

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): Coldspring Ranch 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).

Y/N

Administrative Information Report

Additional Co-Applicant Information

Additional Co-Applicant Signature Pages

Written Evidence of Signature Authority

Technical Information Report

USGS Map (or equivalent)

Map Showing Project Details

Original Photographs

Water Availability Analysis

Worksheet 1.0

Recorded Deeds for Irrigated Land

Consent for Irrigated Land

Worksheet 1.1

Addendum to Worksheet 1.1

Worksheet 1.2

Worksheet 2.0

Additional W.S. 2.0 for Each Reservoir

Dam Safety Documents

Notice(s) to Governing Bodies

Recorded Deeds for Inundated Land

Consent for Inundated Land

Y/N

Worksheet 3.0

Additional W.S. 3.0 for each Point

Recorded Deeds for Diversion Points

Consent for Diversion Access

Worksheet 4.0

TPDES Permit(s)

WWTP Discharge Data

Groundwater Well Permit

Signed Water Supply Contract

Worksheet 4.1

Worksheet 5.0

Addendum to Worksheet 5.0

Worksheet 6.0

Water Conservation Plan(s)

Drought Contingency Plan(s)

Documentation of Adoption

Worksheet 7.0

Accounting Plan

Worksheet 8.0

Fees

Public Involvement Plan

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Water Availability Division

ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

- New Appropriation of State Water
 Amendment to a Water Right *
 Bed and Banks

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

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

Applicant is requesting an authorization to impound up to 308.9 acre-feet of water in an existing on-channel reservoir, herein named Horseshoe Lake, located on an unnamed tributary of Huffman Creek, in the Trinity River Basin, for a recreational purpose of use in San Jacinto County.

Groundwater pumped from an existing well will be conveyed through a pipeline and discharged anywhere along the perimeter of Horseshoe Lake to maintain Horseshoe Lake water levels, which will ensure no use of state surface water. The existing well has a registration permit (permit no. EW#2830) from the Lower Trinity Groundwater Conservation District.

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?

Coldspring Ranch 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: CN606296127 (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: Dennis Carey

Title: Vice President

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: Coldspring Ranch LLC

Mailing Address: 977 Stagecoach Road

City: Oglethorpe State: GA ZIP Code: 31068

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: 32104915064 SOS Charter (filing) Number: 806499533

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: Frank Schalla

Title: Senior Associate

Organization Name: Hazen and Sawyer

Mailing Address: 13341 W US HWY 290, BLDG 2

City: Austin State: TX ZIP Code: 78737

Phone Number: (469) 408-5313

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: _____

Organization Name: _____

Mailing Address: _____

City: _____ State: _____ ZIP Code: _____

Phone Number: _____

Fax Number: _____

E-mail Address: _____

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

- a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.
1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No** No
If **yes**, provide the following information:
Account number: _____ Amount past due: _____
2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No** No
If **yes**, please provide the following information:
Enforcement order number: _____ Amount past due: _____
- b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>
Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No** Yes
- c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5). Applicants should check survey status on the TWDB website prior to filing:
https://www3.twdb.texas.gov/apps/reports/WU_REP/SurveyStatus_PriorThreeYears
Applicant has submitted all required TWDB surveys of groundwater and surface water?
Yes / No Yes

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Dennis Carey

Vice President

(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: *Dennis Carey*
(Use blue ink)

Date: 4/17/2026

Subscribed and Sworn to before me by the said

on this 17th day of April, 2026.

My commission expires on the 26 day of October, 2028.

April H. Cross

Notary Public

Macon Co. Georgia
County, Texas



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

TECHNICAL INFORMATION REPORT WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, Applicants are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are REQUIRED to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please contact the Water Availability Division at (512) 239-4600 or WRPT@tceq.texas.gov to schedule a meeting.

Date of pre-application meeting: 1/9/2025

I. 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: _____)

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

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

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

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

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

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

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

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

Water Right (Certificate or Permit) number you are requesting to amend: 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 (if yes, complete chart below):

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

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

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

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
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
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

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 / NN *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/NN

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 / NN

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 / NN

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 / NN

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 / NN

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 water right application is proposing to use groundwater to maintain Horseshoe Lake reservoir water levels to ensure no state surface water use will occur. There are no current or projected water needs listed in the 2022 State Water Plan for San Jacinto County. As this application does not propose using any state surface water, this application does not conflict with the 2026 Region H Water Plan and does not conflict with the 2022 State Water Plan.

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

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

See Statement 1 Supplemental Attachment for a description of the Water Availability Analysis.

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>
91.0	Groundwater from Evangeline Aquifer	Recreation	San Jacinto County

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

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

a. Location Information Regarding the Lands to be Irrigated

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

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

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

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

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

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

Quantity (acre-feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**

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

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

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

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

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

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

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

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

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

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

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

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

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

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

- 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__
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N__
- 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__
- 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__

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: 308.9.
- c. The impoundment is on-channel or off-channel _____ (mark one)
 - i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / NN
 - 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 / NN
See Statement 2 in Supplemental Attachment to Worksheet 2.0
- d. Is the impoundment structure already constructed? Y / NY
 - i. For already constructed **on-channel** structures:
 1. Date of Construction: Estimated in 2013 or 2014
 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / NN
 - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
 - b. If No, has the structure been issued a notice of violation by TCEQ? Y / NY
 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / NN
 - a. If yes, provide the Site No. _____ and watershed project name _____;
 - b. Authorization to close "ports" in the service spillway requested? Y / NN
 - ii. For **any** proposed new structures or modifications to structures:
 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N
Provide the date and the name of the Staff Person _____
 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
 - a. No additional dam safety documents required with the Application. Y / N
 - b. Plans (with engineer's seal) for the structure required. Y / N
 - c. Engineer's signed and sealed hazard classification required. Y / N
 - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N
- iii. Additional information required for **on-channel** storage:
1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 35.4.
 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 Y
If yes, the drainage area is 0.9 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): Unnamed tributary to Huffman Creek
- b. Zip Code: 77371
- c. In the JOHN STEWART Original Survey No. , Abstract No. 52,
San Jacinto 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 30.558485 °N, Longitude 95.016103 °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): GIS
- ii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

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 _____ gpm (gallons per minute)

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

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

*** 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 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 _____

If yes, the drainage area is _____ sq. miles.
(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): _____
- b. Zip Code: _____
- c. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure.

For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude _____°N, Longitude _____°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): _____
- 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 maintaining reservoir water levels.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses ⁰ _____ (% or amount) and explain the method of calculation: Groundwater will be conveyed through a pipeline and discharged anywhere along the perimeter of reservoir
- c. Is the source of the discharged water return flows? Y / NN If yes, provide the following information:
 1. The TPDES Permit Number(s). _____ (attach a copy of the **current** TPDES permit(s))
 2. Applicant is the owner/holder of each TPDES permit listed above? Y / N _____

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

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
 4. The percentage of return flows from groundwater _____, surface water _____?
 5. If any percentage is surface water, provide the base water right number(s) _____.
- d. Is the source of the water being discharged groundwater? Y / NY If yes, provide the following information:
1. Source aquifer(s) from which water will be pumped: Evangeline Aquifer
 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 Lower Trinity Groundwater Conservation District Registration Permit no. EW#2830.
 3. Indicate how the groundwater will be conveyed to the stream or reservoir.

Groundwater will be conveyed through a pipeline and discharged anywhere along the perimeter of the reservoir
 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.

See Exhibit 3 for well registration permit
- di. Is the source of the water being discharged a surface water supply contract? Y / NN
If yes, provide the signed contract(s).

dii. Identify any other source of the water _____

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

This worksheet is required for **each** discharge point. Submit one Worksheet 4.1 for each discharge point. If there is more than one discharge point, the numbering of the points should be consistent throughout the application and on any supplemental documents (e.g., maps).
Instructions, Page 27.

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is 91.0 acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of _____ cfs or 155.0 gpm.
- c. Name of Watercourse as shown on Official USGS maps: Unnamed tributary of Huffman Creek
- d. Zip Code 77371
- e. Location of point: In the JOHN STEWARD Original Survey No. _____, Abstract No. 52, San Jacinto County, Texas.
- f. Point is at:
Latitude 30.558485 °N, Longitude 95.016103 °W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- g. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): GIS

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

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

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

N/A

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

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

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

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

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

a. For all bed and banks applications:

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

b. For all alternate source applications:

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

Data provided for well no. 1 (Registration Permit no. EW#2830), shown on Map 1.

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L	11.3	11.3	1	Well grab	2/23/2024 10am
Chloride, mg/L	17.8	17.8	1	Well grab	2/23/2024 10am
Total Dissolved Solids, mg/L	264	264	1	Well grab	2/23/2024 10am
pH, standard units	7.36	7.36	1	Well grab	2/23/2024 10am
Temperature*, degrees Celsius	22	22	1	Well grab	2/23/2024 10am

* 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 231 ft (estimated) and the name of the aquifer from which water is withdrawn Evangeline Aquifer.

See Exhibit 4 for well no. 1 water quality values from a TCEQ accredited laboratory.

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

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

The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):

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

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

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

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

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

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

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

2. Drought Contingency Plans

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

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4600 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

1. Is Accounting Plan Required

Accounting Plans are generally required:

- For applications that request authorization to divert large amounts of water from a single point where multiple diversion rates, priority dates, and water rights can also divert from that point;
- For applications for new major water supply reservoirs;
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan;
- For applications with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and
- For reuse applications.

2. Accounting Plan Requirements

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

WORKSHEET 8.0 CALCULATION OF FEES

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

1. NEW APPROPRIATION

	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . <u>In Acre-Feet</u> a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	\$100
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x <u>308.9</u> acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	\$308.90
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
TOTAL		\$ 433.90

2. AMENDMENT OR SEVER AND COMBINE

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

3. BED AND BANKS

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



Texas Commission on Environmental Quality

Public Involvement Plan Form for Permit and Registration Applications

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

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

Section 1. Preliminary Screening

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

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

Section 2. Secondary Screening

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

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

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

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

Public Involvement Plan is not applicable because the application is not considered to have significant public interest and is not within any of the geographic locations stated above in Section 2.

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?

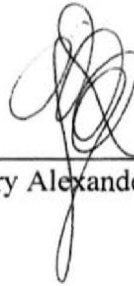
- Publish in alternative language newspaper
- Posted on Commissioner's Integrated Database Website
- Mailed by TCEQ's Office of the Chief Clerk
- Other (specify)

Exhibit 1 – Written Evidence of Signature Authority

Appointment of Dennis Carey as Vice President of
Coldspring Ranch LLC

The undersigned Gregory Alexander, being the managing member of Coldspring Ranch LLC (the "Company"), does hereby appoint Dennis Carey as Vice President of the Company and does hereby authorize and empower Dennis Carey, as Vice President, to execute and deliver on behalf of the Company all agreements, instruments, applications and other documents advisable, necessary or requested in connection with all matters relating to water, electricity and other utilities and services on behalf of the Company.

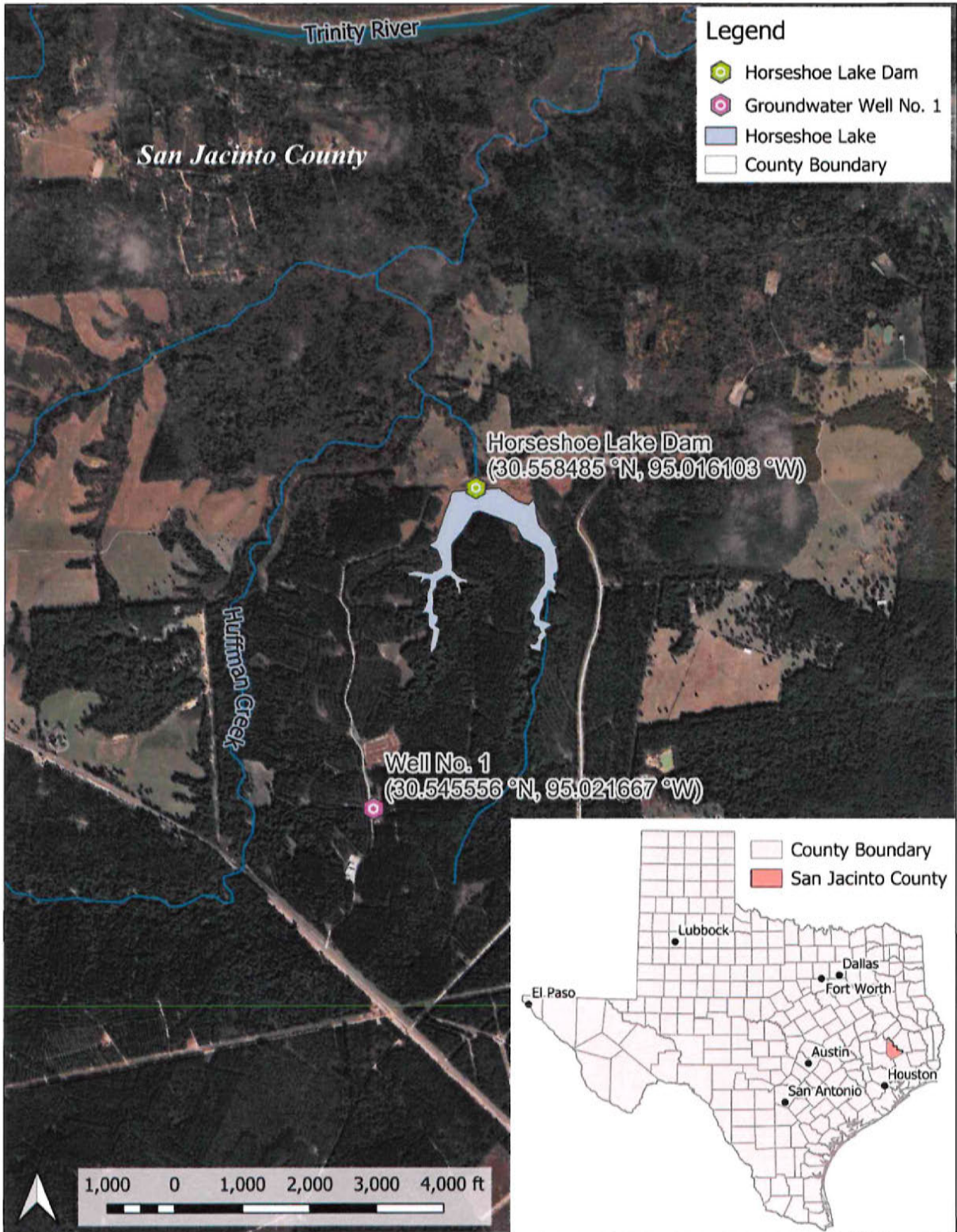
Executed as of May 1, 2025



Gregory Alexander

MAP SHOWING PROJECT DETAILS

Map 1: Overview of Horseshoe Lake, and groundwater well no. 1 associated with the application.



STATEMENT 1
SUPPLEMENTAL ATTACHMENT TO TECHNICAL INFORMATION REPORT
WATER AVAILABILITY ANALYSIS

As written in the Summary of Request, only groundwater will be used to maintain Horseshoe Lake water levels. To ensure that sufficient groundwater is available to replace reservoir evaporation losses without using state surface water, the TCEQ Full Authorization (run 3) Trinity River Basin Water Availability Model (herein WAM) was used.

The WAM was accessed from TCEQ's website on 6/14/2024. The WAM has a hydrologic period of record from 1940 through 1996. The WAM's monthly net reservoir evaporation-precipitation depths from the EV Record at control point EV712 were used herein. The EV Record at control point EV712 represents a gridded quadrangle that fully overlaps Horseshoe Lake.

A bathymetric survey of Horseshoe Lake, conducted by Aqua Strategies (now Hazen and Sawyer) in 2022, calculated a maximum surface area of 35.4 acres, which corresponds to its normal pool elevation of 123.1 ft.

Since only groundwater will be used to maintain Horseshoe Lake water levels, the reservoir will always remain at its normal pool elevation of 123.1 ft, which corresponds to a constant reservoir surface area of 35.4 acres. A time series of WAM net reservoir evaporation-precipitation depths were multiplied by Horseshoe Lake's constant surface area of 35.4 acres to calculate monthly net evaporation-precipitation volumes from 1940 through 1996. A positive monthly value represents net evaporation losses, while a negative value represents net precipitation gains. Since it is assumed that groundwater is being used to keep the reservoir full and at its normal pool elevation, any period with precipitation gains would result in water spilling downstream of Horseshoe Lake and no groundwater being required to refill Horseshoe Lake. Because of this, any periods with negative net evaporation-precipitation values were set equal to zero.

From the calculated time series of monthly net evaporation-precipitation volumes, the maximum annual reservoir evaporation loss at Horseshoe Lake is 91.0 acre-feet. This is equal to the maximum annual volume of groundwater needed to ensure no use of state surface water at Horseshoe Lake. This maximum annual volume occurred in 1988. From the calculated monthly time series, the maximum monthly volume of groundwater needed to replace the maximum monthly reservoir evaporation losses at Horseshoe Lake is 21.2 acre-feet, which when averaged across the month is equal to 155.0 gallons per minute. This maximum month occurred in October of 1952.

STATEMENT 2
SUPPLEMENTAL ATTACHMENT TO WORKSHEET 2.0
IMPOUNDMENT / DAM INFORMATION

Horseshoe Lake has the ability to pass State Water inflows when water levels are at or above water elevation 123.1 feet. The surface water elevation of 123.1 feet corresponds to a Horseshoe Lake normal operating capacity of 308.9 acre-feet. Below elevation 123.1 feet there is no ability to pass State Water inflows.

**Exhibit 2 – Recorded Deed and Legal Description of Land where Impoundment Structure
and Reservoir Inundation is Located**

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

SPECIAL WARRANTY DEED

STATE OF TEXAS §
 §
COUNTY OF SAN JACINTO §

GREENFIELD RESOURCES, L.L.C., a Louisiana limited liability company ("Grantor"), in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and does GRANT, BARGAIN, SELL, AND CONVEY to COLDSRING RANCH LLC, a Delaware limited liability company ("Grantee"), the real property in San Jacinto County, Texas, fully described in Exhibit A, together with (1) all buildings, structures, fixtures, and improvements located on, in, or under the real property, and (2) all of Grantor's right, title, and interest in and to the appurtenances to the real property, including but not limited to all right, title, and interest of Grantor in and to all roads, rights-of-way, alleys, drainage facilities, easements, and utility facilities on, in, over, under, through, or adjoining the real property; all oil, gas, and other minerals under the real property; all strips and gores between the described real property and abutting properties; and all utility, access, and development rights (collectively, "Property").

This Special Warranty Deed and the conveyance above are executed by Grantor and accepted by Grantee subject to any and all restrictions, easements, mineral reservations, and other matters of record, to the extent they are validly existing and applicable to the Property (collectively, "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances to it in any way belonging, to Grantee, its successors, and its assigns forever, and Grantor binds itself, its successors, and its assigns to WARRANT AND FOREVER DEFEND all and singular the title to the Property to Grantee, its successors, and its assigns against any person lawfully claiming or to claim the same or any part of it, by, through, or under Grantor, but not otherwise, subject to the Permitted Exceptions.

GRANTOR IS CONVEYING THE PROPERTY TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS, OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE, OR TYPE FROM OR ON BEHALF OF GRANTOR, EXCEPT FOR GRANTOR'S SPECIAL WARRANTY OF TITLE STATED ABOVE. GRANTEE ACKNOWLEDGES AND STIPULATES THAT GRANTEE IS NOT RELYING ON ANY REPRESENTATION, STATEMENT, OR OTHER ASSERTION ABOUT THE CONDITION OF THE PROPERTY MADE BY GRANTOR, OR ANYONE ACTING ON GRANTOR'S BEHALF, BUT IS RELYING ON GRANTEE'S OWN EXAMINATION OF THE PROPERTY.

Handwritten initials: *TH/US*

Grantee, by its acceptance of this Special Warranty Deed, assumes payment of all standby charges, ad valorem taxes, and assessments for the 2023 calendar year and later calendar years not yet due and payable, each to the extent attributable to all or part of the Property.

Grantee's address is: 977 Stagecoach Road, Oglethorpe, GA 31068.

[SIGNATURE PAGE TO FOLLOW]



EXECUTED as of January 10, 2023.

GRANTOR:

GREENFIELD RESOURCES, L.L.C.

By: *William Pecue II*
William Pecue II
Managing Member

STATE OF ~~TEXAS~~ LOUISIANA §
PARISH §
COUNTY OF ORLEANS §

Before me, the undersigned, a Notary Public in and for the State of ^{Louisiana} ~~Texas~~, on this day personally appeared William Pecue II, Managing Member of Greenfield Resources, L.L.C., a Louisiana limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed it as the act of said limited partnership, for the purposes and consideration expressed in the instrument, and in the capacity stated in it.

Given under my hand and seal of office, this 10th day of January, 2023.

T. Mouldoux
Notary Public, State of ~~Texas~~ Louisiana

After recording, return to:

Republic Title of Texas, Inc.
Attn: Jeff Porter
2626 Howell St., 10th Floor
Dallas, TX 75204

Taylor P Mouldoux, ESQ
Notary Public
State of Louisiana
Bar Roll Number 31889
Commission is for life.

EXHIBIT A

BEING 853.194 ACRES OF LAND SITUATED IN THE STATE OF TEXAS, COUNTY OF SAN JACINTO, 656.565 ACRES BEING A PART OF THE JOHN STEWART SURVEY, A-52, AND 196.629 ACRES BEING A PART OF THE JERUSHA HARDIN SURVEY, A-378, AND BEING THE TOTAL COMBINED ACREAGE OF THE 825.728 ACRES DESCRIBED IN DEED TO ROOD HOLDINGS, L.L.C. RECORDED UNDER CLERK'S FILE NO. 2012004903, PAGE 19714 OF THE SAN JACINTO COUNTY OFFICIAL PUBLIC RECORDS, AND THE CALLED 33.33 ACRES (27.466 ACRES BY RESURVEY) DESCRIBED IN DEED TO ROOD HOLDINGS, L.L.C. RECORDED UNDER CLERK'S FILE NO. 2012005873, PAGE 23916 OF SAID OFFICIAL PUBLIC RECORDS, AND THIS 853.194 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE SET IN THE CENTERLINE OF BOB MCGOWEN ROAD (A COUNTY MAINTAINED ROADWAY) MARKING THE MOST EASTERN NORTHEAST CORNER OF SAID 825.728 ACRES AND THE NORTHWEST CORNER OF THE CALLED 80.000 ACRE TRACT DESCRIBED IN DEED TO DAVID STETSON AND WIFE, DORINDA STETSON, RECORDED UNDER CLERK'S FILE NO. 04-3088, PAGE 13123 OF SAID OFFICIAL PUBLIC RECORDS, LOCATED ON THE SOUTH LINE OF THE CALLED 125.053 ACRES DESCRIBED IN DEED TO AURORA GILLEY RECORDED UNDER CLERK'S FILE NO. 07-7682, PAGE 31605 OF SAID OFFICIAL RECORDS, FROM SAID RAILROAD SPIKE A 1/2" IRON ROD SET FOR REFERENCE BEARS SOUTH 85° 27' 28" WEST 30.00 FT., SAID POINT BEING THE MOST EASTERN NORTHEAST CORNER OF THE HEREIN DESCRIBED 853.194 ACRE TRACT;

THENCE ALONG THE CENTERLINE OF SAID BOB MCGOWEN ROAD, SAME BEING THE COMMON LINE BETWEEN SAID 825.728 ACRES AND SAID STETSON CALLED 80.00 ACRES, AS FOLLOWS:

SOUTH 04° 25' 14" EAST 25.97 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 39° 44' 07" WEST 581.61 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 30° 29' 13" WEST 119.58 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 25° 26' 32" WEST 187.76 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 14° 59' 57" WEST 119.82 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 22° 43' 25" EAST 77.70 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 32° 16' 43" EAST 336.65 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 21° 17' 08" EAST 198.31 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 14° 49' 43" EAST 268.28 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 00° 57' 08" EAST 361.16 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 07° 52' 02" WEST 361.93 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 17° 18' 43" WEST 466.36 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 14° 42' 02" WEST 219.22 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 08° 22' 46" WEST 252.75 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 03° 07' 57" WEST 290.99 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 01° 22' 08" EAST 956.89 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 02° 13' 27" WEST, AT 86.47 FT. PASS THE WEST COMMON CORNER BETWEEN SAID STETSON 80.00 ACRES AND THE CALLED 309.5206 ACRES DESCRIBED IN DEED TO JEFFERSON C. LANGHAM AND WIFE, BRENDA LANGHAM, RECORDED UNDER CLERK'S FILE NO. 05-2369, PAGE 10180 OF SAID OFFICIAL PUBLIC RECORDS, AND CONTINUING ALONG THE CENTERLINE OF SAID BOB MCGOWEN ROAD, SAME BEING THE COMMON

LINE BETWEEN SAID 825.726 ACRES AND LANGHAM CALLED 309.5206 ACRES, IN ALL A TOTAL DISTANCE OF 687.94 FT. TO AN ANGLE POINT IN SAID CENTERLINE;

SOUTH 07° 53' 30" WEST 219.27 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 16° 21' 37" WEST 177.52 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 23° 26' 25" WEST 235.68 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 33° 45' 37" WEST 209.07 FT. TO AN ANGLE POINT IN SAID CENTERLINE;
SOUTH 43° 40' 09" WEST 3,244.58 FT. ALONG THE EAST LINE OF SAID 825.728 ACRE TRACT, COMMON IN PART WITH THE WEST LINES OF SAID LANGHAM CALLED 309.5206 ACRES, THE RESIDUE OF THE CALLED 67.84 ACRES DESCRIBED IN DEED TO INTERNATIONAL PAPER COMPANY RECORDED UNDER CLERK'S FILE NO. 03-5939, PAGE 25673 OF SAID OFFICIAL PUBLIC RECORDS, AND THE CALLED 21.01 ACRES DESCRIBED IN DEED TO BRP, LLC RECORDED UNDER CLERK'S FILE NO 10-3312, PAGE 13476 OF SAID OFFICIAL PUBLIC RECORDS, TO THE INTERSECTION OF SAID CENTERLINE WITH THE CENTERLINE OF F. M. HIGHWAY NO. 222 (100 FT. WIDE RIGHT-OF-WAY DESCRIBED AS "PARCEL NO. 1" IN VOLUME 118, PAGE 652 OF THE SAN JACINTO COUNTY DEED RECORDS), SAID POINT MARKING THE SOUTHEAST CORNER OF SAID 825.728 ACRE TRACT, LOCATED ON THE NORTHEAST LINE OF THE LANDS DESCRIBED AS "ITC PARCEL 2.10" IN DEED TO RED TOWN TIMBERLANDS RECORDED UNDER CLERK'S FILE NO. 10-5786, PAGE 23265 OF SAID OFFICIAL PUBLIC RECORDS (1/2" IRON RODS SET FOR REFERENCE AT 30 FT. OFFSETS AT THE BISECT ANGLES ALONG THE WEST RIGHT OF WAY LINE OF BOB MCGOWEN ROAD);

THENCE NORTH 46° 35' 24" WEST 2,877.22 FT. ALONG THE CENTERLINE OF SAID F. M. HIGHWAY NO. 222, SAME BEING THE SOUTHWEST LINE OF SAID CALLED 825.728 ACRES AND THE NORTHEAST LINE OF SAID RED TOWN TIMBERLANDS TRACT, TO THE P. C. OF A CURVE IN SAID CENTERLINE; FROM SAID POINT A CONCRETE RIGHT-OF-WAY MONUMENT FOUND IN THE NORTH RIGHT OF WAY LINE OF SAID HIGHWAY BEARS NORTH 43° 24' 36" EAST 50.00 FT.;

THENCE 200.00 FT. IN A NORTHWESTERLY DIRECTION ALONG THE CENTERLINE OF SAID F. M. HIGHWAY NO. 222, SAME BEING THE COMMON LINE BETWEEN SAID 825.728 ACRE TRACT AND SAID RED TOWN TIMBERLANDS TRACT, IN A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 04° 00' 00", THE RADIUS BEING 2,864.79 FT. AND THE CHORD BEARS NORTH 48° 35' 24" WEST 199.96 FT. TO THE P.T. OF SAID CURVE, FROM SAID POINT A 1/2" IRON ROD SET FOR REFERENCE IN THE NORTH RIGHT OF WAY LINE OF SAID HIGHWAY BEARS NORTH 39° 24' 36" EAST 50.00 FT.;

THENCE NORTH 50° 35' 24" WEST 965.00 FT. ALONG THE CENTERLINE OF SAID F. M. HIGHWAY NO. 222, SAME BEING THE COMMON LINE BETWEEN SAID 825.728 ACRE TRACT AND SAID RED TOWN TIMBERLANDS TRACT, TO A POINT REPRESENTING THE WEST COMMON CORNER OF SAID 825.728 ACRE TRACT AND THE CALLED 33.3 ACRES GRANTED TO J. P. SHIRLEY AND DESCRIBED AS "FIRST TRACT" IN PARTITION DEED RECORDED IN VOLUME 88, PAGE 40 OF SAID DEED RECORDS, SAME BEING THE EAST COMMON CORNER BETWEEN SAID RED TOWN TIMBERLANDS ITC PARCEL 2.10 AND "ITC PARCEL 2.20 - TRACT 3" IN SAID RED TOWN TIMBERLANDS DEED, LOCATED ON THE NORTH LINE OF SAID HARDIN SURVEY AND THE SOUTH LINE OF SAID STEWART SURVEY, SAID POINT BEING THE MOST WESTERN CORNER OF THE HEREIN DESCRIBED 853.194 ACRE TRACT;

THENCE NORTH 86° 01' 26" EAST, ALONG THE COMMON SURVEY LINE BETWEEN SAID HARDIN AND STEWART SURVEYS, SAME BEING THE COMMON LINE BETWEEN SAID

825.728 ACRES AND SAID CALLED 33.3 ACRES, AT 72.79 FT. PASS A 1/2" IRON ROD SET FOR REFERENCE ON THE NORTH RIGHT OF WAY LINE OF SAID F. M. HIGHWAY NO. 222, AND IN ALL A TOTAL DISTANCE OF 157.71 FT. TO AN AXLE FOUND MARKING THE SOUTH COMMON CORNER BETWEEN SAID SHIRLEY CALLED 33.3 ACRES AND SAID ROOD HOLDINGS CALLED 33.33 ACRES, SAID POINT BEING AN INTERIOR CORNER OF THE HEREIN DESCRIBED 853.194 ACRE TRACT;

THENCE NORTH 04° 10' 55" WEST 3677.21 FT. ALONG THE WEST LINE OF SAID ROOD HOLDINGS CALLED 33.33 ACRES, COMMON IN PART WITH THE EAST LINES OF SAID SHIRLEY CALLED 33.33 ACRES AND THE CALLED 100 ACRES DESCRIBED IN DEED TO MELVIN L. BASYE AND WIFE, MARY TOMLIN BASYE, RECORDED IN VOLUME 127, PAGE 69 OF SAID DEED RECORDS, TO A CONCRETE MONUMENT FOUND MARKING THE NORTH COMMON CORNER BETWEEN SAID TRACTS, LOCATED ON THE SOUTH LINE OF THE LANDS CONVEYED TO CYPRESS BRANCH, LP, BY DEED RECORDED UNDER CLERK'S FILE NO. 11-3893, PAGE 16646 OF SAID OFFICIAL PUBLIC RECORDS, SAID POINT BEING THE MOST WESTERN NORTHWEST CORNER OF THE HEREIN DESCRIBED 853.194 ACRE TRACT;

THENCE NORTH 86° 00' 06" EAST, ALONG THE COMMON LINE BETWEEN SAID ROOD HOLDINGS CALLED 33.33 ACRES AND SAID CYPRESS BRANCH, LP LANDS, AT 349.12 FT. PASS A 1/2" IRON ROD SET FOR REFERENCE, AND IN ALL A TOTAL DISTANCE OF 484.12 FT TO A POINT REPRESENTING THE EAST COMMON CORNER BETWEEN SAID TRACTS, SAME BEING THE WEST LINE OF SAID 825.728 ACRES, LOCATED IN THE CENTERLINE OF HUFFMAN CREEK;

THENCE ALONG THE CENTERLINE OF HUFFMAN CREEK, SAME BEING THE COMMON LINE BETWEEN SAID 825.728 ACRES AND SAID CYPRESS BRANCH, LP LANDS, WITH ITS MEANDERS AS FOLLOWS:

NORTH 66° 10' 45" EAST 97.84 FT.;
NORTH 12° 54' 08" EAST 81.27 FT.;
NORTH 21° 01' 48" EAST 279.81 FT.;
NORTH 17° 39' 11" WEST 74.73 FT.;
NORTH 28° 42' 32" WEST 221.57 FT.;
NORTH 00° 38' 06" WEST 23.07 FT.;
NORTH 40° 44' 51" EAST 41.78 FT.;
NORTH 50° 50' 58" EAST 64.90 FT.;
NORTH 57° 21' 07" EAST 128.88 FT.;
NORTH 85° 02' 23" EAST 154.76 FT.;
NORTH 78° 06' 15" EAST 31.39 FT.;
NORTH 38° 47' 58" EAST 39.06 FT.;
NORTH 02° 26' 40" EAST 27.17 FT.;
NORTH 13° 43' 03" WEST 34.14 FT.;
NORTH 22° 20' 48" WEST 55.36 FT.;
NORTH 34° 20' 59" WEST 55.85 FT.;
NORTH 09° 43' 42" WEST 44.99 FT.;
NORTH 01° 00' 52" EAST 42.47 FT.;
NORTH 17° 53' 08" EAST 44.85 FT.;
NORTH 40° 56' 30" EAST 76.86 FT.;
NORTH 51° 40' 55" EAST 155.02 FT.;
NORTH 27° 46' 00" EAST 51.32 FT.;

NORTH 00° 32' 55" WEST 58.40 FT.;
NORTH 20° 58' 04" WEST 88.63 FT.;
NORTH 18° 22' 13" WEST 71.20 FT.;
NORTH 00° 18' 12" EAST 43.98 FT.;
NORTH 16° 57' 29" EAST 114.00 FT, AND
NORTH 35° 49' 44" EAST 174.96 FT. TO A POINT REPRESENTING THE NORTH COMMON CORNER BETWEEN SAID 825.728 ACRES AND SAID CYPRESS BRANCH, LP TRACT, LOCATED ON THE SOUTH LINE OF THE CALLED 257.6438 ACRES DESCRIBED AS "TRACT TWO" IN DEED TO JOSE MANUEL KOHLER RECORDED UNDER CLERK'S FILE NO. 07-1429, PAGE 6199 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE NORTH 86° 39' 14" EAST, ALONG THE COMMON LINE BETWEEN SAID 825.728 ACRES AND SAID KOHLER CALLED 257.6438 ACRES, AT 50.00 FT PASS A 1/2" IRON ROD SET FOR REFERENCE, AND IN ALL A TOTAL DISTANCE OF 1,787.87 FT. TO A 1/2" IRON ROD FOUND MARKING THE EAST COMMON CORNER BETWEEN SAID TRACTS, LOCATED ON THE WEST LINE OF SAID GILLEY CALLED 125.053 ACRES;

THENCE SOUTH 18° 30' 04" WEST 300.30 FT. ALONG THE COMMON LINE BETWEEN SAID 825.728 ACRES AND SAID GILLEY TRACT TO A CONCRETE MONUMENT FOUND MARKING AN INTERIOR CORNER OF SAID 825.728 ACRE TRACT AND THE SOUTHWEST CORNER OF SAID GILLEY TRACT;

THENCE NORTH 85° 59' 19" EAST, ALONG THE COMMON LINE BETWEEN SAID 825.728 ACRES AND SAID GILLEY TRACT, AT 1,746.75 FT. PASS A 1/2" IRON ROD FOUND ON LINE, AND IN ALL A TOTAL DISTANCE OF 1,788.68 FT. TO A CONCRETE MONUMENT FOUND MARKING AN ANGLE POINT IN SAID LINE;

THENCE NORTH 85° 27' 28" EAST, ALONG THE COMMON LINE BETWEEN SAID 825.728 ACRES AND SAID GILLEY CALLED 125.053 ACRES, AT 1,432.99 FT. PASS A 1/2" IRON ROD SET FOR REFERENCE, AND IN ALL A TOTAL DISTANCE OF 1,462.99 FT. TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 853.194 ACRES OF LAND, OF WHICH 4.612 ACRES LIES WITHIN THE RIGHT-OF-WAY OF SAID F. M. HIGHWAY NO. 222 AND 6.566 ACRES LIES WITHIN THE RIGHT-OF-WAY OF SAID BOB MCGOWEN ROAD, LEAVING A NET ACREAGE OF 842.016 ACRES OF LAND.

BEARINGS FOR THIS DESCRIPTION ARE BASED ON DEED CALLS FOR THE 825.728 ACRES DESCRIBED IN SAID DEED RECORDED UNDER CLERK'S FILE NO. 2012004903, PAGE 23918 OF THE SAN JACINTO COUNTY OFFICIAL PUBLIC RECORDS.

20230237

1196

Filed for Record in:
San Jacinto County

On: Jan 12, 2023 at 12:13P

As a
Recording

Document Number: 20230237

Amount 45.00

Receipt Number - 58070

By,
Kyla Willner

STATE OF TEXAS

COUNTY OF SAN JACINTO

I, Dawn Wright hereby certify that this instrument was filed in number sequence on the date and time hereon by me, and was duly recorded in the OFFICIAL PUBLIC RECORDS of San Jacinto County, Texas as stamped hereon by me on

Jan 12, 2023

Dawn Wright, County Clerk
San Jacinto County, Texas

Exhibit 3 – Groundwater Well Registration Permit



LOWER TRINITY GROUNDWATER CONSERVATION DISTRICT

602 E. Church St. #150
Livingston, TX 77351
Office: (936) 327-9531
Website: WaterWells.Info
Email: LTGCDistrict@gmail.com

Residential Well Registration Form For 2025 Operating Year

This form is to be used only for **Residential** wells using less than 25,000 gallons of water per day and an outside casing diameter of 4 inches or less and **Residential Agriculture** wells using less than 100,000 gallons of water per day.

This registration form must be complete and submitted to the District by Email prior to drilling.

Anticipated Drill Date: Well already in place

***for 1 Existing well, owner will install a meter
for tracking and water planning purposes.**

Purpose for Water Use (please check one)

Single Family Home Agricultural Property Pond

1. Well Owner Information:

Name of Property Owner: Coldspring Ranch LLC (POC Dennis Carey) Telephone: (936) 328-9651

Mailing Address: 977 Stagecoach Rd

City: Oglethorpe State: GA Zip: 31068 E-mail Address: [REDACTED]

2. Well Location:

Physical Address: FM Loop South City: Coldspring State: TX Zip: 77331 County: San Jacinto

GPS Coordinates (required): Latitude: N: 30 deg. 32 min. 44 sec. Longitude: W: 95 deg. 01 min. 18 sec.

3. Well Specifications:

New Well Replacement Well (If so, indicate status of old well): _____

Casing Size: 7.875" Pump Size: 6 HP GPM: 150 gpm Depth of Well: 250' (est.)

4. Well Driller Information:

Name of Company: Well already in place. See well registration and change of ownership documentation.

Mailing Address: _____

City: _____ State: _____ Zip Code: _____ E-mail: _____

Contact Name: _____ Telephone: _____

Name of Licensed Driller: _____ License #: _____

By submitting this form, the driller declares that they meet with all the State and District's current rules and well construction standards and agrees to abide by them. By submitting this form, the well owner understands that this allows LTGCD to enter the property to inspect the well. By submitting this form, both the driller and the property owner affirm that the well penetration site meets the spacing requirements set by the District and the Texas Department of Licensing and Regulation, (TDLR) and you hereby certify that you have furnished the above information and to the best of your knowledge and belief, all data herein contained are true and correct.

Well Driller Signature: _____ Date: _____

Approved by: Gary Ashmore Date: 01/29/2026 Registration Permit #: EW#2830

Exhibit 4 – Well No. 1 Water Quality Values from a TCEQ accredited laboratory



P.O. Box 1089 Coldspring Tx 77331
 Website: eastexlabs.com
 Email: eastexlab@eastex.net
 Tel: 936 653 3249



Intera
 Intera
 9600 Great Hills Trails 300W
 Austin, TX 78759

LABORATORY ANALYTICAL REPORT

Project: Peace Pump Test

Analyte	Result	Reporting Limit	MCL	Units	Nelac Status	Batch	Analyzed	Analyst	Method	Notes
Alkalinity	230	20		mg CaCO3/L	P	B4B4481	02/27/2024 13:43	KRH	SM 2320 B	
Aluminum - Total	0.00820	0.00250	0.05	mg/L	A	B4B4523	02/28/2024 12:00	KJH	EPA 200.8	
Arsenic, Total	0.00506	0.000500	0.01	mg/L	A	B4B4523	02/28/2024 12:00	KJH	EPA 200.8	
Calcium, Total	43.3	0.500		mg/L	P	B4B4804	02/29/2024 12:48	KJH	EPA 200.7	
Chloride	17.8	5.0	300.0	mg/L	A	B4B4167	02/23/2024 17:00	OCR	EPA 300.0	
Copper, Total	<0.00100	0.00100	1.0	mg/L	A	B4B4523	02/28/2024 12:00	KJH	EPA 200.8	
Fluoride	0.215	0.100	2.0	mg/L	A	B4B4167	02/23/2024 17:00	OCR	EPA 300.0	
Iron, Total	<0.150	0.150	0.3	mg/L	A	B4B4804	02/29/2024 12:48	KJH	EPA 200.7	
Lead, Total	<0.000500	0.000500	0.01	mg/L	A	B4B4523	02/28/2024 12:00	KJH	EPA 200.8	
Manganese, Total	0.0102	0.00700	0.05	mg/L	A	B4B4523	02/28/2024 12:00	KJH	EPA 200.8	
Nitrate as N	0.05	0.05	10.0	mg/L	A	B4B4167	02/23/2024 17:00	OCR	EPA 300.0	
Nitrite as N	<0.05	0.05	1.0	mg/L	A	B4B4167	02/23/2024 17:00	OCR	EPA 300.0	
pH Lab	7.36		>7.0	std unit	P	B4B4361	02/27/2024 10:15	CNS	SM 4500 H + B	3
pH Temp	21.6			std unit		B4B4361	02/27/2024 10:15	CNS	SM 4500 H + B	
Sodium, Total	65.4	0.500		mg/L	A	B4B4804	02/29/2024 12:48	KJH	EPA 200.7	
Sulfate	11.3	4.0	300.0	mg/L	A	B4B4167	02/23/2024 17:00	OCR	EPA 300.0	
TDS	264	10.0	1000.0	mg/L	A	B4B4463	02/27/2024 14:16	OCR	SM 2540 C	
Zinc, Total	0.0275	0.00500	5.0	mg/L	A	B4B4523	02/28/2024 12:00	KJH	EPA 200.8	



P.O. Box 1089 Coldspring Tx 77331
 Website: eastexlabs.com
 Email: eastexlab@eastex.net
 Tel: 936 653 3249



Intera
 Intera
 9600 Great Hills Trails 300W
 Austin, TX 78759

EPA 300.0 - Quality Control
Eastex Environmental Laboratory - Coldspring

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch B4B4167 - No Prep										
Blank (B4B4167-BLK1) Prepared & Analyzed: 02/23/24										
Chloride	ND	5.0	mg/L							
Fluoride	ND	0.100	mg/L							
Nitrate as N	ND	0.05	mg/L							
Nitrite as N	ND	0.05	mg/L							
Sulfate	ND	4.0	mg/L							
LCS (B4B4167-BS1) Prepared & Analyzed: 02/23/24										
Chloride	23.9		mg/L	25.0		95.4	90-110			
Fluoride	0.474		mg/L	0.500		94.7	90-110			
Nitrate as N	1.4891		mg/L	1.50		99.3	90-110			
Nitrite as N	0.489		mg/L	0.500		97.9	90-110			
Sulfate	19.3		mg/L	20.0		96.4	90-110			
Matrix Spike (B4B4167-MS1) Source: C4B3537-01 Prepared & Analyzed: 02/23/24										
Chloride	150	5.0	mg/L	125	17.8	106	80-120			
Fluoride	2.70	0.100	mg/L	2.50	0.215	99.3	80-120			
Nitrate as N	8.2253	0.05	mg/L	7.50	0.0482	109	80-120			
Nitrite as N	2.47	0.05	mg/L	2.50	ND	98.9	80-120			
Sulfate	116	4.0	mg/L	100	11.3	105	80-120			
Matrix Spike Dup (B4B4167-MSD1) Source: C4B3537-01 Prepared & Analyzed: 02/23/24										
Chloride	151	5.0	mg/L	125	17.8	106	80-120	0.535	20	
Fluoride	2.70	0.100	mg/L	2.50	0.215	99.2	80-120	0.0927	20	
Nitrate as N	8.2524	0.05	mg/L	7.50	0.0482	109	80-120	0.329	20	
Nitrite as N	2.49	0.05	mg/L	2.50	ND	99.7	80-120	0.854	20	
Sulfate	117	4.0	mg/L	100	11.3	106	80-120	0.597	20	

Eastex Environmental Laboratory - Coldspring

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*NELAC Status: A=Accredited, N=Accreditation not offered, O=Not Accredited, P=Approved
 Coldspring All InclusiveYesQC.rpt Rev 6: 06242021

Report Date: 03/11/24 11:19

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 Austin, TX 78759

SM 4500 H + B - Quality Control
Eastex Environmental Laboratory - Coldspring

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch B4B4361 - No Prep										
LCS (B4B4361-BS1)				Prepared & Analyzed: 02/27/24						
pH Lab	6.81		std unit	6.86		99.3	0-200			3
Duplicate (B4B4361-DUP1)				Source: C4B3537-01 Prepared & Analyzed: 02/27/24						
pH Lab	7.49		std unit		7.36			1.82	20	3
Batch B4B4463 - No Prep										
Blank (B4B4463-BLK1)				Prepared & Analyzed: 02/27/24						
TDS	ND	10.0	mg/L							
LCS (B4B4463-BS1)				Prepared & Analyzed: 02/27/24						
TDS	300		mg/L	300		100	90-110			
Duplicate (B4B4463-DUP1)				Source: C4B3537-01 Prepared & Analyzed: 02/27/24						
TDS	244	10.0	mg/L		264			7.87	10	
Batch B4B4481 - No Prep										
Blank (B4B4481-BLK1)				Prepared & Analyzed: 02/27/24						
Alkalinity	ND	20	mg CaCO3/L							
LCS (B4B4481-BS1)				Prepared & Analyzed: 02/27/24						
Alkalinity	48		mg CaCO3/L	50.0		96.0	80-120			
Duplicate (B4B4481-DUP1)				Source: C4B3537-01 Prepared & Analyzed: 02/27/24						
Alkalinity	230	20	mg CaCO3/L		230			0.00	20	



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EPA 200.8 - Quality Control
Eastex Environmental Laboratory - Coldspring

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Notes
Batch B4B4523 - EPA 200.8 DW										
Blank (B4B4523-BLK1) Prepared: 02/27/24 Analyzed: 02/28/24										
Aluminum - Total	ND	0.00250	mg/L							
Arsenic, Total	ND	0.000500	mg/L							
Copper, Total	ND	0.0500	mg/L							
Lead, Total	ND	0.00500	mg/L							
Manganese, Total	ND	0.00700	mg/L							
Zinc, Total	ND	0.00500	mg/L							
LCS (B4B4523-BS1) Prepared: 02/27/24 Analyzed: 02/28/24										
Aluminum - Total	0.107	0.00250	mg/L	0.100		107	85-115			
Arsenic, Total	0.0933	0.000500	mg/L	0.100		93.3	85-115			
Copper, Total	0.0986	0.0500	mg/L	0.100		98.6	85-115			
Lead, Total	0.0952	0.00500	mg/L	0.100		95.2	85-115			
Manganese, Total	0.0960	0.00700	mg/L	0.100		96.0	85-115			
Zinc, Total	0.0948	0.00500	mg/L	0.100		94.8	85-115			
Matrix Spike (B4B4523-MS1) Source: C4B3537-01 Prepared: 02/27/24 Analyzed: 02/28/24										
Aluminum - Total	0.101	0.00250	mg/L	0.100	0.00820	93.0	70-130			
Arsenic, Total	0.0963	0.000500	mg/L	0.100	0.00506	91.3	70-130			
Copper, Total	0.0944	0.0500	mg/L	0.100	0.000579	93.8	70-130			
Lead, Total	0.0930	0.00500	mg/L	0.100	ND	93.0	70-130			
Manganese, Total	0.104	0.00700	mg/L	0.100	0.0102	93.8	70-130			
Zinc, Total	0.117	0.00500	mg/L	0.100	0.0275	89.5	70-130			
Matrix Spike Dup (B4B4523-MSD1) Source: C4B3537-01 Prepared: 02/27/24 Analyzed: 02/28/24										
Aluminum - Total	0.103	0.00250	mg/L	0.100	0.00820	94.9	70-130	1.86	20	
Arsenic, Total	0.0988	0.000500	mg/L	0.100	0.00506	93.7	70-130	2.50	20	
Copper, Total	0.0968	0.0500	mg/L	0.100	0.000579	96.3	70-130	2.60	20	
Lead, Total	0.0958	0.00500	mg/L	0.100	ND	95.8	70-130	3.04	20	
Manganese, Total	0.105	0.00700	mg/L	0.100	0.0102	94.6	70-130	0.794	20	
Zinc, Total	0.119	0.00500	mg/L	0.100	0.0275	91.5	70-130	1.72	20	

Eastex Environmental Laboratory - Coldspring

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EPA 200.7 - Quality Control
Eastex Environmental Laboratory - Coldspring

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC %REC	Limits	RPD	RPD Limit	Notes
Batch B4B4804 - EPA 200.7										
Blank (B4B4804-BLK1) Prepared: 02/28/24 Analyzed: 02/29/24										
Calcium, Total	ND	0.500	mg/L							
Iron, Total	ND	0.150	mg/L							
Sodium, Total	ND	0.500	mg/L							
LCS (B4B4804-BS1) Prepared: 02/28/24 Analyzed: 02/29/24										
Calcium, Total	23.9	0.500	mg/L	25.0		95.6	85-115			
Iron, Total	0.220	0.150	mg/L	0.250		88.0	85-115			
Sodium, Total	24.0	0.500	mg/L	25.0		96.0	85-115			
Matrix Spike (B4B4804-MS1) Source: C4B3537-01 Prepared: 02/28/24 Analyzed: 02/29/24										
Calcium, Total	65.6	0.500	mg/L	25.0	43.3	89.2	70-130			
Iron, Total	0.242	0.150	mg/L	0.250	ND	96.8	70-130			
Sodium, Total	86.2	0.500	mg/L	25.0	65.4	83.2	70-130			
Matrix Spike Dup (B4B4804-MSD1) Source: C4B3537-01 Prepared: 02/28/24 Analyzed: 02/29/24										
Calcium, Total	65.3	0.500	mg/L	25.0	43.3	88.0	70-130	0.458	20	
Iron, Total	0.231	0.150	mg/L	0.250	ND	92.4	70-130	4.65	20	
Sodium, Total	86.1	0.500	mg/L	25.0	65.4	82.8	70-130	0.116	20	

Mark Bourgeois

Mark Bourgeois, Special Projects Manager

Qualifiers

3 Sample analysis performed out of holding time.



EASTEX ENVIRONMENTAL LABORATORY, INC.
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White Copy-Follows Samples
 Yellow Copy-Laboratory
 Pink Copy-Client Copy

REPORT TO:

INVOICE TO:

Company: Intera

Company: **INTERA**

Remarks:

Address: 9600 Great Hills Trails 300W
 Austin TX 78759

Address: on file

Attn: James Pinkard

Attn:

Phone#: 512 676 0925

Phone#:

Email:

INSTRUCTIONS:

P.O.#: A&STR, MOBI. CUSLT

C or G: C=Composite G=Grab
 DW=Drinking Water WW=Wastewater SO=Soil/Sludge OT=Other

Sampler's Name (print): James Pinkard

Container Size: 1=Gallon 2=1/2 Gallon 3=Quart/Liter 4=500ml 5=250ml
 6=125ml (4oz) 7=60ml (2 oz) 8=40ml Vial 9=Other

Sampler's Signature: *James Pinkard*

Type: P=Plastic G=Glass T=Terilon S=Sterile
 Preservatives: C=Chilled S=Sulfuric Acid N=Nitric Acid B=Base/Caustic Z=Zn Acetate
 ST=Sodium Thiosulfate H=HCL O=Other

Project/Name: Recve Pump Test

Field Data

Containers

Work Order ID

Sample ID

Date

Time

Matrix

C or G

DO

pH

Cl2

Flow

Temp

#

CU83537

Recve Well 1

02/23/24

0600

6

D.60

7.22

88gpm

22°C

2

P

N

Relinquished By: *James Pinkard*

Received By: *James Pinkard*

Date: 2-23-24

Time: 1048

Date: 2-23-24

Time: 1048

Date: 2-23-24

Time: 1343

Relinquished By:

Received By:

Date:

Time:

Date:

Time:

Date:

Time:

LAB USE ONLY

Sample Condition Acceptable:

YES / NO

Temp °C

*Therm ID

Logged In By

Date

Time

Date

Time

Received Iced: YES / NO

Received Iced: YES / NO

Alternate Check In:

Date

Time

Temp °C

*Therm ID

Logged In By

Date

Time

Date

Time

Received Iced: YES / NO

Received Iced: YES / NO

*Thermometer has 0.0 factor and recorded temperature is actual temperature