the Rio Grande Basin requesting changes in the purpose of use, rate of diversion, point of diversion, and place of use for water rights held in and transferred within and between the mainstems of the Lower Rio Grande, Middle Rio Grande, and Amistad Reservoir. See 30 TAC § 303.42.*

*This worksheet is **not required** for amendments which are only changing or adding diversion points, or request only a bed and banks authorization or an IBT authorization. However, Applicants may wish to submit the Marshall Criteria to ensure that the administrative record includes information supporting each of these criteria*

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.
- b. Beneficial Use. Discuss how proposed amendment is a beneficial use of the water as defined in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. Public Welfare. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.

- e. State Water Plan. Describe how proposed amendment addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement. The state and regional water plans are available for download at:
<http://www.twdb.texas.gov/waterplanning/swp/index.asp>.
- f. Waste Avoidance. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. Impacts on Water Rights or On-stream Environment. Explain how the proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0

Impoundment/Dam Information

This worksheet **is required** for any impoundment, reservoir and/or dam. Submit an additional Worksheet 2.0 for each impoundment or reservoir requested in this application.

If there is more than one structure, the numbering/naming of structures should be consistent throughout the application and on any supplemental documents (e.g., maps).

1. Storage Information (Instructions, Page. 21)

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

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_____

iii. Additional information required for **on-channel** storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:_____.
 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_____
- If yes, the drainage area is_____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: _____
- c. In the _____ Original Survey No. _____, Abstract No. _____,
_____ 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, Longitude _____°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):_____
- ii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N_____

WORKSHEET 3.0

DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This worksheet **is required** for each diversion point or diversion reach. Submit one Worksheet 3.0 for **each** diversion point and two Worksheets for **each** diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g., maps).

1. Diversion Information (Instructions, Page. 24)

a. This Worksheet is to add new (select 1 of 3 below):

1. ☒ Diversion Point No.
2. ☐ Upstream Limit of Diversion Reach No.
3. ☐ Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** N/A cfs (cubic feet per second)
or 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* cfs or gpm

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

*** An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
<input checked="" type="checkbox"/>	Directly from stream	Rio Grande River
<input type="checkbox"/>	From an on-channel reservoir	
<input type="checkbox"/>	From a stream to an on-channel reservoir	
<input type="checkbox"/>	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. **Y / N** N

If yes, the drainage area is 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): Rio Grande River
- b. Zip Code: 78877
- c. Location of point: In the P. Rockerfellow Original Survey No. 67, Abstract No. 787, Maverick 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 28.902949 °N, Longitude -100.605768 °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): Google Maps
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 15.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

WORKSHEET 4.0

DISCHARGE INFORMATION

This worksheet required for any requested authorization to discharge water into a State Watercourse for conveyance and later withdrawal or in-place use. Worksheet 4.1 is also required for each Discharge point location requested. **Instructions Page. 26. Applicant is responsible for obtaining any separate water quality authorizations which may be required and for insuring compliance with TWC, Chapter 26 or any other applicable law.**

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

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 _____, surface water _____?
5. If any percentage is surface water, provide the base water right number(s) _____.
- d. Is the source of the water being discharged groundwater? **Y / N** ____ If yes, provide the following information:
 1. Source aquifer(s) from which water will be pumped: _____
 2. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers _____.
 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
- di. Is the source of the water being discharged a surface water supply contract? **Y / N** ____
If yes, provide the signed contract(s).
- dii. Identify any other source of the water _____

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

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

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 28.**

Appropriate measures will be taken after consultation with Rio Grande Watermaster, specifically mesh sizes for screen.

2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

☐ Stream

☐ Reservoir

Average depth of the entire water body, in feet: _____

☐ Other, specify: _____

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

☐ Intermittent - dry for at least one week during most years

☐ Intermittent with Perennial Pools - enduring pools

☐ Perennial - normally flowing

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

☐ USGS flow records

☐ Historical observation by adjacent landowners

☐ Personal observation

☐ Other, specify: _____

c. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments.

- ☐ Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- ☐ Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- ☐ Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- ☐ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

d. Waterbody Recreational Uses

Are there any known recreational uses of the stream segments affected by the application?

- ☐ Primary contact recreation (swimming or direct contact with water)
- ☐ Secondary contact recreation (fishing, canoeing, or limited contact with water)
- ☐ Non-contact recreation

e. Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. Include a description of each photograph and reference the photograph to the maps submitted with the application indicating the location of the photograph and the direction of the shot.
2. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. **Instructions, page 31.**

a. For all bed and banks applications:

- i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.

b. For all alternate source applications:

- i. If the alternate source is treated return flows, provide the TPDES permit number _____

- ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:

Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

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

* Temperature must be measured onsite at the time the groundwater sample is collected.

- iii. If groundwater will be used, provide the depth of the well _____ and the name of the aquifer from which water is withdrawn _____.

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.
2. Request to amend water right to increase appropriation of State Water.
3. Request to amend water right to extend a term.
4. Request to amend water right to change a place of use.
**does not apply to a request to expand irrigation acreage to adjacent tracts.*
5. Request to amend water right to change the purpose of use.
**applicant need only address new uses.*
6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water.
**including return flows, contract water, or other State Water.*

b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:

1. ____ Municipal Use. See 30 TAC § 288.2. **
2. ____ Industrial or Mining Use. See 30 TAC § 288.3.
3. Y Agricultural Use, including irrigation. See 30 TAC § 288.4.
4. ____ Wholesale Water Suppliers. See 30 TAC § 288.5. **

****If Applicant is a water supplier, Applicant must also submit documentation of adoption of the plan. Documentation may include an ordinance, resolution, or tariff, etc. See 30 TAC §§ 288.2(a)(1)(J)(i) and 288.5(1)(H). Applicant has submitted such documentation with each water conservation plan? Y / N ____**

c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

appropriation; and evaluates any other feasible alternative to new water development.
See 30 TAC § 288.7.

Applicant has included this information in each applicable plan? Y / N____

2. Drought Contingency Plans

- a. A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above - indicate each that applies:
1. ____Municipal Uses by public water suppliers. See 30 TAC § 288.20.
 2. ____Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
 3. ____Wholesale Water Suppliers. See 30 TAC § 288.22.
- b. If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (*ordinance, resolution, or tariff, etc. See 30 TAC § 288.30*) Y / N____



Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

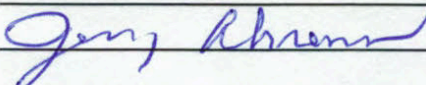
Telephone (512) 239-4600, FAX (512) 239-2214

System Inventory and Water Conservation Plan for Individually-Operated Irrigation Systems

This form is provided to assist entities in developing a water conservation plan for individually-operated irrigation systems. If you need assistance in completing this form or in developing your plan, please contact the Conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4600.

Additional resources such as best management practices (BMPs) are available on the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

Name: Jerry Ahrens
Address: 1010 Whiskey Canyon, Kerrville, TX. 78028
Telephone Number: 210-219-7293 Fax: _____
Form Completed By: Jerry Ahrens
Title: Authorized Agent
Signature:  Date: 3/28/2025

A water conservation plan for agriculture use (individual irrigation user) must include the following requirements (as detailed in 30 TAC Section 288.4). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

I. BACKGROUND DATA

A. Water Use

1. Annual diversion appropriated or requested (in acre-feet): **432.4620**
2. In the table below, list the amount of water (in acre-feet) that is or will be diverted monthly for irrigation during the year.

January	February	March	April
		66.6	66.6
May	June	July	August
66.6	66.6	66.6	66.6
September	October	November	December
Total All Months			400

3. In the table below, list the type of crop(s), growing season, and acres irrigated per year.

Type of crop	Growing Season (Months)	Acres irrigated/year
Watermelons	6	400
Total acres irrigated		400

4. Are crops rotated seasonally or annually? ☒ Yes ☐ No

If yes, please describe: **Dryland wheat after watermelons**

5. Describe soil type (including permeability characteristics, if applicable).

Sandy Loam

B. Irrigation system information

1. Describe the existing irrigation method or system and associated equipment including pumps, flow rates, plans, and/or sketches of system the layout. Include the rate (in gallons per minute or cubic feet per second) that water is diverted from the source of supply. If this WCP is submitted as part of a water right application, verify that the diversion volumes and rates are consistent with those in the application.

Straight line layout: Intake pipe to pump (1,200 GPM), piped to drip trailer for filtering, then lay flat pipe to field, then into drip lines (under plastic).

2. Describe the device(s) and/or method(s) used to measure and account for the amount of water diverted from the supply source, and verify the accuracy is within plus or minus 5%.

Electric meter (new)

3. Provide specific, quantified 5-year and 10-year targets for water savings including, where appropriate, quantitative goals for irrigation water use efficiency and a pollution abatement and prevention plan below in 3(a) and 3(b). Water savings may be represented in acre-feet or in water use efficiency. If you are not planning to change your irrigation system in the next five or ten years, then you may use your existing efficiencies or savings as your 5-year and /or 10-year goals. Please provide an explanation in the space provided below if you plan to use your existing efficiencies or savings.

Use existing efficiencies (i.e. no loss from canals, water always within pipes).

Quantified 5-year and 10-year targets for water savings:

a. 5-year goal:
Savings in acre-feet or system efficiency as a percentage 5 %

b. 10-year goal:
Savings in acre-feet or system efficiency as a percentage 5 %

(Examples of Typical Efficiencies for Various Types of Irrigation Systems - Surface: 50-80%; Sprinkler: 70-85%; LEPA: 80-90%; Micro-irrigation: 85-95%)

4. If there is an existing irrigation system, have any system evaluations been performed on the efficiency of the system?

☐ Yes ☒ No

If yes, please provide the date of the evaluation, evaluator's name and the results of the evaluation:

C. Conservation practices

1. Describe any water conserving irrigation equipment, application system or method in the irrigation system (e.g., surge irrigation, low pressure sprinkler, drip irrigation, nonleaking pipe).

Drip irrigation under plastic mulch.

2. Describe any methods that will be used for water loss control and leak detection and repair.

Regular inspection during use.

3. Describe any water-saving scheduling or practices to be used in the application of water (e.g., irrigation only in early morning, late evening or night hours and/or during lower temperatures and winds) and methods to measure the amount of water applied (e.g. soil-moisture monitoring).

Drip irrigation is meant to run continuously, unless rain fall occurs.

4. Describe any water-saving land improvements or plans to be incorporated into the irrigation practices for retaining or reducing runoff and increasing infiltration of rain and irrigation water (e.g., land leveling, conservation tillage, furrow diking, weed control, terracing, etc.).

Plastic mulch takes care of weeds. No runoff whatsoever.

5. Describe any methods for recovery and reuse of tail water runoff.

N/A. No runoff.

6. Describe any other water conservation practices, methods, or techniques for preventing waste and achieving conservation.

Regular observation warranted.

II. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.

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

2. Accounting Plan Requirements

- a. A **text file** that includes:
 1. an introduction explaining the water rights and what they authorize;
 2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data;
 3. for accounting plans that include multiple priority dates and authorizations, a section that discusses how water is accounted for by priority date and which water is subject to a priority call by whom; and
 4. Should provide a summary of all sources of water.
- b. A **spreadsheet** that includes:
 1. Basic daily data such as diversions, deliveries, compliance with any instream flow requirements, return flows discharged and diverted and reservoir content;
 2. Method for accounting for inflows if needed;
 3. Reporting of all water use from all authorizations, both existing and proposed;
 4. An accounting for all sources of water;
 5. An accounting of water by priority date;
 6. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
 7. Accounting for conveyance losses;
 8. Evaporation losses if the water will be stored in or transported through a reservoir. Include changes in evaporation losses and a method for measuring reservoir content resulting from the discharge of additional water into the reservoir;
 9. An accounting for spills of other water added to the reservoir; and
 10. Calculation of the amount of drawdown resulting from diversion by junior rights or diversions of other water discharged into and then stored in the reservoir.

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 (\$) . <u>In Acre-Feet</u> 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	
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
TOTAL		\$

2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
Filing Fee	Amendment: \$100	
	OR Sever and Combine: \$100 x _____ of water rights to combine	\$100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
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.	
TOTAL INCLUDED		\$



Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

The Public Involvement Plan is intended to provide applicants and the agency with information about how public outreach will be accomplished for certain types of applications in certain geographical areas of the state. It is intended to apply to new activities; major changes at existing plants, facilities, and processes; and to activities which are likely to have significant interest from the public. This preliminary screening is designed to identify applications that will benefit from an initial assessment of the need for enhanced public outreach.

All applicable sections of this form should be completed and submitted with the permit or registration application. For instructions on how to complete this form, see TCEQ-20960-inst.

Section 1. Preliminary Screening

- ☐ New Permit or Registration Application
☒ New Activity - modification, registration, amendment, facility, etc. (see instructions)

If neither of the above boxes are checked, completion of the form is not required and does not need to be submitted.

Section 2. Secondary Screening

- ☐ Requires public notice,
☐ Considered to have significant public interest, **and**
☒ Located within any of the following geographical locations:

- Austin
- Dallas
- Fort Worth
- Houston
- San Antonio
- West Texas
- Texas Panhandle
- Along the Texas/Mexico Border
- Other geographical locations should be decided on a case-by-case basis

**If all the above boxes are not checked, a Public Involvement Plan is not necessary.
Stop after Section 2 and submit the form.**

- ☒ Public Involvement Plan not applicable to this application. Provide **brief** explanation.