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September 30, 2025

Water Rights Permitting Team  
Water Availability Division  
Texas Commission on Environmental Quality  
P.O. Box 13087/MC-160  
Austin, Texas 78711-3087

**Received**

**Date:** 10/03/2025

By: Water Availability Division

**Re: Water Rights Permitting Application  
Targa Downstream LLC, Targa Galena Park Marine Terminal  
12510 American Petroleum Road  
Galena Park, TX 77547**

Dear Water Rights Permitting Team:

Targa Downstream LLC (Targa) has attached a Water Rights Permitting Application for its Targa Galena Park Marine Terminal location (Galena Park Terminal).

The Galena Park Terminal operates as a shipping and receiving facility for a variety of petroleum hydrocarbon products, primarily liquefied petroleum gas (LPG), olefin feedstocks, and natural gasoline type products. The facility also supplies short-term storage for these products as well as temperature adjustment and dehydration as needed.

To meet emergency fire water needs, Targa has chosen to apply for a permit to appropriate public water from Buffalo Bayou. The water will be used to routinely test the pumps and lines associated with the facility's emergency fire water system. The water will also be used in the event of an actual emergency to help extinguish fires. Included in this application are maps showing the locations of the diversion points, photographs, and a Water Conservation Plan. The deed for the property of the Galena Park Terminal and evidence of the signatory's authority are also provided.

Should you have any questions or require further information regarding this notification, please contact Kate Magee at 281-385-3120 [REDACTED] or Christina Higginbotham at 281-620-7835 ([REDACTED]).

Sincerely,

Joshua Jurach  
Senior ES&H Specialist

cc: Kate Magee, Targa ES&H  
Christina Higginbotham, Targa ES&H

Enclosures

- Attachment 1 – Administrative Information Checklist and Report
- Attachment 2 – Signatory Authority
- Attachment 3 – Technical Information Report
- Attachment 4 – Aerial and Topo Maps with Diversion Point Locations and Photos
- Attachment 5 – Supplement for Worksheet 3.0 for Diversion Point 2
- Attachment 6 – Water Conservation Plan
- Attachment 7 – Deed
- Attachment 8 – Public Involvement Plan Form

Attachment 1  
Administrative Information Checklist and Report

# 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): Targa Downstream LLC

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).

<u>Y</u> <b>Administrative Information Report</b>	<u>Y</u> <b>Worksheet 3.0</b>
<u>N</u> Additional Co-Applicant Information	<u>Y</u> Additional W.S. 3.0 for each Point
<u>N</u> Additional Co-Applicant Signature Pages	<u>Y</u> Recorded Deeds for Diversion Points
<u>Y</u> Written Evidence of Signature Authority	<u>N</u> Consent for Diversion Access
<u>Y</u> <b>Technical Information Report</b>	<u>N</u> <b>Worksheet 4.0</b>
<u>Y</u> USGS Map (or equivalent)	<u>N</u> TPDES Permit(s)
<u>Y</u> Map Showing Project Details	<u>N</u> WWTP Discharge Data
<u>Y</u> Original Photographs	<u>N</u> Groundwater Well Permit
<u>N</u> Water Availability Analysis	<u>N</u> Signed Water Supply Contract
<u>Y</u> <b>Worksheet 1.0</b>	<u>N</u> <b>Worksheet 4.1</b>
<u>N</u> Recorded Deeds for Irrigated Land	<u>Y</u> <b>Worksheet 5.0</b>
<u>N</u> Consent for Irrigated Land	<u>N</u> Addendum to Worksheet 5.0
<u>Y</u> <b>Worksheet 1.1</b>	<u>Y</u> <b>Worksheet 6.0</b>
<u>N</u> Addendum to Worksheet 1.1	<u>Y</u> Water Conservation Plan(s)
<u>Y</u> <b>Worksheet 1.2</b>	<u>N</u> Drought Contingency Plan(s)
<u>Y</u> <b>Worksheet 2.0</b>	<u>N</u> Documentation of Adoption
<u>N</u> Additional W.S. 2.0 for Each Reservoir	<u>Y</u> <b>Worksheet 7.0</b>
<u>N</u> Dam Safety Documents	<u>N</u> Accounting Plan
<u>N</u> Notice(s) to Governing Bodies	<u>Y</u> <b>Worksheet 8.0</b>
<u>N</u> Recorded Deeds for Inundated Land	<u>Y</u> Fees
<u>N</u> Consent for Inundated Land	<u>N</u> 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."

Targa Downstream LLC is seeking a water rights permit for the use of existing fire water structures at Galena Park Marine Terminal located at 12510 American Petroleum Rd, Galena Park, TX 77547. The fire water system consists of two diversion points, both taking up water from the confluence of Hunting Bayou and Buffalo Bayou. The water use included in this application will be for the testing of monitors, pumps, and lines associated with the fire water system and will comprise 85 acre-feet of annually. It is planned that all water from testing the pumps, which makes up approximately 84.3 acre-feet annually, will be returned to the waterbody after each test. In the event of an emergency fire at the facility, the total water to be consumed is estimated to be 0.6 acre-feet. Due to the unpredictable and infrequent nature of these emergency fires, this value was not included in the application worksheets.

**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?

Targa Downstream LLC

*(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 : CN603592940 (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: Bill Grantham

Title: Vice President of Operations

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: Targa Downstream LLC - Galena Park Marine Terminal

Mailing Address: PO Box 485

City: Galena Park State: TX ZIP Code: 77547

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: 32035001109 SOS Charter (filing) Number: 0800837578

**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: Kate Magee

Title: Environmental Supervisor, Targa Houston Area Assets

Organization Name: Targa Downstream LLC

Mailing Address: PO Box 485

City: Galena Park State: TX ZIP Code: 77547

Phone Number: 281-385-3120

Fax Number: \_\_\_\_\_

E-mail Address: [REDACTED]

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

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

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

First and Last Name: N/A

Title: N/A

Organization Name: N/A

Mailing Address: N/A

City: N/A State: N/A ZIP Code: N/A

Phone Number: N/A

Fax Number: N/A

E-mail Address: N/A



**5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)**

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No** No

If **yes**, provide the following information:

Account number: N/A Amount past due: N/A

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No** N/A

If **yes**, please provide the following information:

Enforcement order number: N/A Amount past due: N/A

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. 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](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, Bill Grantham Vice President of Operations  
(Typed or printed name) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

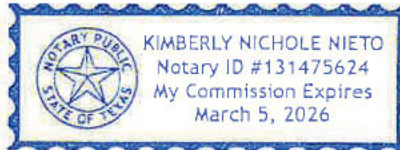
Signature: Bill Grantham Date: 9-30-25  
(Use blue ink)

Subscribed and Sworn to before me by the said

on this 30<sup>th</sup> day of September, 2025.

My commission expires on the 5<sup>th</sup> day of March, 2026.

Kimberly Nichole Nieto  
Kimberly Nichole Nieto  
Notary Public



[SEAL]

County, Texas

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

Attachment 2  
Written Evidence of Signature Authority

**TARGA DOWNSTREAM LLC  
ASSISTANT SECRETARY'S CERTIFICATE**

The undersigned, the Assistant Secretary of Targa Downstream LLC, a Delaware limited liability company (the "Company"), hereby certifies on behalf of the Company as follows:

As of the date hereof, the following person is a duly elected, qualified and acting officer of the Company, holding the office indicated.

<u>Name</u>	<u>Title</u>	<u>Signature</u>
Bill A. Grantham	Vice President – Operations	

IN WITNESS WHEREOF, the undersigned has executed this Certificate on behalf of the Company as of May 5, 2025.

TARGA DOWNSTREAM LLC

By:   
Monica R. Stavinoha  
Assistant Secretary

Attachment 3  
Technical Information Report

# 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](mailto:WRPT@tceq.texas.gov) to schedule a meeting.*

Date of pre-application meeting: July 18, 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 Y
- 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: N/A)

*If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? Y / N N*

- 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: N/A)

*If Applicant answered yes to (a), (b) or (c), the following worksheets and documents are required:*

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir requested in the application)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point and/or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach requested in the application)
- **Worksheet 5.0 - Environmental Information Worksheet**
- **Worksheet 6.0 - Water Conservation Information Worksheet**
- **Worksheet 7.0 - Accounting Plan Information Worksheet**
- **Worksheet 8.0 - Calculation of Fees**
- **Fees calculated on Worksheet 8.0 - see instructions Page. 34.**
- **Maps - See instructions Page. 15.**
- **Photographs - See instructions Page. 30.**

*Additionally, if Applicant wishes to submit an alternate source of water for the project/authorization, see Section 3, Page 3 for Bed and Banks Authorizations (Alternate sources may include groundwater, imported water, contract water or other sources).*

**Additional Documents and Worksheets may be required (see within).**

## 2. Amendments to Water Rights. TWC § 11.122 (Instructions, Page. 12)

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: \_\_\_\_\_ N/A \_\_\_\_\_

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
N/A	N/A

- 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   N    
*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   N    
*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

*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   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   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   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   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”:

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 H 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>
85	San Jacinto River Basin	Industrial	Harris County

85 Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

If the Purpose of Use is Agricultural/Irrigation for any amount of water, provide:

a. Location Information Regarding the Lands to be Irrigated

- i) Applicant proposes to irrigate a total of N/A acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of N/A acres in N/A County, TX.
- ii) Location of land to be irrigated: In the N/A Original Survey No. N/A, Abstract No. N/A.

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

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

*\*If the request is to add additional purpose(s) of use, include the existing and new purposes of use under "Proposed Purpose(s) of Use."*

*\*\*If the request is to add additional place(s) of use, include the existing and new places of use under "Proposed Place(s) of Use."*

*Changes to the purpose of use in the Rio Grande Basin may require conversion. 30 TAC § 303.43.*

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
- i. Applicant proposes to irrigate a total of       N/A       acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of       N/A       acres in       N/A       County, TX.
  - ii. Location of land to be irrigated: In the       N/A       Original Survey No.       N/A      , Abstract No.       N/A      .

***A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.***

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

- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. 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)

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

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

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

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N   N/A
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N   N/A
- c. The proposed transfer from the part of the geographic area of a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, that is within the basin of origin for use in that part of the geographic area of the county or municipality, or that contiguous part of the retail service area of the utility, not within the basin of origin? Y/N   N/A
- d. The proposed transfer is for water that is imported from a source located wholly outside the boundaries of Texas, except water that is imported from a source located in the United Mexican States? Y/N   N/A

### 3. Interbasin Transfer Requirements (Instructions, Page. 20)

For each Interbasin Transfer request that is not exempt under any of the exemptions listed above Section 2, provide the following information in a supplemental attachment titled "Addendum to Worksheet 1.1, Interbasin Transfer":

- a. the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- b. a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;
- c. the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example - expert plans and/or reports documents may be provided to show the cost);

- 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: \_\_\_\_\_ N/A
- c. The impoundment is on-channel \_\_\_\_\_ N/A or off-channel \_\_\_\_\_ N/A (mark one)
- i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N \_\_\_\_\_ N/A
  - ii. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N \_\_\_\_\_ N/A
- d. Is the impoundment structure already constructed? Y / N \_\_\_\_\_ N/A
- i. For already constructed **on-channel** structures:
    - 1. Date of Construction: \_\_\_\_\_ N/A
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N \_\_\_\_\_ N/A
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N \_\_\_\_\_ N/A
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N \_\_\_\_\_ N/A
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N \_\_\_\_\_ N/A
      - a. If yes, provide the Site No. \_\_\_\_\_ N/A and watershed project name \_\_\_\_\_ N/A;
      - b. Authorization to close "ports" in the service spillway requested? Y / N \_\_\_\_\_ N/A
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N \_\_\_\_\_ N/A  
Provide the date and the name of the Staff Person \_\_\_\_\_ N/A
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N \_\_\_\_\_ N/A
      - b. Plans (with engineer's seal) for the structure required. Y / N \_\_\_\_\_ N/A
      - c. Engineer's signed and sealed hazard classification required. Y / N \_\_\_\_\_ N/A
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N \_\_\_\_\_ N/A



3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N N/A

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: N/A.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N N/A  
If yes, the drainage area is N/A sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600).

## 2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name): N/A
- b. Zip Code: N/A
- c. In the N/A Original Survey No. N/A, Abstract No. N/A,  
N/A County, Texas.

***\* A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.***

***\*\*If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.***

- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude N/A °N, Longitude N/A °W.

***\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***

- i. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): N/A
- ii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N N/A

## WORKSHEET 3.0

### DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

#### 1. Diversion Information (Instructions, Page. 24)

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

1.  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** \_\_\_\_\_ cfs (cubic feet per second)  
or 5,600 gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N N  
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* N/A cfs or N/A gpm

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

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

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

Check one		Write: Existing or Proposed
<input checked="" type="checkbox"/>	Directly from stream	Proposed
<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 N/A sq. miles.  
*(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)*

## 2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Buffalo Bayou
- b. Zip Code: 77547
- c. Location of point: In the N/A Original Survey No. N/A, Abstract No. N/A, Harris 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 29.741411 °N, Longitude 95.206589 °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): Mapping Program (Google Earth) and on-site photos with GPS tag
- 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 \_\_\_\_\_ N/A \_\_\_\_\_ (% or amount) and explain the method of calculation: \_\_\_\_\_ N/A \_\_\_\_\_
- c. Is the source of the discharged water return flows? Y / N N/A If yes, provide the following information:
  - 1. The TPDES Permit Number(s) \_\_\_\_\_ N/A \_\_\_\_\_ (attach a copy of the **current** TPDES permit(s))
  - 2. Applicant is the owner/holder of each TPDES permit listed above? Y / N N/A

*PLEASE NOTE: If Applicant is not the discharger of the return flows, or the Applicant is not the water right owner of the underlying surface water right, or the Applicant does not have a contract with the discharger, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, the surface water right holder, or the contract holder, then the application should be submitted under Section 3, Bed and Banks.*

- 3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
- 4. The percentage of return flows from groundwater \_\_\_\_\_ N/A \_\_\_\_\_, surface water \_\_\_\_\_ N/A \_\_\_\_\_?
- 5. If any percentage is surface water, provide the base water right number(s) \_\_\_\_\_ N/A \_\_\_\_\_.
- d. Is the source of the water being discharged groundwater? Y / N N/A If yes, provide the following information:
  - 1. Source aquifer(s) from which water will be pumped: \_\_\_\_\_ N/A \_\_\_\_\_
  - 2. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers \_\_\_\_\_ N/A \_\_\_\_\_
  - 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
 

N/A
  - 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
- di. Is the source of the water being discharged a surface water supply contract? Y / N N/A  
If yes, provide the signed contract(s).
- dii. Identify any other source of the water \_\_\_\_\_ N/A \_\_\_\_\_



## WORKSHEET 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.**

A screen was added to the intake of each pump to prevent wildlife and debris from entering them.

### 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: \_\_\_\_\_ N/A

Other, specify: \_\_\_\_\_ N/A

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

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: \_\_\_\_\_ N/A

c. Waterbody aesthetics

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

- Wilderness: outstanding natural beauty; usually wooded or ungrazed 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 N/A
  - 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	N/A	N/A	N/A	N/A	N/A
Chloride, mg/L	N/A	N/A	N/A	N/A	N/A
Total Dissolved Solids, mg/L	N/A	N/A	N/A	N/A	N/A
pH, standard units	N/A	N/A	N/A	N/A	N/A
Temperature*, degrees Celsius	N/A	N/A	N/A	N/A	N/A

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

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



## WORKSHEET 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** \_\_\_\_\_ cfs (cubic feet per second)  
or 12,000 gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N N  
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches* N/A cfs or N/A gpm

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

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

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

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

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 N/A sq. miles.  
*(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)*

## 2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Buffalo Bayou
- b. Zip Code: 77547
- c. Location of point: In the Harris and Wilson Original Survey No. N/A, Abstract No. 31, Harris 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 29.740825 °N, Longitude 95.208311 °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): Mapping Program (Google Earth) and on-site photos with GPS tag
- 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 \_\_\_\_\_ N/A \_\_\_\_\_ (% or amount) and explain the method of calculation: \_\_\_\_\_ N/A \_\_\_\_\_
- c. Is the source of the discharged water return flows? Y / N N/A If yes, provide the following information:
  - 1. The TPDES Permit Number(s) \_\_\_\_\_ N/A \_\_\_\_\_ (attach a copy of the **current** TPDES permit(s))
  - 2. Applicant is the owner/holder of each TPDES permit listed above? Y / N N/A

*PLEASE NOTE: If Applicant is not the discharger of the return flows, or the Applicant is not the water right owner of the underlying surface water right, or the Applicant does not have a contract with the discharger, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, the surface water right holder, or the contract holder, then the application should be submitted under Section 3, Bed and Banks.*

- 3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
- 4. The percentage of return flows from groundwater \_\_\_\_\_ N/A \_\_\_\_\_, surface water \_\_\_\_\_ N/A \_\_\_\_\_ ?
- 5. If any percentage is surface water, provide the base water right number(s) \_\_\_\_\_ N/A \_\_\_\_\_.
- d. Is the source of the water being discharged groundwater? Y / N N/A If yes, provide the following information:
  - 1. Source aquifer(s) from which water will be pumped: \_\_\_\_\_ N/A \_\_\_\_\_
  - 2. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers \_\_\_\_\_ N/A \_\_\_\_\_.
  - 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
 

N/A
  - 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
- di. Is the source of the water being discharged a surface water supply contract? Y / N N/A  
If yes, provide the signed contract(s).
- dii. Identify any other source of the water \_\_\_\_\_ N/A \_\_\_\_\_



## WORKSHEET 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.**

A screen was added to both ends of the channel to prevent wildlife and debris from entering the channel and impoundment. When the fire water pumps are not being run for testing or emergency firefighting, water flow in the channel is of low velocity with no artificial influences.

### 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: \_\_\_\_\_ N/A

Other, specify: \_\_\_\_\_ N/A

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

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: \_\_\_\_\_ N/A

c. Waterbody aesthetics

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

- Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- 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 N/A
  - 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	N/A	N/A	N/A	N/A	N/A
Chloride, mg/L	N/A	N/A	N/A	N/A	N/A
Total Dissolved Solids, mg/L	N/A	N/A	N/A	N/A	N/A
pH, standard units	N/A	N/A	N/A	N/A	N/A
Temperature*, degrees Celsius	N/A	N/A	N/A	N/A	N/A

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

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

# WORKSHEET 6.0

## Water Conservation/Drought Contingency Plans

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans. **Instructions, Page 31.**

*The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail [wras@tceq.texas.gov](mailto: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.  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/A**

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



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 Y

## 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 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 (\$)
<b>Filing Fee</b>	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 <b>Amount (\$)</b> . <u>In Acre-Feet</u>	\$100.00
	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
<b>Recording Fee</b>		\$25.00
<b>Agriculture Use Fee</b>	<i>Only for those with an Irrigation Use.</i> Multiply 50c x <u>0</u> Number of acres that will be irrigated with State Water. **	--
<b>Use Fee</b>	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x <u>85</u> Maximum annual diversion of State Water in acre-feet. **	\$85.00
<b>Recreational Storage Fee</b>	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x <u>0</u> acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	--
<b>Storage Fee</b>	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50c x <u>0</u> acre-feet of State Water to be stored at normal max operating level.	--
<b>Mailed Notice</b>	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	--
<b>TOTAL</b>		<b>\$ 210.00</b>

### 2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
<b>Filing Fee</b>	Amendment: \$100	--
	<b>OR</b> Sever and Combine: \$100 x <u>0</u> of water rights to combine	--
<b>Recording Fee</b>		\$12.50
<b>Mailed Notice</b>	Additional notice fee to be determined once application is submitted.	--
<b>TOTAL INCLUDED</b>		<b>\$--</b>

### 3. BED AND BANKS

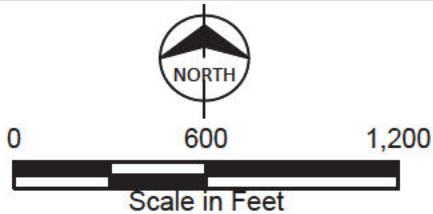
	Description	Amount (\$)
<b>Filing Fee</b>		\$100.00
<b>Recording Fee</b>		\$12.50
<b>Mailed Notice</b>	Additional notice fee to be determined once application is submitted.	--
<b>TOTAL INCLUDED</b>		<b>\$--</b>

## Attachment 4

# Aerial and Topo Maps with Diversion Point Locations and Photos



- Property Boundary
- Underground Channel
- Diversion Point



Targa Galena Park Marine Terminal  
Fire Water System Diversion Points  
Confluence of Hunting Bayou and Buffalo Bayou



Photo Log – Addendum to Worksheet 5.0  
Targa Downstream LLC  
Galena Park Marine Terminal, Fire Water System Diversion Points

Photo 1



Photo 2



Photo Log – Addendum to Worksheet 5.0

Targa Downstream LLC

Galena Park Marine Terminal, Fire Water System Diversion Points

Photo 3



Photo 4

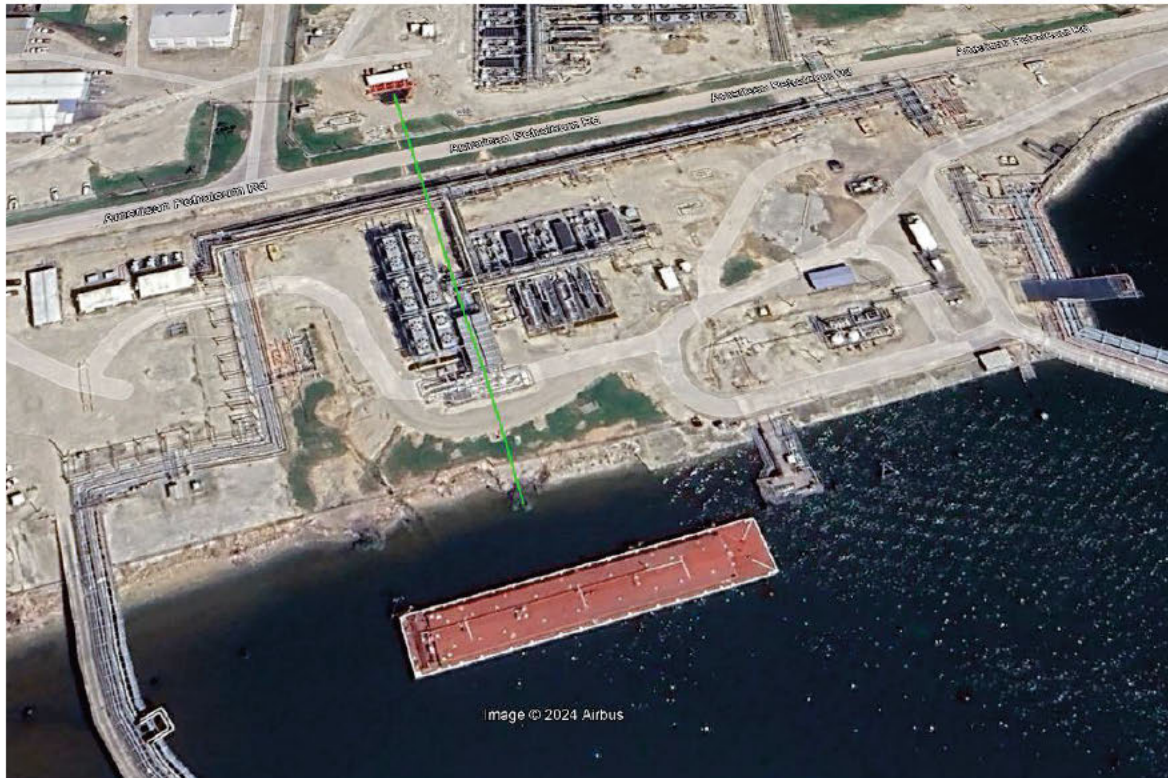




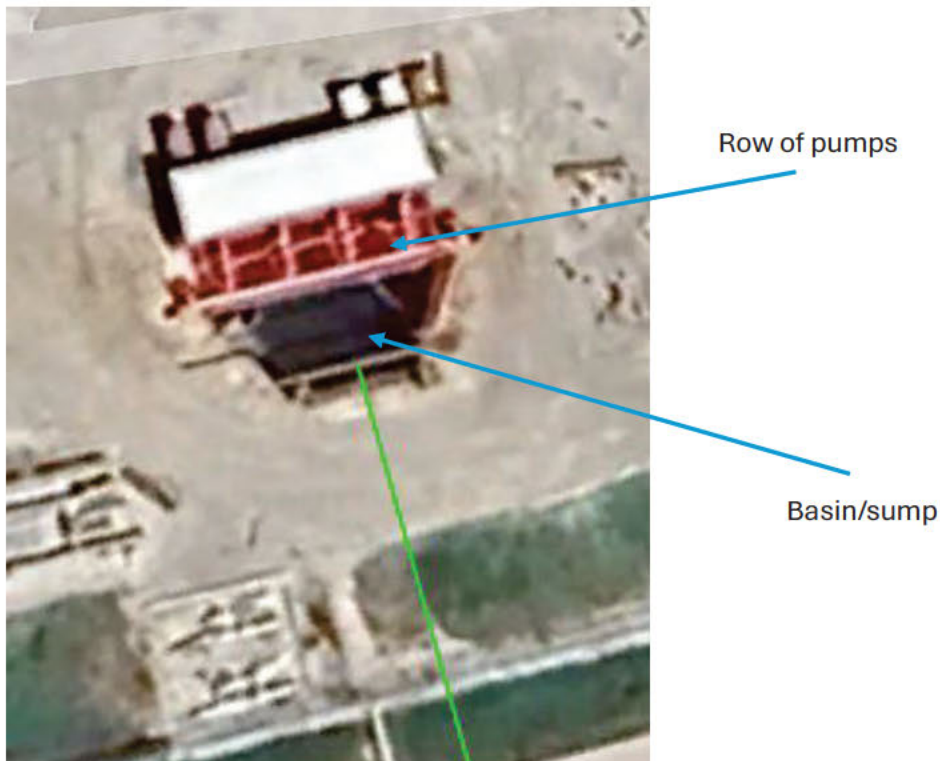
Attachment 5

Supplement for Worksheet 3.0 for Diversion Point 2

## Diversion Point #2 Method of Uptake



The green line represents the path and location of an underground channel leading from the bank of Hunting Bayou in the south to the pumphouse's sump in the north. The water in the channel is free-flowing with a screen on each end to prevent wildlife impingement. The north end of the channel ends with a basin that allows the pumps in the pumphouse to pull up water, serving as the sump, as seen below:



Attachment 6  
Water Conservation Plan



# 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

## Industrial Water Conservation Plan

This form is provided to assist entities in developing a water conservation plan for industrial water use. 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

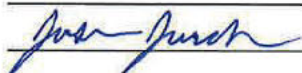
Name: Targa Downstream LLC - Galena Park Marine Terminal

Address: PO Box 485 Galena Park, TX 77547

Telephone Number: (346) 324-1806 Fax: \_\_\_\_\_

Form Completed By: Joshua Jurach

Title: Senior Environmental Specialist

Signature:  Date: 9/24/25

A water conservation plan for industrial use must include the following requirements (as detailed in 30 TAC Section 288.3). 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):

85

2. Maximum diversion rate (cfs):

39.2 (17,600 gpm), in the instance that water is being drawn from both diversion points simultaneously

#### B. Water Sources

1. Please indicate the maximum or average annual amounts of water currently used and anticipated to be used (in acre-feet) for industrial purposes:

<i>Source</i>	<i>Water Right No.(s)</i>	<i>Current Use</i>	<i>Anticipated Use</i>
Surface Water	_____	85	85
Groundwater	_____	_____	_____
Purchased	_____	_____	_____
<b>Total</b>	_____	85	85

2. How was the surface water data and/or groundwater data provided in B(1) obtained?

Master meter  Customer meter  Estimated  Other

3. Was purchased water raw or treated? Raw

If both, % raw 100 % treated \_\_\_\_\_ and Supplier(s) \_\_\_\_\_

C. *Industrial Information*

1. Major product(s) or service(s) produced by applicant:

Natural gas liquids transportation

2. North American Industry Classification System (NAICS):

424710

II. WATER USE AND CONSERVATION PRACTICES

A. *Water Use in Industrial Processes*

<i>Production Use</i>	<i>% Groundwater</i>	<i>% Surface Water</i>	<i>% Saline Water</i>	<i>% Treated Water</i>	<i>Water Use (in acre-ft)</i>
Cooling, condensing, & refrigeration	_____	_____	_____	_____	_____
Processing, washing, transport	_____	_____	_____	_____	_____
Boiler feed	_____	_____	_____	_____	_____
Incorporated into product	_____	_____	_____	_____	_____
Other	_____	100	_____	_____	_____

<i>Facility Use</i>	<i>% Groundwater</i>	<i>% Surface Water</i>	<i>% Saline Water</i>	<i>% Treated Water</i>	<i>Water Use (in acre-ft)</i>
Cooling tower(s)	_____	_____	_____	_____	_____
Pond(s)	_____	_____	_____	_____	_____
Once through	_____	_____	_____	_____	_____
Sanitary & drinking water	_____	_____	_____	_____	_____
Irrigation & dust control	_____	_____	_____	_____	_____

1. Was fresh water recirculated at this facility?  Yes  No

2. Provide a detailed description of how the water will be utilized in the industrial process.

The water under this water rights permit application is used to 1) test the emergency fire water system and 2) to fight emergency fires should they occur.

3. Estimate the quantity of water consumed in production processes and is therefore unavailable for reuse, discharge, or other means of disposal.

In the event of an emergency fire, it is estimated that approximately 0.6 acre-feet will be used.

4. Monthly water consumption for previous year (in acre-feet).

<i>Month</i>	<i>Diversion Amount</i>	<i>% of Water Returned (If Any)</i>	<i>Monthly Consumption</i>
January	7.3	_____	_____
February	7.1	_____	_____
March	7.1	_____	_____
April	7.1	_____	_____
May	7.1	_____	_____
June	7.1	_____	_____
July	7.1	_____	_____
August	7.3	_____	_____

September	7.1		
October	7.1		
November	7.1		
December	7.1		
<b>Totals</b>	<b>85.6</b>		

5. Projected monthly water consumption for next year (in acre-feet).

<i>Month</i>	<i>Diversion Amount</i>	<i>% of Water Returned (If Any)</i>	<i>Monthly Consumption</i>
January	7.3		
February	7.1		
March	7.1		
April	7.1		
May	7.1		
June	7.1		
July	7.1		
August	7.3		
September	7.1		
October	7.1		
November	7.1		
December	7.1		
<b>Totals</b>	<b>85.6</b>		

*B. Specific and Quantified Conservation Goal*

Water conservation goals for the industrial sector are generally established either for (1) the amount of water recycled, (2) the amount of water reused, or (3) the amount of water not lost or consumed, and therefore is available for return flow.

1. Water conservation goal (water use efficiency measure)

Type of goal(s): The goal for the surface water used to test the fire water system is to have as near to 100% returned to the source water body.

% reused water

100 % of water not consumed and therefore returned

Other (specify)

2. Provide specific, quantified 5-year and 10-year targets for water savings and the basis for development of such goals for this water use/facility.

Targa strives for safe operations every day and implements multiple safety practices to minimize the occurrence of fires and other emergencies. The goal for this surface water use is 100% return to the source after testing of fire water pumps and lines.

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

- a. 5-year goal: 100%, all surface water from pump testing is returned to the source
- b. 10-year goal: 100%, all surface water from pump testing is returned to the source

3. 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%.

Pump rates and run times are monitored and recorded to document volumes taken up by the fire water system. Routine checks on fire water system equipment help minimize the frequency of leaks to ensure that as much water is returned back to the source water body as possible. The accuracy is within plus or minus 5%.

4. Provide a description of the leak-detection and repair, and water-loss accounting measures used.

Monitors are visually inspected monthly and during daily operator rounds. If damages are observed, the damaged equipment is repaired or replaced.

5. Describe the application of state-of-the-art equipment and/or process modifications used to improve water use efficiency.

Targa will continue to explore equipment and process modifications that will improve water use efficiency. However, due to the nature of this water use, minimal gains would be expected. Water used for tests is returned to the source, and any water consumed would solely be for emergency purposes.

6. Describe any other water conservation practice, method, or technique which the user shows to be appropriate for achieving the stated goal or goals of the water conservation plan:

Targa regularly implements safety practices and policies to protect people and the environment. All facilities have several methods in place for detecting and preventing hazardous conditions to minimize the risk of fires, which would in turn minimize the need for emergency fire-fighting water.

### **III. 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.



### **III. Water Conservation Plans Submitted with a Water Right Application for New or Additional State Water**

#### **1. Support for proposed use of water with consideration of the water conservation goals of the plan**

The proposed diversion of 85 acre-feet/year from Buffalo Bayou is intended solely for testing the on-site fire water system and for emergency fire response. The Galena Park Marine Terminal has established a conservation goal of 100% return of test water to the source waterbody. Actual consumption is limited to emergency fire use only, which is anticipated to be approximately 0.6 acre-feet/year in the event of a fire. Because routine testing results in the near-total return of diverted water, the proposed use fully aligns with the water conservation goals of maximizing return flow and minimizing consumptive loss.

#### **2. Evaluation of conservation as an alternative to the proposed appropriation**

Water conservation measures have been incorporated into the proposed use of surface water in this Water Right Application. For normal system testing, virtually all diverted water is returned directly to Buffalo Bayou. The only consumptive use would occur during an actual fire event, which is an unavoidable and essential public safety need. Because the system is already operated in a manner that conserves water to the maximum extent practicable, no additional conservation measures could replace the proposed appropriation.

#### **3. Evaluation of other feasible alternatives to new water development**

Several potential alternatives were evaluated:

- Waste prevention and minimization: Water use is limited to safety-critical fire protection, with 100% return of test water, thereby minimizing waste.
- Recycling and reuse: Internal reuse is not feasible because the water must be drawn directly from the source waterbody to test the intake, pumps, and discharge lines under true operating conditions.
- Water transfer and marketing: Purchasing water is not a feasible alternative because the fire water system requires direct intake from Buffalo Bayou to ensure reliable fire protection.
- Regionalization: Fire water systems must be site-specific; a regional system would not meet emergency response needs.
- Optimum management practices: Routine inspection, equipment maintenance, and operator training are in place to minimize leakage and ensure accurate measurement of diversions.

### **Conclusion / Burden of proof**

The applicant demonstrates that no feasible alternative to the proposed appropriation exists. The requested amount of 85 acre-feet/year is necessary to operate and maintain the fire protection system and is reasonable given that nearly all diverted water is returned to Buffalo Bayou after testing. The small volume of water that may be consumed during actual fire events represents an unavoidable public safety use.

Attachment 7  
Deed

10  
Deed  
or

When recorded, hold for:  
Jim Putnam  
Stewart Title Company  
1980 Post Oak Blvd., #110  
Houston, TX 77056

Targa Downstream

20090405947  
09/04/2009 RP2 \$52,000

20090405947  
09/04/2009 RP2 \$52,000

①

**DEED**  
**WITHOUT WARRANTY**

(Harris County)

STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

**TARGA MIDSTREAM SERVICES LIMITED PARTNERSHIP**, a Delaware limited partnership (formerly known as Dynegy Midstream Services, Limited Partnership) ("**Grantor**"), with offices at 1000 Louisiana Street, Suite 4300, Houston, Texas 77002, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto TARGA DOWNSTREAM LP, a Delaware limited partnership ("**Grantee**"), with offices at 1000 Louisiana Street, Suite 4300, Houston, Texas 77002, the real property in Harris County, Texas, fully described in Exhibit A attached hereto, together with all rights, titles, and interests appurtenant thereto (collectively, the "**Property**").

(13)  
10R

ll

This Deed and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject to all matters of record or that a current survey of the Property would show, to the extent the same are validly existing and applicable to the Property.

**GRANTOR HAS EXECUTED AND DELIVERED THIS DEED AND HAS CONVEYED THE PROPERTY, AND GRANTEE HAS ACCEPTED THIS DEED AND HAS PURCHASED THE PROPERTY, "AS IS," "WHERE IS" AND "WITH ALL FAULTS," AND WITHOUT REPRESENTATIONS OR WARRANTIES WHATSOEVER, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF TITLE AND THE CONDITION AND STATE OF REPAIR OF THE PROPERTY OR ANY IMPROVEMENTS THEREON, OF THEIR QUALITY, OF THEIR MERCHANTABILITY, AND OF THEIR SUITABILITY OR FITNESS FOR ANY USE OR PURPOSE.**

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns, forever.

This Deed Without Warranty shall be governed by and construed in accordance with the laws of the State of Texas without regard to any conflict or choice of law principles that would apply the substantive law of another jurisdiction.

127# 09/21/567 Jlab  
Unit 41

Hold For: ✓  
**STEWART TITLE-HOUSTON**  
**COMMERCIAL**

REP 067-42-0203

EXECUTED on the date set forth in the acknowledgement below, but effective as of August 31, 2009.

TARGA MIDSTREAM SERVICES  
LIMITED PARTNERSHIP

2)  
10R

By: Targa Midstream GP LLC, its  
General Partner

10R

*MJM*

By: *Matthew J. Meloy*  
Name: Matthew J. Meloy  
Title: Vice President – Finance and Treasurer

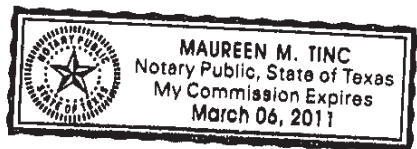
STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

This instrument was acknowledged before me on this 27<sup>th</sup> day of August, 2009, by Matthew J. Meloy, the Vice President – Finance and Treasurer of Targa Midstream GP LLC, a Delaware limited liability company, as General Partner of Targa Midstream Services Limited Partnership, a Delaware limited partnership, on behalf of said limited liability company and limited partnership.

*Maureen M. Tinc*  
Notary Public, State of Texas

My commission expires: 3/6/11

Exhibits:  
  
Exhibit A – Description of Property



REP 067-42-0204

**EXHIBIT A**

Description of Property  
Galena Park Terminal

TRACT I:

FIELD NOTES of a 138.775 acre tract of land situated in the Harris and Wilson Survey, Abstract No. 31, Harris County, Texas, and being out of and part of the following tracts of land: D

1. A called 150.556 acre tract of land called Tract 4 in a deed from William M. Rice Institute to Warren Petroleum Corporation and recorded in Volume 2372, Page 558 of the Deed Records of Harris County, Texas.
2. A called 200.472 acre tract of land called Tract 5 in a deed from William M. Rice Institute to Warren Petroleum Corporation and recorded in Volume 2372, Page 558 of the Deed Records of Harris County, Texas.
3. A called 3.948 acre tract of land called Tract 2 in a deed from William M. Rice Institute to Warren Petroleum Corporation and recorded in Volume 2372, Page 558 of the Deed Records of Harris County, Texas.

This 138.775 acre tract of land is more particularly described by metes and bounds as follows, to wit:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 1927 DATUM, AS DEFINED IN ARTICLE 5300A OF THE REVISED CIVIL STATUTES OF THE STATE OF TEXAS. ALL DISTANCES ARE ACTUAL DISTANCES. REFERENCE IS MADE TO PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a brass cap found for the most Westerly Northwest corner of this tract of land, the most Westerly Northwest corner of said 150.556 acres, and in the East line of Federal Road, right-of-way width varies, having a State Plane Coordinate System Value of Y equals 715,847.97 and X equals 3,201,736.78;

THENCE North 72 deg. 32 min. 59 sec. East with the North line of this tract, the North line of said 150.556 acres, and a South line of said Federal Road a distance of 41.22 feet to a brass cap found in concrete for an interior corner of this tract of land, an interior corner of said 150.556 acres, and a corner of said Federal Road;

THENCE North 03 deg. 30 min. 37 sec. West with the West line of this tract of land, the West line of said 150.556 acres, and the East line of said Federal Road a distance of 199.96 feet to a

11 067-42-0205

brass cap found in concrete for the Northwest corner of this tract of land, the Northwest corner of said 150.556 acres, a corner of said Federal Road, and in the Southwest line of a tract of land conveyed to Northside Belt Railway Company by Federal Investment Company by deed dated January 8, 1926, and recorded in Volume 639 at Page 457 of the Deed Records of Harris County, Texas;

THENCE North 72 deg. 22 min. 24 sec. East, with the North line of this tract of land, the North line of said 150.556 acres, and the South line of said Northside Beltway tract a distance of 663.36 feet to a brass cap found in concrete for a corner of this tract, in the North line of said 150.556 acres, and the South line of said Northside Beltway tract. Said corner being the point of curvature of a non-tangent curve, concave South;

THENCE in an Easterly direction along said non-tangent curve, concave South, having a radius of 444.30 feet, a central angle of 70 deg. 57 min. 39 sec., an arc length of 550.27 feet, and a chord bearing and distance of South 82 deg. 03 min. 17 sec. East 515.77 feet to a brass cap found in concrete for a corner of this tract, a corner of said 150.556 acres, in the West line of said Northside Beltway tract;

THENCE South 46 deg. 35 min. 18 sec. East with the Northeast line of this tract, the Northeast line of said 150.556 acres, and the Southwest line of said Northside Beltway tract a distance of 3118.10 feet to a 1 inch iron rod found for the Southeast corner of this tract, the Southeast corner of said 150.556 acres, the Southwest corner of said Northside Beltway tract, and the Northeast corner of an Agreement deed from Warren Petroleum Corporation to Amerada Hess Corporation dated March 29, 1978 and recorded in County Clerk's File Number F 556232 of the Deed Records of Harris County, Texas;

THENCE South 72 deg. 31 min. 13 sec. West with the South line of this tract, the South line of said 150.556 acres, and the North line of said Hess tract a distance of 383.02 feet to a brass cap found in concrete for an interior corner of this tract, the Northwest corner of said Hess tract, and the Northeast corner of said 3.948 acres;

THENCE South 16 deg. 19 min. 11 sec. East with the most Southerly East line of this tract, the East line of said 3.948 acres, the East line of said 200.472 acres, the West line of said Hess tract, and the West line of a 7.0 acre tract of land conveyed to Hess Oil & Chemical Corporation by William March Rice University by deed dated May 25, 1967, and recorded in Volume 6820, Page 367 of the Deed Records of Harris County, Texas at 49.96 feet a brass cap found in concrete for the Southeast corner of said 3.948 acres, at 336.48 feet a "X" marked in concrete found in line in all a total distance of 337.31 feet to the North bank of Hunting Bayou for the most Southerly Southeast corner of this tract, a corner of said 200.472 acres, and the Southwest corner of said 7.0 acres;

THENCE with the meanders and bulkheads of Hunting Bayou the following courses:

South 73 deg. 37 min. 40 sec. West 23.84 feet  
South 16 deg. 38 min. 06 sec. East 196.90 feet  
North 76 deg. 45 min. 09 sec. West 484.75 feet

RP 067-42-0237

North 67 deg. 54 min. 51 sec. West 28.63 feet  
North 82 deg. 42 min. 18 sec. West 371.35 feet  
South 72 deg. 54 min. 05 sec. West 120.94 feet  
South 62 deg. 25 min. 53 sec. West 259.11 feet  
South 15 deg. 13 min. 33 sec. West 276.14 feet  
South 52 deg. 57 min. 44 sec. West 56.90 feet  
South 69 deg. 49 min. 33 sec. West 249.81 feet  
South 70 deg. 25 min. 58 sec. West 41.50 feet  
South 70 deg. 12 min. 05 sec. West 92.06 feet  
North 38 deg. 36 min. 40 sec. West 15.27 feet  
South 72 deg. 11 min. 10 sec. West 174.25 feet  
South 72 deg. 50 min. 18 sec. West 161.61 feet  
South 64 deg. 15 min. 41 sec. West 202.12 feet  
South 67 deg. 49 min. 54 sec. West 105.16 feet  
South 49 deg. 03 min. 10 sec. West 136.69 feet  
South 57 deg. 07 min. 54 sec. West 97.55 feet  
North 72 deg. 58 min. 40 sec. West 127.54 feet  
North 45 deg. 14 min. 54 sec. West 97.04 feet  
South 80 deg. 42 min. 26 sec. West 44.95 feet  
South 15 deg. 43 min. 52 sec. West 36.28 feet  
South 24 deg. 50 min. 59 sec. West 66.06 feet  
South 80 deg. 58 min. 11 sec. West 25.83 feet  
North 69 deg. 41 min. 59 sec. West 51.57 feet  
South 67 deg. 24 min. 13 sec. West 80.21 feet  
South 35 deg. 07 min. 03 sec. West 48.49 feet  
North 00 deg. 37 min. 10 sec. East 380.17 feet  
North 55 deg. 37 min. 09 sec. East 34.56 feet  
North 02 deg. 31 min. 33 sec. West 36.85 feet  
South 70 deg. 42 min. 13 sec. West 15.63 feet  
South 23 deg. 08 min. 07 sec. East 22.20 feet  
South 59 deg. 21 min. 38 sec. West 125.45 feet

South 1 deg. 17 min. 29 sec. West 30.18 feet to a 1/2 inch iron rod set for the Southwest corner of this tract, in the West line of said 200.472 acres, and in the East line of said Federal Road;

THENCE North 03 deg. 31 min. 01 sec. West with the West line of this tract, the West line of said 200.472 acres, the West line of said 150.556 acres, and the East line of said Federal Road at 123.09 feet found a brass cap for the Southwest corner of said 150.556 acres, and the Northwest corner of said 3.948 acres in line in all a total distance of 1172.67 feet to a 1/2 inch iron rod set for a corner of this tract and the Southwest corner of a 36.315 acre tract of land surveyed this day;

THENCE North 85 deg. 32 min. 00 sec. East with a North line of this tract and a South line of said 36.315 acres a distance of 120.60 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;



THENCE North 66 deg. 17 min. 58 sec. East with a North line of this tract and a South line of said 36.315 acres a distance of 240.69 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE North 86 deg. 53 min. 52 sec. East with a North line of this tract and a South line of said 36.315 acres a distance of 175.32 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE South 03 deg. 31 min. 01 sec. East with a East line of this tract and a West line of said 36.315 acres a distance of 656.69 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE North 86 deg. 51 min. 13 sec. East with a North line of this tract and a South line of said 36.315 acres a distance of 260.26 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE South 03 deg. 26 min. 58 sec. East with a East line of this tract and a West line of said 36.315 acres a distance of 92.25 feet to a "X" marked in concrete for a corner of this tract a corner of said 36.315 acres;

THENCE North 86 deg. 01 min. 56 sec. East with a North line of this tract and a South line of said 36.315 acres a distance of 190.22 feet to a PK nail set for corner of this tract and a corner of said 36.315 acres;

THENCE, South 03 deg. 43 min. 45 sec. East with a East line of this tract and a West line of said 36.315 acres a distance of 142.76 feet to a 1/2 inch iron rod set for a Southeast corner of this tract and a Southwest corner of said 36.315 acres in the North line of said 3.948 acres;

THENCE, North 72 deg. 33 min. 49 sec. East with a North line of this tract, the North line of said 3.948 acres, and a South line of said 36.315 acres a distance of 48.67 feet to a 5/8 inch iron rod found for a corner of this tract and a Southeast corner of said 36.315 acres;

THENCE, North 35 deg. 11 min. 41 sec. West with a West line of this tract, and a East line of said 36.315 acres, a distance of 48.31 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, North 03 deg. 42 min. 22 sec. West with a West line of this tract, and a East line of said 36.315 acres, a distance of 209.79 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, North 33 deg. 01 min. 16 sec. East with a West line of this tract, and a East line of said 36.315 acres, a distance of 311.32 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, North 44 deg. 47 min. 26 sec. East with a West line of this tract, and a East line of said 36.315 acres, a distance of 654.42 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, North 03 deg. 11 min. 09 sec. West with a West line of this tract, and a East line of said 36.315 acres, a distance of 439.12 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, North 43 deg. 15 min. 32 sec. East with a Northwest line of this tract, and a Southeast line of said 36.315 acres, a distance of 25.83 feet to a 1/2 inch iron rod set for a corner of this tract of land;

THENCE, North 03 deg. 03 min. 10 sec. West with a West line of this tract, and a East line of said 36.315 acres, a distance of 480.92 feet to a 1/2 inch iron rod set for a corner of this tract and a Northeast corner of said 36.315 acres;

THENCE, South 87 deg. 38 min. 18 sec. West with a South line of this tract, and a North line of said 36.315 acres, a distance of 383.54 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, South 02 deg. 24 min. 44 sec. East with a East line of this tract, and a West line of said 36.315 acres, a distance of 323.21 feet to a "X" marked in concrete for corner of this tract and a corner of said 36.315 acres;

THENCE, South 86 deg. 52 min. 47 sec. West with a South line of this tract of land, and a North line of said 36.315 acres, a distance of 354.64 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, North 03 deg. 08 min. 41 sec. West with a West line of this tract, and a East line of said 36.315 acres, a distance of 319.23 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, South 86 deg. 49 min. 41 sec. West with a South line of this tract, and a North line of said 36.315 acres, a distance of 429.11 feet to a 1/2 inch iron rod set for a Southeast corner of this tract and a Northwest corner of said 36.315 acres;

THENCE, South 03 deg. 31 min. 04 sec. East with a East line of said 36.315 acres of this tract, and a West line a distance of 942.67 feet to a 1/2 inch iron rod set for a corner of this tract and of said 36.315 acres;

THENCE, South 86 deg. 53 min. 52 sec. West with a South line of this tract, and a North line of said 36.315 acres, a distance of 185.79 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres;

THENCE, South 66 deg. 17 min. 59 sec. West with a South line of this tract, and a North line of said 36.315 acres, a distance of 241.43 feet to a 1/2 inch iron rod set for a corner of this tract of land;

THENCE, South 85 deg. 31 min. 57 sec. West with a South line of this tract, and a North line of said 36.315 acres, a distance of 109.43 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 36.315 acres, in the West line of said 150.556 acres, and in the East line of said Federal Road;

THENCE, North 03 deg. 31 min. 01 sec. West with a West line of this tract, the West line of said 150.556 acres, and the East line of said Federal Road a distance of 1722.16 feet to the POINT OF BEGINNING, containing within said boundaries 138.775 acres, more or less.

TRACT II:

Field Notes of a 95.666 acre tract of land situated in the Harris and Wilson Survey, Abstract No. 31, Harris County, Texas, and being out of and a part of a called 200.472 acre tract of land called Tract 5 in a deed from William M. Rice Institute to Warren Petroleum Corporation and recorded in Volume 2372, Page 558 of the Deed Records of Harris County, Texas. This 95.666 acre tract of land is more particularly described metes and bounds as follows, to-wit:

NOTE: ALL BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 1927 DATUM, AS DEFINED IN ARTICLE 5300A OF THE REVISED CIVIL STATUES OF THE STATE OF TEXAS; ALL DISTANCES ARE ACTUAL DISTANCES, REFERENCE IS MADE TO PLAT OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION;

COMMENCING at a brass cap found for the most Westerly Northwest corner of a 150.556 acre tract of land called Tract 4 in a deed from William M. Rice Institute to Warren Petroleum Corporation and recorded in Volume 2372, Page 558 of the Deed Records of Harris County, Texas, and in the East line of Federal Road, right-of-way width varies having a State Plane Coordinate System Value of Y equals to 715,847.97 and X equals 3,201,736.78;

THENCE, South 03 deg. 31 min. 01 sec. East with the West line of said 150.556 acres, and the East line of said Federal Road a distance of 3881.67 feet to a point in the North Bank of Hunting Bayou for the Northwest corner of this tract of land. Said corner being the PLACE OF BEGINNING, having a State Plane Coordinate System Value of equals to 711,974.05 and X equals to 3,201,974.87;

THENCE, with the North and East line of this tract and the meanders of Hunting Bayou the following courses:

North 06 deg. 49 min. 14 sec. East 146.50 feet  
North 10 deg. 09 min. 20 sec. East 116.48 feet  
North 34 deg. 00 min. 59 sec. East 94.01 feet

HP 067-42-0210

REF 067-42-0211

North 55 deg. 39 min. 42 sec. East 97.17 feet  
North 64 deg. 04 min. 00 sec. East 118.76 feet  
North 64 deg. 05 min. 45 sec. East 1124.46 feet  
South 79 deg. 32 min. 43 sec. East 193.72 feet  
South 62 deg. 11 min. 19 sec. East 120.81 feet  
South 80 deg. 40 min. 56 sec. East 167.19 feet  
North 44 deg. 06 min. 01 sec. East 87.09 feet  
North 73 deg. 34 min. 00 sec. East 161.07 feet  
South 68 deg. 27 min. 42 sec. East 368.31 feet  
South 59 deg. 12 min. 40 sec. East 150.69 feet  
South 47 deg. 56 min. 14 sec. East 233.48 feet  
South 47 deg. 55 min. 05 sec. East 170.49 feet  
South 24 deg. 46 min. 20 sec. East 108.94 feet  
South 18 deg. 58 min. 14 sec. West 306.21 feet  
South 09 deg. 33 min. 36 sec. West 294.97 feet  
South 30 deg. 59 min. 53 sec. West 174.56 feet  
South 53 deg. 18 min. 47 sec. West 91.17 feet  
South 31 deg. 36 min. 03 sec. West 128.65 feet  
South 10 deg. 57 min. 32 sec. West 129.10 feet  
South 20 deg. 30 min. 03 sec. West 258.34 feet  
South 35 deg. 44 min. 06 sec. West 105.33 feet  
South 30 deg. 56 min. 47 sec. West 298.70 feet  
South 24 deg. 27 min. 22 sec. West 205.41 feet  
South 14 deg. 16 min. 15 sec. West 267.96 feet  
South 19 deg. 36 min. 10 sec. West 524.48 feet  
South 26 deg. 43 min. 40 sec. West 373.00 feet  
South 13 deg. 43 min. 19 sec. West 272.40 feet  
South 25 deg. 31 min. 40 sec. West 94.51 feet  
South 38 deg. 31 min. 27 sec. West 139.81 feet  
South 43 deg. 56 min. 16 sec. West 163.19 feet

South 56 deg. 04 min. 26 sec. West at 57.79 feet found a fence corner post on line in all a total distance of 58.50 feet to a 1/2 inch iron rod set for the Southwest corner of this tract of land in the East line of said Federal Road;

THENCE, North 02 deg. 29 min. 06 sec. West with the West line of this tract, the West line of said 200.472 acres, and the East line of said Federal Road a distance of 1077.07 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 200.472 acres;

THENCE, North 01 deg. 49 min. 01 sec. West with a West line of this tract, and a West line of said 200.472 acres, and the East line of said Federal Road a distance of 229.85 feet to a 1/2 inch iron rod set for a corner of this tract and a corner of said 200.472 acres;

THENCE, North 41 deg. 15 min. 44 sec. East with the West line of this tract, and a West line of said 200.472 acres, and the East line of said Federal Road a distance of 270.62 feet to a 1/2 inch iron rod set for a corner of this tract, a corner of said 200.472 acres, and a corner of said Federal Road;

THENCE, North 03 deg. 29 min. 26 sec. West with the West line of this tract, and the West line of said 200.472 acres, and the East line of said Federal Road a distance of 288.41 feet to a 1/2 inch iron rod set for a corner of this tract, a corner of said 200.472 acres, and a corner of said Federal Road;

THENCE, North 48 deg. 28 min. 31 sec. West with the West line of this tract, and the West line of said 200.472 acres, and the East line of said Federal Road a distance of 290.45 feet to a 1/2 inch iron rod set for a corner of this tract, a corner of said 200.472 acres, and a corner of said Federal Road;

THENCE, South 87 deg. 14 min. 19 sec. West with a South line of this tract, a South line of said 200.472 acres, and a North line of said Federal Road a distance of 59.03 feet to a 1/2 inch iron rod set for a corner of this tract, a corner of said 200.472 acres, and a corner of said Federal Road;

THENCE, North 03 deg. 28 min. 01 sec. West with the West line of this tract, and the West line of said 200.472 acres, and the East line of said Federal Road a distance of 418.03 feet to a 1/2 inch iron rod set for a corner of this tract, a corner of said 200.472 acres, and a corner of said Federal Road;

THENCE, South 87 deg. 30 min. 29 sec. West with a South line of this tract, a South line of said 200.472 acres, and a North line of said Federal Road a distance of 59.21 feet to a corner of this tract, a corner of said 200.472 acres, and a corner of said Federal Road;

THENCE, North 03 deg. 31 min. 01 sec. West with the West line of this tract, and the West line of said 200.472 acres, and the East line of said Federal Road a distance of 1181.87 feet to the POINT OF BEGINNING, containing within said boundaries 95.666 acres, more or less.

HP 067-42-0212

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.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in the number Sequence on the date and at the stamped herein by me, and was duly RECORDED, in the Official Public Records of Real Property of Harris County Texas on

SEP - 4 2009



*Dorely B. Kephart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

COUNTY CLERK  
HARRIS COUNTY, TEXAS

*Dorely B. Kephart*

2009 SEP - 4 PM 11:43

FILED

The following pages show record of change from Targa Downstream LP to Targa Downstream LLC (Applicant)

# Delaware

20110454292  
10/28/2011 RP2 \$20.00

PAGE 1

The First State

2  
Cert  
w

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF *la*  
DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND  
CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE  
LIMITED PARTNERSHIP UNDER THE NAME OF "TARGA DOWNSTREAM LP" TO A  
DELAWARE LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM *lee*  
"TARGA DOWNSTREAM LP" TO "TARGA DOWNSTREAM LLC", FILED IN THIS  
OFFICE ON THE TWENTY-EIGHTH DAY OF JULY, A.D. 2011, AT 7:37  
O'CLOCK A.M.

RR 079-60-0299

✓✓

*Reti Targa*

*1000 Louisiana Ste 4300*

*Houston, TX 77002*



4067414 8100V

110865721

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

*[Signature]*  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 8931945

DATE: 07-28-11

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 07:48 AM 07/28/2011  
FILED 07:37 AM 07/28/2011  
SRV 110865721 - 4067414 FILE

**CERTIFICATE OF CONVERSION**  
**FROM A LIMITED PARTNERSHIP TO A LIMITED LIABILITY COMPANY**  
**OF**  
**TARGA DOWNSTREAM LP**

Pursuant to the provisions of Section 17-219 of the Delaware Revised Uniform Limited Partnership Act and Section 18-214 of the Delaware Limited Liability Company Act, Targa Downstream LP, a Delaware limited partnership (the "*Company*"), hereby executes this Certificate of Conversion (this "*Certificate*"), dated July 28, 2011, for the purpose of converting (the "*Conversion*") the Company to a limited liability company (the "*Limited Liability Company*") and, in connection therewith, certifies as follows:

1. The jurisdiction where the Company was first formed is the State of Delaware.
2. The jurisdiction of the Company immediately prior to filing this Certificate is the State of Delaware.
3. The date the Company was first formed is November 28, 2005.
4. The name of the Company immediately prior to filing this Certificate is Targa Downstream LP.
5. The name of the Limited Liability Company as set forth in the Certificate of Formation is "Targa Downstream LLC".
6. The effective time and date of the Conversion shall be 8:01 a.m. (Central time) on July 28, 2011.

IN WITNESS WHEREOF, the undersigned has executed this Certificate as of the date first set forth above.

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.  
THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas.




OCT 28 2011

*Stan Stewart*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

US 923842v.2

TARGA DOWNSTREAM LP

By: Targa Downstream GP LLC,  
its general partner

By:   
Name: Rene R. Joyce  
Title: Chief Executive Officer

RECORDER'S MEMORANDUM:  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

FILED FOR RECORD  
8:00 AM

OCT 28 2011

*Stan Stewart*  
County Clerk, Harris County, Texas

MP 079-60-0300



Attachment 8  
Public Involvement Plan Form



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.

### Section 3. Application Information

#### Type of Application (check all that apply):

Air  Initial  Federal  Amendment  Standard Permit  Title V

Waste  Municipal Solid Waste  Industrial and Hazardous Waste  Scrap Tire  
 Radioactive Material Licensing  Underground Injection Control

#### Water Quality

- Texas Pollutant Discharge Elimination System (TPDES)
  - Texas Land Application Permit (TLAP)
  - State Only Concentrated Animal Feeding Operation (CAFO)
  - Water Treatment Plant Residuals Disposal Permit
- Class B Biosolids Land Application Permit
- Domestic Septage Land Application Registration

#### Water Rights New Permit

- New Appropriation of Water
- New or existing reservoir

#### Amendment to an Existing Water Right

- Add a New Appropriation of Water
- Add a New or Existing Reservoir
- Major Amendment that could affect other water rights or the environment

### Section 4. Plain Language Summary

Provide a brief description of planned activities.

## Section 5. Community and Demographic Information

Community information can be found using EPA's EJ Screen, U.S. Census Bureau information, or generally available demographic tools.

**Information gathered in this section can assist with the determination of whether alternative language notice is necessary. Please provide the following information.**

(City)

(County)

(Census Tract)

Please indicate which of these three is the level used for gathering the following information.

City

County

Census Tract

(a) Percent of people over 25 years of age who at least graduated from high school

(b) Per capita income for population near the specified location

(c) Percent of minority population and percent of population by race within the specified location

(d) Percent of Linguistically Isolated Households by language within the specified location

(e) Languages commonly spoken in area by percentage

(f) Community and/or Stakeholder Groups

(g) Historic public interest or involvement

## Section 6. Planned Public Outreach Activities

(a) Is this application subject to the public participation requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 39?

Yes  No

(b) If yes, do you intend at this time to provide public outreach other than what is required by rule?

Yes  No

If Yes, please describe.

**If you answered "yes" that this application is subject to 30 TAC Chapter 39, answering the remaining questions in Section 6 is not required.**

(c) Will you provide notice of this application in alternative languages?

Yes  No

**Please refer to Section 5. If more than 5% of the population potentially affected by your application is Limited English Proficient, then you are required to provide notice in the alternative language.**

If yes, how will you provide notice in alternative languages?

- Publish in alternative language newspaper
- Posted on Commissioner's Integrated Database Website
- Mailed by TCEQ's Office of the Chief Clerk
- Other (specify)

(d) Is there an opportunity for some type of public meeting, including after notice?

Yes  No

(e) If a public meeting is held, will a translator be provided if requested?

Yes  No

(f) Hard copies of the application will be available at the following (check all that apply):

- TCEQ Regional Office  TCEQ Central Office
- Public Place (specify)

## Section 7. Voluntary Submittal

For applicants voluntarily providing this Public Involvement Plan, who are not subject to formal public participation requirements.

Will you provide notice of this application, including notice in alternative languages?

Yes  No

What types of notice will be provided?

- Publish in alternative language newspaper
- Posted on Commissioner's Integrated Database Website
- Mailed by TCEQ's Office of the Chief Clerk
- Other (specify)