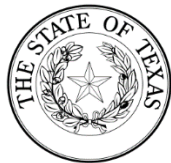


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1025C

Ingram Concrete, LLC (Owner/Applicant) seeks to sever its water rights (320 acre-feet of water per year), authorized by Certificate of Adjudication No. 14-1026 and combine those rights with the 309 acre-feet of water per year, authorized by Certificate of Adjudication No. 14-1025. The Applicant further seeks to amend the combined Certificate of Adjudication No. 14-1025 to replace the existing authorized diversion points with a new diversion point on the Colorado River, Colorado River Basin for mining purposes in Coke County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Ingram Concrete, LLC, PO Box 1166, Brownwood, TX 76804, Applicant, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to a Certificate of Adjudication pursuant to Texas Water Code (TWC) §11.122 and TCEQ Rules Title 30 Texas Administrative Code (TAC) §§ 295.1, *et seq.* Notice is being mailed to the interjacent water rights holders in the Colorado River Basin pursuant to Title 30 TAC § 295.158 (c)(3)(C).

Certificate of Adjudication No. 14-1026 authorizes Ingram Concrete, LLC (Owner/Applicant) to divert up to 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm), with a consumptive use of up to 32 acre-feet of water per year, for mining purposes in Coke County. The time priority of this water right is April 27, 1970, except that it is junior in priority to those water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994.

Certificate of Adjudication No. 14-1025 (Certificate) authorizes Ingram Concrete, LLC (Applicant/Owner) to divert up to 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1,000 gpm), with a consumptive use of up to 35 acre-feet of water per year, for mining purposes in Coke County. The time priority of this water right is January 10, 1966.

Applicant seeks to sever the entire 320 acre-feet of water authorized by Certificate of Adjudication No. 14-1026 and combine it with its water rights authorized by Certificate of Adjudication No. 14-1025.

By Commission Order approved on DATE, the entire 320 acre-feet of water, authorized by Certificate of Adjudication No. 14-1026, which is owned by Ingram Concrete, LLC, was severed from said Certificate and combined with Certificate of Adjudication No. 14-1025.

Applicant also seeks to amend Certificate of Adjudication No. 14-1025 to replace the existing authorized diversion points with a new diversion point on the Colorado River, located at Latitude 31.858593° N, Longitude 100.339756° W, Coke County, in ZIP Code 76933.

The application and partial fees were received on June 18, 2020. Additional information and fees were received on August 7, 12, and 14, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 8, 2020.

The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to installation of a measurement device at the new diversion point, and reasonable measures to avoid impingement and entrainment. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

PUBLIC COMMENT / PUBLIC MEETING. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by March 11, 2022. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by March 11, 2022. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by March 11, 2022.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

INFORMATION. Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 1025 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>. Si desea información en Español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.

Issued: February 22, 2022

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A CERTIFICATE OF ADJUDICATION

CERTIFICATE NO.	14-1025C	TYPE	§ 11.122
Owner:	Ingram Concrete, LLC	Address:	PO Box 1166 Brownwood, TX 76804
Filed:	September 8, 2020	Granted:	
Purpose:	Mining	County:	Coke
Watercourse:	Colorado River	Basin:	Colorado River Basin

WHEREAS, Certificate of Adjudication No. 14-1025 authorizes Ingram Concrete, LLC (Applicant/Owner) to divert 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1,000 gpm), with a consumptive use of not to exceed 35 acre-feet of water per year, for mining purposes in Coke County; and

WHEREAS, the time priority of this water right is January 10, 1966 and special conditions apply; and

WHEREAS, Certificate of Adjudication No. 14-1026 authorizes Ingram Concrete, LLC to divert not to exceed 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm), with a consumptive use of not to exceed 32 acre-feet of water per year, for mining purposes in Coke County; and

WHEREAS, the time priority of this water is April 27, 1970, except that it is junior in priority to those water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994 and a special condition applies; and

WHEREAS, Applicant seeks to sever its 320 acre-feet of water authorized by Certificate of Adjudication No. 14-1026 and combine it with their water rights authorized by Certificate of Adjudication No. 14-1025; and

WHEREAS, Applicant also seeks to replace the existing authorized diversion points with a new diversion point, located at Latitude 31.858593° N, Longitude 100.339756° W, on the Colorado River, Colorado River Basin in Coke County; and

WHEREAS, by Commission Order approved on _____ the entire 320 acre-feet of water, with a consumptive use of 32 acre-feet of water, authorized by Certificate of Adjudication No.14-1026, which is owned by Ingram Concrete, LLC, was severed from said Certificate and combined with Certificate of Adjudication No. 14-1025; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, the Executive Director recommends that special conditions be included; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-1025, designated Certificate of Adjudication No. 14-1025C, is issued to Ingram Concrete, LLC subject to the following terms and conditions:

1. USE

In lieu of previous authorizations, Ingram Concrete, LLC (Owner) is authorized to divert not to exceed 629 acre-feet of water per year, with a total consumptive use of not to exceed 67 acre-feet of water per year, from a point on the Colorado River, Colorado River Basin, for mining purposes in Coke County.

2. DIVERSION

A. In lieu of previous authorizations, Owner is authorized to divert from a point on the Colorado River, Colorado River Basin, located at Latitude 31.858593° N, Longitude 100.339756° W, in Coke County.

B. Combined maximum diversion rate: 2.22 cfs (1,000 gpm).

2. PRIORITY

A. The time priority for the 309 acre-feet of water per year, with a consumptive use of not to exceed 35 acre-feet of water per year, and a diversion rate of 2.2 cfs is January 10, 1966.

B. The time priority for the 320 acre-feet of water per year, with a consumptive use of not to exceed 32 acre-feet of water per year, and a maximum diversion rate of 1.5 cfs, is April 27, 1970, except that it is junior in priority to those water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994; and

3. SPECIAL CONDITIONS

A. Owner shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens at the diversion structure.

B. Owner shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized by this amendment and maintain measurement records.

- C. Owner shall allow representatives of the TCEQ reasonable access to the property to inspect the measuring device and records.
- D. The authorizations in this amendment shall expire upon cessation of mining activities unless the certificate is subsequently amended.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate No. 14-1025, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

For the Commission

DATE ISSUED:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN ORDER severing the water rights authorized by Certificate of Adjudication No. 14-1026, owned by Ingram Concrete, LLC, from that Certificate and combining those rights with the water rights owned by Ingram Concrete, LLC authorized by Certificate of Adjudication No. 14-1025, designating such combination as Certificate of Adjudication No. 14-1025C.

An amendment application was received from Ingram Concrete to sever the water rights (320 acre-feet of water), authorized by Certificate of Adjudication No. 14-1026 in Coke County, and combine those water rights with the water rights owned by Ingram Concrete, LLC, authorized by Certificate of Adjudication No. 14-1025.

The Commission has jurisdiction to consider this matter and after hearing all of the evidence pertaining to the matter, the Commission finds that the water right authorized by Certificate of Adjudication No. 14-1026, owned by Ingram Concrete, LLC, should be severed from that Certificate and combined with the water right owned by Ingram Concrete, LLC authorized by Certificate of Adjudication No. 14-1025, designating said combination as Certificate of Adjudication No. 14-1025C.

NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the water rights authorized by Certificate of Adjudication No. 14-1026 (320 acre-feet of water), owned by Ingram Concrete, LLC, hereby be severed from that Certificate and combined with the water rights owned by Ingram Concrete, LLC, authorized by Certificate of Adjudication No. 14-1025, designating said combination as Certificate of Adjudication No. 14-1025C.

No authorizations remain in Certificate of Adjudication No. 14-1026; therefore, it will be removed as an active water right from the commission's records.

All other terms and conditions contained in Certificate of Adjudication No. 14-1025 which are not specifically contrary to the terms of Certificate of Adjudication No. 14-1025, as amended, shall remain in full force and effect.

If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

For the Commission

DATE ISSUED:

RE: Ingram_Concrete_14-1025C_Draft_Order_Amendment_Notice

Montana Bragg <[REDACTED]>

Wed 2/16/2022 10:51 AM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Hi Lillian,

Thank you for the update. We did not have any comments.



Montana Bragg, CESC

Environmental Specialist

In-Office Hours: 9 am – 3 pm

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax

www.westwardenv.com



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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Monday, January 31, 2022 5:21 PM

To: Montana Bragg <[REDACTED]>

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: Ingram_Concrete_14-1025C_Draft_Order_Amendment_Notice

Ms. Bragg,

Attached is the draft amendment, order, notice, and comment letter for Ingram Concrete's application no. 14-1025C.

Review and provide comments by COB Monday, February 10, 2022.

If you have any questions or concerns, please do not hesitate to contact me.

Thank You,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

PHONE MEMO

Ingram Concrete, COA No. 14-1025C

From: Lillian E. Beerman	To: Montana Bragg
Date: February 16, 2022	Permit: COA No. 14-1025C
Phone: 830.249.8284	Re: Applicant Comments on Drafts

Spoke with Ms. Bragg this morning. Notified her that due date for comments on the Draft Amendment, Order, Notice for Ingram Concrete's application to amend 14-1025 was on Monday.

She said that they had "no comments" on the drafts and would send an email.

Lillian E. Beerman, Ph.D. February 16, 2022

Ingram_Concrete_14-1025C_Draft_Order_Amendment_Notice

Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Mon 1/31/2022 5:21 PM

To: Montana Bragg <[REDACTED]>

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

 1 attachments (840 KB)

Ingram_Concrete_14-1025C_Order_Amendment_Notice_Memos_Signed_01.31.2022.pdf;

Ms. Bragg,

Attached is the draft amendment, order, notice, and comment letter for Ingram Concrete's application no. 14-1025C.

Review and provide comments by COB Monday, February 10, 2022.

If you have any questions or concerns, please do not hesitate to contact me.

Thank You,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 31, 2022

Ms. Montana Bragg
Westward Environmental, Inc.
4 Shooting Club Road
Boerne, TX 78006-5914

VIA E-MAIL

RE: Ingram Concrete, LLC
ADJ 1025
CN603378241, RN102589413
Application No. 14-1025C to Sever the Water Rights under Certificate of Adjudication
No. 14-1026 and Combine them with and Amend Certificate of Adjudication
No. 14-1025
Texas Code § 11.122, Requiring Limited Mailed Notice
Colorado River, Colorado River Basin
Coke County

Dear Ms. Bragg:

Drafts, subject to revision, of the public notice, order, proposed amendment to Certificate of Adjudication (COA) 14-1025, and the related technical memoranda are attached.

Staff are recommending that the referenced application be granted in accordance with the attached drafts. Please review the drafts and contact me no later than February 14, 2022 with any comments or questions as the notice will be forwarded to the Office of the Chief Clerk for mailing after that date.

Please note this application requires a 15-day comment period and once the comment period has closed, the proposed order and amendment to COA No. 14-1025 may be issued as drafted given no hearing requests are received.

If you have any questions concerning the application, please contact me via e-mail at lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachments

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN ORDER severing the water rights authorized by Certificate of Adjudication No. 14-1026, owned by Ingram Concrete, LLC, from that Certificate and combining those rights with the water rights owned by Ingram Concrete, LLC authorized by Certificate of Adjudication No. 14-1025, designating such combination as Certificate of Adjudication No. 14-1025C.

An amendment application was received from Ingram Concrete to sever the water rights (320 acre-feet of water), authorized by Certificate of Adjudication No. 14-1026 in Coke County, and combine those water rights with the water rights owned by Ingram Concrete, LLC, authorized by Certificate of Adjudication No. 14-1025.

The Commission has jurisdiction to consider this matter and after hearing all of the evidence pertaining to the matter, the Commission finds that the water right authorized by Certificate of Adjudication No. 14-1026, owned by Ingram Concrete, LLC, should be severed from that Certificate and combined with the water right owned by Ingram Concrete, LLC authorized by Certificate of Adjudication No. 14-1025, designating said combination as Certificate of Adjudication No. 14-1025C.

NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the water rights authorized by Certificate of Adjudication No. 14-1026 (320 acre-feet of water), owned by Ingram Concrete, LLC, hereby be severed from that Certificate and combined with the water rights owned by Ingram Concrete, LLC, authorized by Certificate of Adjudication No. 14-1025, designating said combination as Certificate of Adjudication No. 14-1025C.

No authorizations remain in Certificate of Adjudication No. 14-1026; therefore, it will be removed as an active water right from the commission's records.

All other terms and conditions contained in Certificate of Adjudication No. 14-1025 which are not specifically contrary to the terms of Certificate of Adjudication No. 14-1025, as amended, shall remain in full force and effect.

If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

For the Commission

DATE ISSUED:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO.	14-1025C	TYPE	§ 11.122
Owner:	Ingram Concrete, LLC	Address:	PO Box 1166 Brownwood, TX 76804
Filed:	September 8, 2020	Granted:	
Purpose:	Mining	County:	Coke
Watercourse:	Colorado River	Basin:	Colorado River Basin

WHEREAS, Certificate of Adjudication No. 14-1025 authorizes Ingram Concrete, LLC (Applicant/Owner) to divert 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1,000 gpm), with a consumptive use of not to exceed 35 acre-feet of water per year, for mining purposes in Coke County; and

WHEREAS, the time priority of this water right is January 10, 1966 and special conditions apply; and

WHEREAS, Certificate of Adjudication No. 14-1026 authorizes Ingram Concrete, LLC to divert not to exceed 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm), with a consumptive use of not to exceed 32 acre-feet of water per year, for mining purposes in Coke County; and

WHEREAS, the time priority of this water is April 27, 1970, except that it is junior in priority to those water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994 and a special condition applies; and

WHEREAS, Applicant seeks to sever its 320 acre-feet of water authorized by Certificate of Adjudication No. 14-1026 and combine it with their water rights authorized by Certificate of Adjudication No. 14-1025; and

WHEREAS, Applicant also seeks to replace the existing authorized diversion points with a new diversion point, located at Latitude 31.858593° N, Longitude 100.339756° W, on the Colorado River, Colorado River Basin in Coke County; and

WHEREAS, by Commission Order approved on _____ the entire 320 acre-feet of water, with a consumptive use of 32 acre-feet of water, authorized by Certificate of Adjudication No.14-1026, which is owned by Ingram Concrete, LLC, was severed from said Certificate and combined with Certificate of Adjudication No. 14-1025; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, the Executive Director recommends that special conditions be included; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-1025, designated Certificate of Adjudication No. 14-1025C, is issued to Ingram Concrete, LLC subject to the following terms and conditions:

1. USE

In lieu of previous authorizations, Ingram Concrete, LLC (Owner) is authorized to divert not to exceed 629 acre-feet of water per year, with a total consumptive use of not to exceed 67 acre-feet of water per year, from a point on the Colorado River, Colorado River Basin, for mining purposes in Coke County.

2. DIVERSION

A. In lieu of previous authorizations, Owner is authorized to divert from a point on the Colorado River, Colorado River Basin, located at Latitude 31.858593 °N, Longitude 100.339756 ° W, in Coke County.

B. Combined maximum diversion rate: 2.22 cfs (1,000 gpm).

2. PRIORITY

A. The time priority for the 309 acre-feet of water per year, with a consumptive use of not to exceed 35 acre-feet of water per year, and a diversion rate of 2.2 cfs is January 10, 1966.

B. The time priority for the 320 acre-feet of water per year, with a consumptive use of not to exceed 32 acre-feet of water per year, and a maximum diversion rate of 1.5 cfs, is April 27, 1970, except that it is junior in priority to those water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994; and

3. SPECIAL CONDITIONS

A. Owner shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens at the diversion structure.

B. Owner shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized by this amendment and maintain measurement records.

- C. Owner shall allow representatives of the TCEQ reasonable access to the property to inspect the measuring device and records.
- D. The authorizations in this amendment shall expire upon cessation of mining activities unless the certificate is subsequently amended.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate No. 14-1025, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

For the Commission

DATE ISSUED:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1025C

Ingram Concrete, LLC (Owner/Applicant) seeks to sever its water rights (320 acre-feet of water per year), authorized by Certificate of Adjudication No. 14-1026 and combine those rights with the 309 acre-feet of water per year, authorized by Certificate of Adjudication No. 14-1025. The Applicant further seeks to amend the combined Certificate of Adjudication No. 14-1025 to replace the existing authorized diversion points with a new diversion point on the Colorado River, Colorado River Basin for mining purposes in Coke County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Ingram Concrete, LLC, PO Box 1166, Brownwood, TX 76804, Applicant, has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment to a Certificate of Adjudication pursuant to Texas Water Code (TWC) §11.122 and TCEQ Rules Title 30 Texas Administrative Code (TAC) §§ 295.1, *et seq.* Notice is being mailed to the interjacent water rights holders in the Colorado River Basin pursuant to Title 30 TAC § 295.158 (c)(3)(C).

Certificate of Adjudication No. 14-1026 authorizes Ingram Concrete, LLC (Owner/Applicant) to divert up to 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm), with a consumptive use of up to 32 acre-feet of water per year, for mining purposes in Coke County. The time priority of this water right is April 27, 1970, except that it is junior in priority to those water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994.

Certificate of Adjudication No. 14-1025 (Certificate) authorizes Ingram Concrete, LLC (Applicant/Owner) to divert up to 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1,000 gpm), with a consumptive use of up to 35 acre-feet of water per year, for mining purposes in Coke County. The time priority of this water right is January 10, 1966.

Applicant seeks to sever the entire 320 acre-feet of water authorized by Certificate of Adjudication No. 14-1026 and combine it with its water rights authorized by Certificate of Adjudication No. 14-1025.

By Commission Order approved on DATE, the entire 320 acre-feet of water, authorized by Certificate of Adjudication No. 14-1026, which is owned by Ingram Concrete, LLC, was severed from said Certificate and combined with Certificate of Adjudication No. 14-1025.

Applicant also seeks to amend Certificate of Adjudication No. 14-1025 to replace the existing authorized diversion points with a new diversion point on the Colorado River, located at Latitude 31.858593° N, Longitude 100.339756° W, Coke County, in ZIP Code 76933.

The application and partial fees were received on June 18, 2020. Additional information and fees were received on August 7, 12, and 14, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 8, 2020.

The Executive Director has completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to installation of a measurement device at the new diversion point, and reasonable measures to avoid impingement and entrainment. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ web page at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

PUBLIC COMMENT / PUBLIC MEETING. Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by _____ 2022. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by _____ 2022. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by _____ 2022.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

INFORMATION. Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 1025 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at <http://www.tceq.texas.gov/>. Si desea información en Español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.

Issued:

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Lillian Beerman, Project Manager
Water Rights Permitting Team

Date: January 6, 2022

Through: ~~K~~ ^A Kathy Alexander, Ph.D., Policy and Technical Analyst
Water Availability Division

From: ^{TG} Trent Gay, Team Leader
Surface Water Availability Team

Subject: Ingram Concrete, LLC
ADJ 14-1025
CN603378241
Colorado River, Colorado River Basin
Coke County

Water Availability Review

Application Summary

Certificate of Adjudication No. 14-1025 authorizes Ingram Concrete, LLC (Applicant) to divert 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1000 gpm) and consumptively use 35 acre-feet of water per year for mining purposes in Coke County.

Certificate of Adjudication No. 14-1026 authorizes Applicant to divert 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm) and consumptively use 32 acre-feet of water per year for mining purposes in Coke County.

Applicant requests to sever the 320 acre-feet of water from Certificate of Adjudication No. 14-1026 and combine it with Certificate of Adjudication No. 14-1025 for a total diversion of 629 acre-feet per year and a consumptive use of 67 acre-feet of water per year, at a maximum combined diversion rate of 2.22 cfs (1000 gpm), for mining purposes in Coke County. Applicant also requests to replace the existing authorized diversion points with a new diversion point on the Colorado River in Coke County.

The application was declared administratively complete on September 8, 2020.

Water Availability Review

Resource protection Staff did not recommend instream flow requirements for the application. See the Resource Protection Memo dated September 23, 2021.

The application does not require a water availability analysis because the request is not for a new appropriation of water, therefore, a water availability analysis is not necessary. However, the request to add a diversion point must be reviewed to ensure that the request does not affect other water rights.

The Water Rights Analysis Package (WRAP) simulates management of the water resources of a river basin. TCEQ uses WRAP in the evaluation of water right permit applications using priority-based water allocations. WRAP is a generalized simulation model for application to any river basin, and input datasets must be developed for the particular river basin of concern. The TCEQ developed water availability models (WAMs) for Texas river basins that include geographical information, water right information, naturalized flows, evaporation rates, and specific management assumptions. Hydrology staff operates WRAP to evaluate water rights applications to determine water availability and to ensure that senior water rights are protected.

Staff used the Full Authorization simulation of the Colorado WAM to evaluate impacts on other water rights as a result of changing the diversion point. The period of record for the Colorado WAM is 1940 to 2016. Staff compared the pre- and post-application volume reliabilities of all water rights in the Colorado River Basin and found a very small negative impact to one water right (less than 1%). Because the impact is very small, Staff is of the opinion that this amendment does not constitute a practical impact on other water rights in the basin.

Conclusion

Staff can support granting the application.

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Lillian Beerman, Project Manager
Water Rights Permitting Team

Date: September 23, 2021

Through: Jason Godeaux, Team Leader
Resource Protection Team

From: George Gable, Aquatic Scientist
Resource Protection Team
GMGIV

Subject: Ingram Concrete, LLC
ADJ 14-1025
CN603378241
Colorado River, Colorado River Basin
Coke County

Environmental reviews of water right applications are conducted in accordance with applicable provisions of the Texas Water Code (TWC) and the administrative rules of the Texas Commission on Environmental Quality (TCEQ). The provisions applicable to environmental reviews can vary according to the type and the location of the authorization requested.

APPLICATION SUMMARY

Certificate of Adjudication No. 14-1025 authorizes Ingram Concrete, LLC (Applicant) to divert 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1000 gpm) with the consumptive use of 35 acre-feet of water per year for mining purposes in Coke County.

Certificate of Adjudication No. 14-1026 authorizes Applicant to divert 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm) with the consumptive use of 32 acre-feet of water per year for mining purposes in Coke County.

Applicant requests to sever the 320 acre-feet of water from Certificate of Adjudication No. 14-1026 and combine it with Certificate of Adjudication No. 14-1025 to divert 629 acre-feet per year with the consumptive use of 67 acre-feet of water per year, at a maximum combined diversion rate of 2.22 cfs (1000 gpm), for mining purposes in Coke County and replace the existing authorized diversion points with a new diversion point on the Colorado River in Coke County.

ENVIRONMENTAL ANALYSIS

Aquatic and Riparian Habitats: The proposed diversion point is located on the perennial Colorado River below E. V. Spence Reservoir, Colorado River Basin in the Caprock Canyons, Badlands, and Breaks Ecoregion (Griffith et al. 2007).

The checklist for the Colorado River basin identified 40 species of ichthyofauna occurring within Coke County (Hendrickson and Cohen 2015). The interior least tern (*Sternula antillarum athalassos*), Guadalupe Bass (*Micropterus treculii*), Texas Fatmucket (*Lampsilis bracteate*), Texas Pimpleback (*Cyclonaias petrina*), Brazos water snake (*Nerodia harteri*), and Concho water snake (*Nerodia paucimaculata*), high-interest, aquatic-dependent species, are known to occur in Coke County (TPWD 2015). This amendment is not expected to have an effect on any high-interest aquatic species, because no additional state water is being requested by the Applicant.

The Applicant has agreed to install screens on any new diversion structures in order to minimize entrainment and impingement of aquatic organisms. The Applicant's request is not expected to adversely impact aquatic and riparian habitats in the area.

On August 8, 2012, the TCEQ adopted environmental flow standards for the Colorado and Lavaca Rivers, and Matagorda and Lavaca Bays (Title 30 Texas Administrative Code (TAC) Chapter 298 Subchapter D). These environmental flow standards are considered adequate to support a sound ecological environment (Title 30 TAC § 298.310). The Applicant does not request a new appropriation of water or an amendment that increases the amount of water stored, taken, or diverted; therefore, the environmental flow standards do not apply.

Although the Applicant is requesting to move the authorized diversion point on the Colorado River, Resource Protection staff does not recommend a streamflow restriction for the move of the diversion point since the proposed diversion point is a small distance from the currently authorized diversion point.

Recreational Uses: The Colorado River Below E.V. Spence Reservoir (Segment 1426) has a designated primary contact recreation 1 use (TCEQ 2018). The Applicant's request should not adversely impact recreational uses.

Water Quality: The Colorado River Below E. V. Spence Reservoir (Segment 1426) has a designated high aquatic life use (TCEQ 2018). The Colorado River from Coke County line to SH 208 is identified in the Texas Integrated Report with a concern for screening levels for chlorophyll-*a* (TCEQ 2020). The Applicant's request should not adversely impact water quality.

Freshwater Inflows: Freshwater inflows are critical for maintaining the historical productivity of bays and estuaries along the Gulf Coast. The proposed project is located more than 200 river miles from the Gulf of Mexico. The application does not request a new appropriation of water. Therefore, the Applicant's request should not have any impact to Matagorda Bay.

RECOMMENDATIONS

Resource Protection staff recommends the following Special Condition be included in the proposed amendment if granted:

Owner shall implement reasonable measures in order to reduce impacts to aquatic resources due to entrainment or impingement. Such measures shall include, but shall not be limited to, the installation of screens at the diversion structure.

LITERATURE CITED

Griffith GE, Bryce SA, Omernik JM, Rogers AC. 2007. Ecoregions of Texas - Project Report to Texas Commission on Environmental Quality. Reston (VA): U.S. Geological Survey. Report No.: AS-199. 125p.

Hendrickson DA, Cohen AE. 2015. Fishes of Texas Project Database [Internet]. [25 August 2021]; Version 2.0. Available from <http://www.fishesoftexas.org/home/> doi:10.17603/C3WC70

TCEQ. 2018. Texas Surface Water Quality Standards §§307.1-307.10. Austin (TX): Texas Commission on Environmental Quality.

TCEQ. 2020. Texas Integrated Report of Surface Water Quality §§307.1-307.10. Austin (TX): Texas Commission on Environmental Quality.


TPWD. 2015. TPWD County Lists of Texas Protected Species and Species of Greatest Conservation Need [Internet]. Austin (TX): Coke County, revised June 22, 2021. [25 August 2021]. Available from <http://tpwd.texas.gov/gis/rtest/>.


Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Lillian E. Beerman, Project Manager **Date:** September 23, 2021
Water Rights Permitting Team

Through: Jason Godeaux, Team Leader
Resource Protection Team

 Kristin Wang, Senior Water Conservation Specialist
Resource Protection Team

From:  Jennifer Allis, Senior Water Conservation Specialist
Resource Protection Team

Subject: Ingram Concrete, LLC
ADJ 1025
CN603378241
Colorado River, Colorado River Basin
Coke County

APPLICATION SUMMARY

Certificate of Adjudication No. 14-1025 authorizes Ingram Concrete, LLC (Applicant) to divert 309 acre-feet of water per year from three points on the Colorado River, Colorado River Basin, at a maximum combined diversion rate of 2.22 cfs (1000 gpm) with the consumptive use of 35 acre-feet of water per year for mining purposes in Coke County.

Certificate of Adjudication No. 14-1026 authorizes Applicant to divert 320 acre-feet of water per year from two points on the Colorado River, at a maximum combined diversion rate of 1.5 cfs (675 gpm) with the consumptive use of 32 acre-feet of water per year for mining purposes in Coke County.

Applicant requests to sever their 320-acre-feet of water from Certificate of Adjudication No. 14-1026 and combine it with Certificate of Adjudication No. 14-1025 to divert 629 acre-feet of water per year with the consumptive use of 67 acre-feet of water per year, at a maximum combined diversion rate of 2.22 cfs (1000 gpm), for mining purposes in Coke County and replace the existing authorized diversion points with a new diversion point on the Colorado River in Coke County.

WATER CONSERVATION REVIEW

Pursuant to Title 30 Texas Administrative Code §295.9, water conservation and drought contingency plans are not required to be submitted for this application.

The application is consistent with the 2021 Region F Water Plan and the 2022 State Water Plan because there is nothing in the water plans that conflicts with issuing this proposed amendment.

RECOMMENDATIONS

Resource Protection Staff have no recommendations regarding the proposed amendment, if granted.

RE: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Montana Bragg <[REDACTED]>

Mon 12/13/2021 10:03 AM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Thank you for the update!

All is going great on my end, just been busy! My daughter Lucy arrived on July 27th. Big sister is still a huge fan, thank goodness! Hope all is going well with you.



Montana Bragg, CESC

Environmental Specialist

In-Office Hours: 9 am – 3 pm

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax

www.westwardenv.com



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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Monday, December 13, 2021 9:58 AM

To: Montana Bragg <[REDACTED]>

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: Re: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Montana,

Welcome Back! I hope all is well with you and yours.

Ingram Concrete, 14-1025C, still awaits Hydro review. However, it is on my list of upcoming technical memos. I am planning on drafting the permit ahead over the holidays.

Thank You,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Montana Bragg <[REDACTED]>
Sent: Monday, December 13, 2021 9:46 AM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Hi Lillian,

Has there been any update on this Water Rights Application?



**Montana Bragg, CESC
Environmental Specialist
In-Office Hours: 9 am – 3 pm**

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax

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From: Montana Bragg
Sent: Monday, July 19, 2021 9:52 AM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Cc: Matt Bellos <[REDACTED]>
Subject: RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Hi Lillian,

Since I could begin maternity leave any day now, we can go ahead and make Matt Bellos the contact for this amendment. He is copied on this email and his information is listed below.

Matt Bellos, REM, CESSWI
Project Manager
Westward Environmental, Inc.

[REDACTED]
P.O. Box 2205 / Boerne, Texas 78006
830.249.8284 Phone

830.249.0221 Fax

I will send separate emails for each project I have with you, and I will let you know when I will return as the contact!

Thank you!



Montana Bragg, CESC

Environmental Specialist

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax

www.westwardenv.com



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Thank you for your cooperation.

[REDACTED]

RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Montana Bragg <[REDACTED]>

Mon 6/21/2021 12:37 PM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Thank you, I have passed that on!

Yes, Matt Bellos will be the contact for all of my applications. For now, we can keep me as the contact, and I will either email you when it will be updated, or you will get an auto reply upon emailing me.

Thanks! Due date is 8/8, but we are hoping to make it to mid-July!

**Montana Bragg, CESC****Environmental Specialist**

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax

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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>**Sent:** Monday, June 21, 2021 12:31 PM**To:** Montana Bragg <[REDACTED]>**Subject:** Re: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Montana,

Ingram Concrete, LLC's application to amend COA No. 14-1025 has been in technical review since September 8, 2020.

As you know, the technical staff processes water rights applications by River Basin and in the order they are received.

Ingram Concrete's application is in the Colorado River Basin and there are a number of older applications ahead in the queue. However, the processing of applications in the Colorado River Basin is a priority at this time. I will be sure to keep you posted.

Will Matt Bellos be the contact for all of your water right applications? I will make the change anytime you wish.

Stay Comfortable. All the Best!

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Montana Bragg <[REDACTED]>
Sent: Monday, June 21, 2021 12:17 PM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: RE: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Hi Lillian,

I have been asked to check on the status of this amendment application.

As an FYI, I am currently working from home (on maternity bedrest!) so I will only be reachable by email for the foreseeable future. Once my maternity leave begins end of July, my supervisor Matt Bellos will be the primary contact for me, mbellos@westwardenv.com. But I will set up an auto reply on my email once that occurs!

Regards,



Montana Bragg, CESC

Environmental Specialist

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax

www.westwardenv.com



(The numbering of notice requirements in the Administrative Code have been revised. The actual notice requirement has not changed.)

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Thursday, December 3, 2020 9:44 AM

To: Montana Bragg <[REDACTED]>

Subject: Re: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Montana,

You are welcome. Ingram Concrete's application to amend COA No. 14-1025C is still in technical review. Once technical review is complete, the permit will be drafted and sent to the applicant for review and comment.

Please if you have any questions, don't hesitate to contact me.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Montana Bragg <[REDACTED]>

Sent: Thursday, December 3, 2020 9:33 AM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Lillian,

Thank you for the clarification. Are there any updates on when the draft permit would be expected to be ready for review?

Can you remind me how long the Notice period is?



**Montana Bragg, CESC
Environmental Specialist**

Hours: 8:30 am - 2:30 pm
Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Sent: Wednesday, December 2, 2020 5:51 PM
To: Montana Bragg <[REDACTED]>
Subject: Re: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Montana,
My apologies. That was my typo in the email. You can reassure your client that all documents for Ingram Concrete in the TCEQ Water Rights files locate the permit and amendment application in the Colorado River Basin, Basin Number 14.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Montana Bragg <[REDACTED]>
Sent: Wednesday, December 2, 2020 4:21 PM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: RE: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Hi Lillian,

My client brought up that this water rights is not in the Brazos River Basin. Was that a typo?



Montana Bragg, CESC

⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ⋮

Fw: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

🕒 Label: TCEQ Inbox (30 days) Expires: Wed 1/6/2021 10:01 AM

LB **Lillian Beerman**
Mon 12/7/2020 10:01 AM



To: Montana Bragg [REDACTED]
Cc: Lillian Beerman

Montana,

The Notice Period for Ingram Concrete 14-1025C is two week mailed notice to water right holders of record in the Colorado River Basin, pursuant to Title 30 Texas Administrative Code § 295.158(c)(3)(C).
(The numbering of notice requirements in the Administrative Code have been revised. The actual notice requirement has not changed.)

Thank you,
Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Sent: Thursday, December 3, 2020 9:44 AM
To: Montana Bragg [REDACTED]
Subject: Re: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Montana,
You are welcome. Ingram Concrete's application to amend COA No. 14-1025C is still in technical review. Once technical review is complete, the permit will be drafted and sent to the applicant for review and comment.
Please if you have any questions, don't hesitate to contact me.
Thank you,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Montana Bragg [REDACTED]
Sent: Thursday, December 3, 2020 9:33 AM

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Re: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

LB

Lillian Beerman

Thu 12/3/2020 9:44 AM



To: Montana Bragg [REDACTED]

Montana,

You are welcome. Ingram Concrete's application to amend COA No. 14-1025C is still in technical review. Once technical review is complete, the permit will be drafted and sent to the applicant for review and comment.

Please if you have any questions, don't hesitate to contact me.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Montana Bragg <[REDACTED]>

Sent: Thursday, December 3, 2020 9:33 AM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Lillian,

Thank you for the clarification. Are there any updates on when the draft permit would be expected to be ready for review?

Can you remind me how long the Notice period is?



Montana Bragg, CESC

Environmental Specialist

Hours: 8:30 am - 2:30 pm

Westward Environmental, Inc.

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RE: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

- ① You replied on Thu 12/3/2020 9:44 AM
- ① Label: TCEQ Inbox (30 days) Expires: Sat 1/2/2021 9:33 AM

MB Montana Bragg [REDACTED] 👍 ↶ ⏪ → ⋮
m>
Thu 12/3/2020 9:33 AM
To: Lillian Beerman

Lillian,

Thank you for the clarification. Are there any updates on when the draft permit would be expected to be ready for review?

Can you remind me how long the Notice period is?



Montana Bragg, CESP

Environmental Specialist

Hours: 8:30 am - 2:30 pm

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P.O. Box 2205 / Boerne, Texas 78006

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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Wednesday, December 2, 2020 5:51 PM

To: Montana Bragg <[REDACTED]>

Subject: Re: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Montana,

My apologies. That was my typo in the email. You can reassure your client that all documents for Ingram Concrete in the TCEQ Water Rights files locate the

⏪ Reply all ▾ 🗑 Delete 🚫 Junk 🛑 Block ⋮

Re: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

LB

Lillian Beerman

Wed 12/2/2020 5:50 PM



To: Montana Bragg <[REDACTED]>

Montana,

My apologies. That was my typo in the email. You can reassure your client that all documents for Ingram Concrete in the TCEQ Water Rights files locate the permit and amendment application in the Colorado River Basin, Basin Number 14.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

From: Montana Bragg <[REDACTED]>**Sent:** Wednesday, December 2, 2020 4:21 PM**To:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>**Subject:** RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Hi Lillian,

My client brought up that this water rights is not in the Brazos River Basin. Was that a typo?

**Montana Bragg, CESP****Environmental Specialist**

Hours: 8:30 am - 2:30 pm

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Re: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

LB

Lillian Beerman
Tue 11/3/2020 10:08 AM



To: Lillian Beerman

Ms. Bragg,
I apologize for the errors. It is that kind of morning.

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Sent: Tuesday, November 3, 2020 10:07 AM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: Re: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Oops, I hit send to soon. Your application is in the Colorado River Basin.

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Sent: Tuesday, November 3, 2020 10:04 AM
To: Montana Bragg
Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: Ingram Concrete_LL_COA No. 14-1025C_Technical Review

Mr. Bragg,

As you know, Ingram Concrete's Application No. 14-1025C has been declared Administratively Complete and is currently in Technical Review. The Water Rights Technical Teams will analyze the hydrologic, environmental, and conservation aspects of your request. Applications are processed in the order they are received and by river basin. Once the technical analyses are complete, the water rights project manager will draft the permit. You are given an opportunity to review the draft amendment.

 Delete ...

Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

LB

Lillian Beerman

Tue 11/3/2020 10:05 AM

To: Montana Bragg [REDACTED]

Cc: Lillian Beerman

Mr. Bragg,

As you know, Ingram Concrete's Application No. 14-1025C has been declared Administratively Complete and is currently in Technical Review. The Water Rights Technical Teams will analyze the hydrologic, environmental, and conservation aspects of your request. Applications are processed in the order they are received and by river basin. Once the technical analyses are complete, the water rights project manager will draft the permit. You are given an opportunity to review the draft amendment.

After receiving your comments, the amendment will go to Notice. In the case of your amendment, interjacent water right holders in the Brazos River Basin will have the opportunity to comment or protest the amendment.

I appreciate your prompt response to our requests for information. I will keep you abreast of the progress of your application and will contact you at important milestones. Please if you have any questions or concerns, do not hesitate to contact me.

From: Montana Bragg [REDACTED]

Sent: Tuesday, November 3, 2020 9:56 AM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>

Subject: RE: Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

Ms. Beerman,

Thank you. I was just wanting to see how the application was progressing.

Regards,

 **WESTWARD**

Montana Bragg, CESC

Environmental Specialist

Hours: 9 am - 3 pm

Westward Environmental, Inc.

Reply all Delete Junk Block

Ingram Concrete_LLC_COA No. 14-1025C_Technical Review

LB

Lillian Beerman

Tue 11/3/2020 9:41 AM

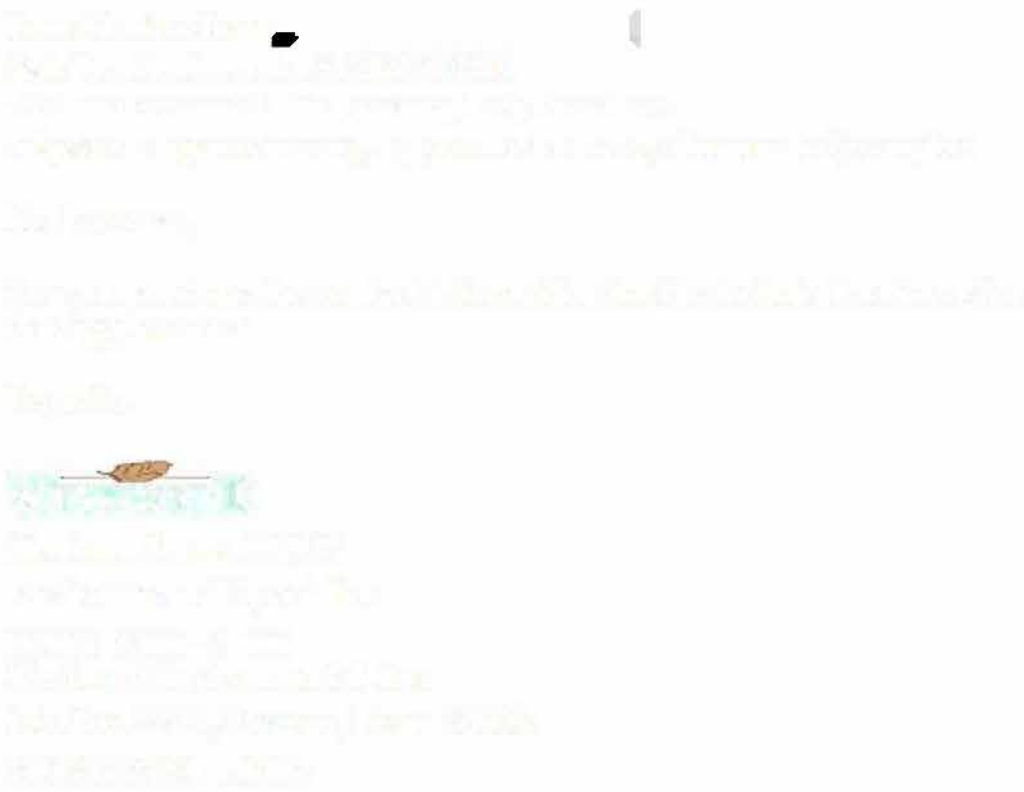


To: Montana Bragg [REDACTED]
Cc: Lillian Beerman; Chris Kozlowski

Ms. Bragg,

Thank you for your question. Ingram Concrete, LLC, Application No. 14-1025C, is currently with a team of technical staff reviewing the environmental, hydrological, and conservation aspects of your application. If you have any concerns, please forward your questions or comments to me. I will contact appropriate staff and get back to you as soon as possible.

Thank you,
Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov



Reply all Delete Junk Block

RE: Ingram Concrete, LLC_COA No. 14-1025C, Administratively Complete

- You replied on Tue 11/3/2020 9:41 AM
- Label: TCEQ Inbox (30 days) Expires: Thu 12/3/2020 9:32 AM

MB Montana Bragg <[REDACTED]>     

m>
 Tue 11/3/2020 9:32 AM
 To: Lillian Beerman

Ms. Beerman,

 Can you send me the contact information for the technical reviewer for this application?

 Regards,


Montana Bragg, CESC
Environmental Specialist
 Hours: 9 am - 3 pm
 Westward Environmental, Inc.
 P.O. Box 2205 / Boerne, Texas 78006
 830.249.8284 Phone
 830.249.0221 Fax
www.westwardenv.com



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F
 [REDACTED]

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Ingram Concrete, LLC_COA No. 14-1025C, Administratively Complete

LB

Lillian Beerman

Tue 9/8/2020 3:00 PM



To: Montana Bragg [REDACTED]

Cc: Lillian Beerman

Ingram Concrete_14-1025C_R...

197 KB

Ingram Concrete_14-1025C_A...

275 KB

2 attachments (472 KB) [Download all](#) [Save all to OneDrive - Texas Commission on Environmental Quality](#)

Ms. Bragg:

Ingram Concrete, LLC's Application No. 14-1025 has been declared administratively complete on September 8, 2020.

Please do not hesitate to contact me if you have any questions or concerns.

Thank you,

Lillian E. Beerman, Ph.D.

Water Rights Permitting Team

Water Availability Division

512-239-4019

lillian.beerman@tceq.texas.gov

[Reply](#) | [Reply all](#) | [Forward](#)

TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team

DATE: September 8, 2020

SUBJECT: Ingram Concrete, LLC
ADJ 1025
CN603378241, RN102589413
Application No. 14-1025C to Sever Certificate of Adjudication
No. 14-1026 and Combine it with and Amend Certificate of
Adjudication No. 14-1025
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Colorado River, Colorado River Basin
Coke County

The application and fees were received on June 18, 2020. Additional information and fees were received on August 7, 12, and 14, 2020. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 8, 2020. Limited mailed notice is required pursuant to Title 30 Texas Administrative Code § 295.158(c)(2)(C).

All fees have been paid and the application is sufficient for filing.

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required **YES** **NO**

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 8, 2020

Ms. Montana Bragg
Westward Environmental, Inc.
4 Shooting Club Road
Boerne, TX 78006-5914

VIA E-MAIL

RE: Ingram Concrete, LLC
ADJ 1025
CN603378241, RN102589413
Application No. 14-1025C to Sever Certificate of Adjudication No. 14-1026
And Combine It with And Amend Certificate of Adjudication No. 14-1025
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Colorado River, Colorado River Basin
Coke County

Dear Ms. Bragg:

This acknowledges receipt on August 7, 12, and 14, 2020, of additional information and fees in the amount of \$ 2.94 (Receipt No. M023335, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on September 8, 2020. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning this matter please contact me via email at lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



12-AUG-20 08:21 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u>	<u>Account#</u>	<u>Account Name</u>	<u>Ref#1</u>	<u>Ref#2</u>	<u>Check Number</u>	<u>CC Type</u>	<u>Tran Code</u>	<u>Slip Key</u>	<u>Tran Date</u>	<u>Tran Amount</u>
NOTICE FEES-WUP-WATER USE PERM	PTGU			M023335		18420			BS00082127	12-AUG-20	-\$2.94
	PTGU			ADJ141025		081120	N		D0805919		
			NOTICE FEES WUP WATER USE PERMITS	WESTWARD ENVIRONMENTAL INC		VHERNAND	CK				

Total (Fee Code) : -\$2.94

RECEIVED
2020 AUG 14 A 8:25
WATER AVAILABILITY DIV.

RECEIVED
AUG 14 2020
Water Availability Division

RECEIVED
AUG 14 2020
Water Availability Division

⏪ Reply all ▾ 🗑 Delete 🗑 Junk Block ⋮

Re: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

LB

Lillian Beerman

Fri 8/14/2020 4:27 PM



To: Montana Bragg [REDACTED]

Cc: Lillian Beerman

Thank you, Montana,
We also received your check.
Have a good weekend,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Montana Bragg [REDACTED]

Sent: Friday, August 14, 2020 12:00 PM

To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: RE: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

Ms. Beerman,

I checked the TWDB list just now and all of the surveys assigned to Ingram Concrete LLC have been submitted.

Thank you,



**Montana Bragg, CESC
Environmental Specialist**

Hours: 9 am – 3 pm
Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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RE: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

🕒 Label: TCEQ Inbox (30 days) Expires: Sun 9/13/2020 12:02 PM

MB

Montana Bragg [REDACTED]

Fri 8/14/2020 12:02 PM

To: Lillian Beerman

200814_10013.221_RFI Respo...

65 KB

Ms. Beerman,

I checked the TWDB list just now and all of the surveys assigned to Ingram Concrete LLC have been submitted.

Thank you,



Montana Bragg, CESC

Environmental Specialist

Hours: 9 am – 3 pm

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Friday, August 7, 2020 5:12 PM

To: Montana Bragg [REDACTED]

Subject: Re: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

TEXAS WATER DEVELOPMENT BOARD

Three-Year Status of Prior Water Use Surveys

As of 8/14/2020 11:55:24 AM

Revised as Additional Data Becomes Available Through Survey Responses

Report Filename: SurveyStatus_PriorThreeYears

TWDB SurveyNo	Year	Name	Survey Status
0419364	2019	INGRAM CONCRETE LLC-ABILENE PLANT	Submitted
0419364	2018	INGRAM CONCRETE LLC-ABILENE PLANT	Submitted
0419364	2017	INGRAM CONCRETE LLC-ABILENE PLANT	Submitted
1105035	2019	INGRAM CONCRETE LLC-AMARILLO PLANT	Submitted
1105035	2018	INGRAM CONCRETE LLC-AMARILLO PLANT	Submitted
0419353	2019	INGRAM CONCRETE LLC-BALLINGER PLANT	Submitted
0419353	2018	INGRAM CONCRETE LLC-BALLINGER PLANT	Submitted
0419353	2017	INGRAM CONCRETE LLC-BALLINGER PLANT	Submitted
1102638	2019	INGRAM CONCRETE LLC-BIG SPRING CONCRETE PLANT	Submitted
1102638	2018	INGRAM CONCRETE LLC-BIG SPRING CONCRETE PLANT	Submitted
1102638	2017	INGRAM CONCRETE LLC-BIG SPRING CONCRETE PLANT	Submitted
1105036	2019	INGRAM CONCRETE LLC-BORGER PLANT	Submitted
1105036	2018	INGRAM CONCRETE LLC-BORGER PLANT	Submitted
1103723	2019	INGRAM CONCRETE LLC-BRADY PLANT	Submitted
1103723	2018	INGRAM CONCRETE LLC-BRADY PLANT	Submitted
1103723	2017	INGRAM CONCRETE LLC-BRADY PLANT	Submitted
0096250	2019	INGRAM CONCRETE LLC-BRECKENRIDGE PLANT	Submitted
0096250	2018	INGRAM CONCRETE LLC-BRECKENRIDGE PLANT	Submitted
0096250	2017	INGRAM CONCRETE LLC-BRECKENRIDGE PLANT	Submitted
1102594	2019	INGRAM CONCRETE LLC-BRONTE PLANT	Submitted
1102594	2018	INGRAM CONCRETE LLC-BRONTE PLANT	Submitted
1102594	2017	INGRAM CONCRETE LLC-BRONTE PLANT	Submitted
0136520	2019	INGRAM CONCRETE LLC-BROWNFIELD PLANT	Submitted
0136520	2018	INGRAM CONCRETE LLC-BROWNFIELD PLANT	Submitted
0136520	2017	INGRAM CONCRETE LLC-BROWNFIELD PLANT	Submitted
0100675	2019	INGRAM CONCRETE LLC-BROWNWOOD PLANT	Submitted
0100675	2018	INGRAM CONCRETE LLC-BROWNWOOD PLANT	Submitted
0100675	2017	INGRAM CONCRETE LLC-BROWNWOOD PLANT	Submitted
1103722	2019	INGRAM CONCRETE LLC-BURKBURNETT PLANT	Submitted
1103722	2018	INGRAM CONCRETE LLC-BURKBURNETT PLANT	Submitted
1103722	2017	INGRAM CONCRETE LLC-BURKBURNETT PLANT	Submitted
1102031	2019	INGRAM CONCRETE LLC-CLEBURNE PLANT	Submitted
1102031	2018	INGRAM CONCRETE LLC-CLEBURNE PLANT	Submitted
1102031	2017	INGRAM CONCRETE LLC-CLEBURNE PLANT	Submitted
0419356	2019	INGRAM CONCRETE LLC-COLEMAN PLANT	Submitted
0419356	2018	INGRAM CONCRETE LLC-COLEMAN PLANT	Submitted
0419356	2017	INGRAM CONCRETE LLC-COLEMAN PLANT	Submitted
1102030	2019	INGRAM CONCRETE LLC-COLORADO CITY PLANT	Submitted
1102030	2018	INGRAM CONCRETE LLC-COLORADO CITY PLANT	Submitted
1102030	2017	INGRAM CONCRETE LLC-COLORADO CITY PLANT	Submitted
0419355	2019	INGRAM CONCRETE LLC-COMANCHE PLANT	Submitted
0419355	2018	INGRAM CONCRETE LLC-COMANCHE PLANT	Submitted
0419355	2017	INGRAM CONCRETE LLC-COMANCHE PLANT	Submitted
1105038	2019	INGRAM CONCRETE LLC-DUMAS PLANT	Submitted
1105038	2018	INGRAM CONCRETE LLC-DUMAS PLANT	Submitted

TEXAS WATER DEVELOPMENT BOARD**Three-Year Status of Prior Water Use Surveys***As of 8/14/2020 11:55:24 AM**Revised as Additional Data Becomes Available Through Survey Responses**Report Filename: SurveyStatus_PriorThreeYears*

1102029	2019	INGRAM CONCRETE LLC-EASTLAND PLANT	Submitted
1102029	2018	INGRAM CONCRETE LLC-EASTLAND PLANT	Submitted
1102029	2017	INGRAM CONCRETE LLC-EASTLAND PLANT	Submitted
0419354	2019	INGRAM CONCRETE LLC-GLEN ROSE PLANT	Submitted
0419354	2018	INGRAM CONCRETE LLC-GLEN ROSE PLANT	Submitted
0419354	2017	INGRAM CONCRETE LLC-GLEN ROSE PLANT	Submitted
0419359	2019	INGRAM CONCRETE LLC-GOLDTHWAITE PLANT	Submitted
0419359	2018	INGRAM CONCRETE LLC-GOLDTHWAITE PLANT	Submitted
0419359	2017	INGRAM CONCRETE LLC-GOLDTHWAITE PLANT	Submitted
0419360	2019	INGRAM CONCRETE LLC-GRANBURY PLANT	Submitted
0419360	2018	INGRAM CONCRETE LLC-GRANBURY PLANT	Submitted
0419360	2017	INGRAM CONCRETE LLC-GRANBURY PLANT	Submitted
0419361	2019	INGRAM CONCRETE LLC-HAMILTON PLANT	Submitted
0419361	2018	INGRAM CONCRETE LLC-HAMILTON PLANT	Submitted
0419361	2017	INGRAM CONCRETE LLC-HAMILTON PLANT	Submitted
1104257	2019	INGRAM CONCRETE LLC-HASKELL PLANT	Submitted
1104257	2018	INGRAM CONCRETE LLC-HASKELL PLANT	Submitted
1104257	2017	INGRAM CONCRETE LLC-HASKELL PLANT	Submitted
1105037	2019	INGRAM CONCRETE LLC-HEREFORD PLANT	Submitted
1105037	2018	INGRAM CONCRETE LLC-HEREFORD PLANT	Submitted
0372375	2019	INGRAM CONCRETE LLC-INGRAM SAND AND GRAVEL	Submitted
0372375	2018	INGRAM CONCRETE LLC-INGRAM SAND AND GRAVEL	Submitted
0372375	2017	INGRAM CONCRETE LLC-INGRAM SAND AND GRAVEL	Submitted
1103721	2019	INGRAM CONCRETE LLC-IOWA PARK PLANT	Submitted
1103721	2018	INGRAM CONCRETE LLC-IOWA PARK PLANT	Submitted
1103721	2017	INGRAM CONCRETE LLC-IOWA PARK PLANT	Submitted
1104938	2019	INGRAM CONCRETE LLC-JUNCTION PLANT	Submitted
1104938	2018	INGRAM CONCRETE LLC-JUNCTION PLANT	Submitted
1104938	2017	INGRAM CONCRETE LLC-JUNCTION PLANT	Submitted
0518201	2019	INGRAM CONCRETE LLC-LEVELLAND PLANT	Submitted
0518201	2018	INGRAM CONCRETE LLC-LEVELLAND PLANT	Submitted
0518201	2017	INGRAM CONCRETE LLC-LEVELLAND PLANT	Submitted
0526845	2019	INGRAM CONCRETE LLC-LITTLEFIELD PLANT	Submitted
0526845	2018	INGRAM CONCRETE LLC-LITTLEFIELD PLANT	Submitted
0526845	2017	INGRAM CONCRETE LLC-LITTLEFIELD PLANT	Submitted
0143470	2019	INGRAM CONCRETE LLC-LUBBOCK NORTH PLANTS	Submitted
0143470	2018	INGRAM CONCRETE LLC-LUBBOCK NORTH PLANTS	Submitted
0143470	2017	INGRAM CONCRETE LLC-LUBBOCK NORTH PLANTS	Submitted
0518200	2019	INGRAM CONCRETE LLC-LUBBOCK SOUTH PLANT	Submitted
0518200	2018	INGRAM CONCRETE LLC-LUBBOCK SOUTH PLANT	Submitted
0518200	2017	INGRAM CONCRETE LLC-LUBBOCK SOUTH PLANT	Submitted
0678525	2019	INGRAM CONCRETE LLC-MIDLAND PLANT	Submitted
0678525	2018	INGRAM CONCRETE LLC-MIDLAND PLANT	Submitted
0678525	2017	INGRAM CONCRETE LLC-MIDLAND PLANT	Submitted
1105567	2019	INGRAM CONCRETE LLC-MW RANCH SITE	Submitted
1105034	2019	INGRAM CONCRETE LLC-PAMPA PLANT	Submitted
1105034	2018	INGRAM CONCRETE LLC-PAMPA PLANT	Submitted

TEXAS WATER DEVELOPMENT BOARD**Three-Year Status of Prior Water Use Surveys***As of 8/14/2020 11:55:24 AM**Revised as Additional Data Becomes Available Through Survey Responses**Report Filename: SurveyStatus_PriorThreeYears*

1105566	2019	INGRAM CONCRETE LLC-PROCTOR PIT	Submitted
1105564	2019	INGRAM CONCRETE LLC-RENFROE PIT	Submitted
0179310	2019	INGRAM CONCRETE LLC-SAN ANGELO PLANT	Submitted
0179310	2018	INGRAM CONCRETE LLC-SAN ANGELO PLANT	Submitted
0179310	2017	INGRAM CONCRETE LLC-SAN ANGELO PLANT	Submitted
1102061	2019	INGRAM CONCRETE LLC-SAN SABA PLANT	Submitted
1102061	2018	INGRAM CONCRETE LLC-SAN SABA PLANT	Submitted
1102061	2017	INGRAM CONCRETE LLC-SAN SABA PLANT	Submitted
1105563	2019	INGRAM CONCRETE LLC-SANCO MATERIALS ROBERT LEE PLANT	Submitted
1105565	2019	INGRAM CONCRETE LLC-SILVER SAND & GRAVEL	Submitted
0804158	2019	INGRAM CONCRETE LLC-SNYDER PLT	Submitted
0804158	2018	INGRAM CONCRETE LLC-SNYDER PLT	Submitted
0804158	2017	INGRAM CONCRETE LLC-SNYDER PLT	Submitted
1102028	2019	INGRAM CONCRETE LLC-SONORA PLANT	Submitted
1102028	2018	INGRAM CONCRETE LLC-SONORA PLANT	Submitted
1102028	2017	INGRAM CONCRETE LLC-SONORA PLANT	Submitted
0419362	2019	INGRAM CONCRETE LLC-SPRINGTOWN PLANT	Submitted
0419362	2018	INGRAM CONCRETE LLC-SPRINGTOWN PLANT	Submitted
0419362	2017	INGRAM CONCRETE LLC-SPRINGTOWN PLANT	Submitted
0419357	2019	INGRAM CONCRETE LLC-STEPHENVILLE PLANT	Submitted
0419357	2018	INGRAM CONCRETE LLC-STEPHENVILLE PLANT	Submitted
0419357	2017	INGRAM CONCRETE LLC-STEPHENVILLE PLANT	Submitted
1102026	2019	INGRAM CONCRETE LLC-SWEETWATER PLANT	Submitted
1102026	2018	INGRAM CONCRETE LLC-SWEETWATER PLANT	Submitted
1102026	2017	INGRAM CONCRETE LLC-SWEETWATER PLANT	Submitted
1102959	2019	INGRAM CONCRETE LLC-US CONCRETE-NORTH AMARILLO PIT	Submitted
0419358	2019	INGRAM CONCRETE LLC-WEATHERFORD PLANT	Submitted
0419358	2018	INGRAM CONCRETE LLC-WEATHERFORD PLANT	Submitted
0419358	2017	INGRAM CONCRETE LLC-WEATHERFORD PLANT	Submitted
1103720	2019	INGRAM CONCRETE LLC-WICHITA FALL PLANT	Submitted
1103720	2018	INGRAM CONCRETE LLC-WICHITA FALL PLANT	Submitted
1103720	2017	INGRAM CONCRETE LLC-WICHITA FALL PLANT	Submitted
1102025	2019	INGRAM CONCRETE LLC-WILLOW PARK PLANT	Submitted
1102025	2018	INGRAM CONCRETE LLC-WILLOW PARK PLANT	Submitted
1102025	2017	INGRAM CONCRETE LLC-WILLOW PARK PLANT	Submitted

⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ⋮

Re: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

LB

Lillian Beerman
Fri 8/7/2020 5:11 PM



To: Montana Bragg [REDACTED]

Montana,

I received your email. I will let you know when I receive the check.
Thank you and have a safe and healthy weekend,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Montana Bragg [REDACTED]
Sent: Friday, August 7, 2020 3:58 PM
To: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>
Subject: RE: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

Lillian,

Attached is the letter I am sending via FedEx today. Once the TWDB database is updated, I will send you that information as well.

Have a nice weekend,

Montana Bragg, CESC

Environmental Specialist

August Hours: M-F 9-12, 1-4
Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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RE: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

🕒 Label: TCEQ Inbox (30 days) Expires: Sun 9/6/2020 3:59 PM

MB

Montana Bragg [REDACTED]

Fri 8/7/2020 3:59 PM

To: Lillian Beerman

200807_10013.221_RFI Respo...

1 MB

Lillian,

Attached is the letter I am sending via FedEx today. Once the TWDB database is updated, I will send you that information as well.

Have a nice weekend,



Montana Bragg, CESC

Environmental Specialist

August Hours: M-F 9-12, 1-4

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Wednesday, July 29, 2020 10:35 AM

To: Montana Bragg [REDACTED]

Subject: Re: Ingram Concrete LLC_Application No. 14-1025C_Request for Information



August 7, 2020

Lillian E. Beerman, Ph.D.
Texas Commission on Environmental Quality
Water Rights Permitting Team, MC 160
12100 Park 35 Circle
Austin TX 78753

Re: Request for Information for Application No. 14-1025C to Sever Certificate of Adjudication No. 14-1026 and Combine It with And Amend Certificate of Adjudication No. 14-1025
Ingram Concrete, LLC
Adj 1025
CN603378241, RN102589413

Lillian E. Beerman, Ph.D.,

Please see the below response to the Request for Information Letter dated July 28, 2020.

Enclosed is a check for \$2.94 for the Limited Mailed Notice fees, as requested.

The five (5) missing 2019 Texas Water Development Board (TWDB) surveys issued to Ingram Concrete LLC were submitted to TWDB on August 6, 2020.

Westward Environmental will serve as the contact for this project. Please contact me with any questions.

Respectfully Submitted,
WESTWARD ENVIRONMENTAL, INC.

A handwritten signature in blue ink that reads "Montana Bragg". The signature is fluid and cursive.

Montana Bragg
Environmental Specialist

Enclosures:
Mailed Notice Fees
Copy of TWDB Database listing
Copy of RFI Letter



Montana Bragg

From: Montana Bragg
Sent: Friday, August 7, 2020 2:01 PM
To: Waterusesurvey
Subject: RE: TWDB Surveys - Ingram Concrete LLC

Thank you!



**Montana Bragg, CESC
Environmental Specialist**

August Hours: M-F 9-12, 1-4
Westward Environmental, Inc.
P.O. Box 2205 / Boerne, Texas 78006
830.249.8284 Phone
830.249.0221 Fax



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From: Waterusesurvey <waterusesurvey@twdb.texas.gov>
Sent: Friday, August 7, 2020 9:54 AM
To: Montana Bragg [REDACTED]
Subject: RE: TWDB Surveys - Ingram Concrete LLC

Ok I will add intake source of rainwater, I'm getting ready for a meeting. I will complete that this afternoon.



Nattie Gonzalez

Water Use & Planning Data
1700 N Congress Ave, P.O. Box 13231, Austin, TX 78711
office: 512-936-0887 | f 512-463-8468

From: Montana Bragg [REDACTED]
Sent: Friday, August 7, 2020 9:46 AM
To: Waterusesurvey <[REDACTED]>
Subject: RE: TWDB Surveys - Ingram Concrete LLC

External: Beware of links/attachments.

For the two incomplete, if they have the need to use water in the future, it would be the same procedure as the other sites (captured rainwater and groundwater seepage from on-site pits/ponds, if present).



Montana Bragg, CESP
Environmental Specialist
August Hours: M-F 9-12, 1-4
Westward Environmental, Inc.
P.O. Box 2205 / Boerne, Texas 78006
830.249.8284 Phone
830.249.0221 Fax



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From: Waterusesurvey <[REDACTED]>
Sent: Friday, August 7, 2020 9:43 AM
To: Montana Bragg <[REDACTED]>
Subject: RE: TWDB Surveys - Ingram Concrete LLC

For those two survey that have Admin incomplete our database require an intake source and that wasn't provided. In the future will those system purchased or pump groundwater or collect rainwater. I can add that source there with no data.



Nattie Gonzalez
Water Use & Planning Data
1700 N Congress Ave, P.O. Box 13231, Austin, TX 78711
office: 512-936-0887 | f 512-463-8468



From: Montana Bragg <[REDACTED]>
Sent: Friday, August 7, 2020 9:17 AM
To: Waterusesurvey <[REDACTED]>
Subject: RE: TWDB Surveys - Ingram Concrete LLC

External: Beware of links/attachments.

Good Morning,

I see that the surveys are listed as either “admin incomplete” or “not submitted”. Are they still in review, or are you needing additional information?



Montana Bragg, CESP
Environmental Specialist

August Hours: M-F 9-12, 1-4
Westward Environmental, Inc.
P.O. Box 2205 / Boerne, Texas 78006
830.249.8284 Phone
830.249.0221 Fax



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From: Waterusesurvey <[REDACTED]>
Sent: Thursday, August 6, 2020 3:27 PM
To: Montana Bragg <[REDACTED]>
Subject: RE: TWDB Surveys - Ingram Concrete LLC

Thank you I will update our database

From: Montana Bragg <[REDACTED]>
Sent: Thursday, August 6, 2020 3:03 PM
To: Waterusesurvey <[REDACTED]>
Cc: [REDACTED]
Subject: RE: TWDB Surveys - Ingram Concrete LLC

External: Beware of links/attachments.

Good Afternoon,

Please see the attached surveys submitted on behalf of Ingram Concrete LLC.

Let me know if there are any questions.

Regards,



**Montana Bragg, CESC
Environmental Specialist**

August Hours: M-F 9-12, 1-4
Westward Environmental, Inc.
P.O. Box 2205 / Boerne, Texas 78006
830.249.8284 Phone
830.249.0221 Fax



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From: Waterusesurvey <[redacted]>
Sent: Wednesday, July 29, 2020 1:35 PM
To: Montana Bragg <[redacted]>
Subject: RE: TWDB Surveys - Ingram Concrete LLC

Status	Survey Number	Survey Name
Estimated	1102959	INGRAM CONCRETE LLC-US CONCRETE-KRITSER PIT
Estimated	1105563	INGRAM CONCRETE LLC-SANCO MATERIALS ROBERT LEE PLANT
Estimated	1105564	INGRAM CONCRETE LLC-RENFROE PIT
Estimated	1105565	INGRAM CONCRETE LLC-SILVER SAND & GRAVEL
Estimated	1105570	INGRAM CONCRETE LLC-WEST TEXAS LIMESTONE

In the word attachment you will find survey that have been submitted in the pdf attachment there is a blank survey form you can save that to your desktop.
The list above are the survey that have not been complete please use that Pdf form attachment.
Our Water Use Survey Application is closed to the public as July 1.



Nattie Gonzalez
Water Use & Planning Data
1700 N Congress Ave, P.O. Box 13231, Austin, TX 78711
office: 512-936-0887 | 512-463-8468

[REDACTED]

From: Montana Bragg [REDACTED]
Sent: Wednesday, July 29, 2020 11:18 AM
To: Waterusesurvey <[REDACTED]>
Subject: TWDB Surveys - Ingram Concrete LLC

External: Beware of links/attachments.

Good Morning,

I am inquiring about TWDB surveys for Ingram Concrete, LLC - Nos. 1105564, 1105563, 1105565, 1102959, and 1105570. We just discovered they were not submitted, and are working on remedying that ASAP. Can you let me know where the original survey notification was sent for each of these? It appears this is the first year the survey was required for each facility.

Thank you,



Montana Bragg, CESP

Environmental Specialist

Hours: M-F 9 am - 3 pm

Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 28, 2020

Ms. Montana Bragg
Westward Environmental, Inc.
4 Shooting Club Road
Boerne, TX 78006-5914

VIA EMAIL

RE: Ingram Concrete, LLC
ADJ 1025
CN603378241, RN102589413
Application No. 14-1025C to Sever Certificate of Adjudication No. 14-1026
And Combine It with And Amend Certificate of Adjudication No. 14-1025
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Colorado River, Colorado River Basin
Coke County

Dear Ms. Bragg:

This acknowledges receipt on June 18, 2020, of the referenced application and fees in the amount of \$ 212.50 (Receipt No. M021422, copy attached).

Before the application can be declared administratively complete, remit fees in the amount of **\$ 2.94**, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fees	(Sever & Combine/Amendment)	\$ 200.00
Recording Fees	(\$1.25 x 10 pages)	\$ 12.50
Notice Fees	(\$2.94 x 1 WR Holder)	\$ 2.94
<hr/>		
TOTAL FEES		\$ 215.44
FEES RECEIVED		\$ 212.50
<hr/>		
TOTAL FEES DUE		\$ 2.94

Please submit the requested fees by August 27, 2020 or the application may be returned pursuant to Title 30 Texas Administrative Code (TAC) § 281.18.

Note that as of July 28, 2020, one or more of the Texas Water Development Board's (TWDB) Water Use Surveys have not been received and/or declared administratively complete by the TWDB.

Texas Water Code (TWC) § 16.012(m) states: "a person who fails to timely complete and return the survey is not eligible for funding from the board for board programs and is ineligible to obtain permits, permit amendments, or permit renewals from the commission under Chapter 11..." Copies of TWC § 16.012 (m) and Title 30 TAC § 297.41 are enclosed for your reference.

Be aware that the amendment to COA No. 14-1025 will not be issued, if recommended for issuance, until the TWDB's 2019 Water Use Survey is returned and declared administratively complete by the TWDB.

Ingram Concrete, LLC
Application No. 14-1025C
July 28, 2020
Page 2 of 2

If you have any questions concerning this matter, please contact me via email at lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



29-JUN-20 09:07 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u>	<u>Account#</u>	<u>Account Name</u>	<u>Ref#1</u>	<u>Check Number</u>	<u>CC Type</u>	<u>Tran Code</u>	<u>Slip Key</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP			M021422	5110063441			BS00081208	29-JUN-20	-\$212.50
	WUP			ADJ141026	062520	N		D0805484		
WATER USE PERMITS				US CONCRETE	VHERNAND	CK				
				INC						
	WUP			M021423	1536			BS00081208	29-JUN-20	-\$1,268.22
	WUP			ADJ141189A	062520	N		D0805484		
WATER USE PERMITS				GLASS,	VHERNAND	CK				
				ROGER						

RECEIVED
 2020 JUL -1 A 9:45
 WATER AVAILABILITY DIV.

Total (Fee Code): -\$1,480.72
 Grand Total: -\$2,594.22

⏪ Reply all ▾ 🗑 Delete 🚫 Junk Block ⋮

Re: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

LB

Lillian Beerman

Wed 7/29/2020 10:35 AM



To: Montana Bragg [REDACTED]

Ms. Bragg,

You can send it to either. There is someone in the office -- Water Rights Permitting, MC 160. If it goes to the office we learn more quickly about payment. Thank you,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

From: Montana Bragg [REDACTED]**Sent:** Wednesday, July 29, 2020 9:52 AM**To:** Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>**Subject:** RE: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

Thank you, just wanted to verify the receipt.

Additionally, to which address should the payment be submitted? Water Rights Permitting MC-160 or to the Cashiers office MC-214?



**Montana Bragg, CESC
Environmental Specialist**

Hours: M-F 9 am - 3 pm
Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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Fw: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

LB

Lillian Beerman
Mon 8/3/2020 5:41 PM



To: Lillian Beerman

From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Wednesday, July 29, 2020 9:48 AM

To: Montana Bragg [REDACTED]

Subject: Re: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

Ms. Bragg,

Thank you for your prompt response.

The receipt you received includes multiple fees for water rights applications, not just the fees for Ingram Concrete.

Ingram Concrete LLC's fees of \$212.50 are noted with the Receipt no. M021422.

I hope this responds to your concerns. Please do not hesitate to contact me if you any questions.

Thank you,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

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RE: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

🕒 Label: TCEQ Inbox (30 days) Expires: Fri 8/28/2020 9:28 AM

MB

Montana Bragg [REDACTED]
m>

Wed 7/29/2020 9:28 AM
To: Lillian Beerman

Ms. Beerman,

I will get the Notice Fees submitted shortly, and investigate the missing TWDB Surveys.

Additionally, the receipt page appears to include information on an unrelated account. Roger Glass is not associated with this application as far as I am aware.



**Montana Bragg, CESC
Environmental Specialist**

Hours: M-F 9 am - 3 pm
Westward Environmental, Inc.

P.O. Box 2205 / Boerne, Texas 78006

830.249.8284 Phone

830.249.0221 Fax



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From: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Sent: Tuesday, July 28, 2020 5:33 PM

To: Montana Bragg [REDACTED]

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Subject: Ingram Concrete LLC_Application No. 14-1025C_Request for Information

Ingram Concrete LLC_Application No. 14-1025C_Request for Information

Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

Tue 7/28/2020 5:32 PM

To:

Cc: Lillian Beerman <Lillian.Beerman@Tceq.Texas.Gov>

■ 2 attachments (811 KB)

Ingram Concrete_14-1025C_RFI Sent_07.28.2020.pdf; Ingram Concrete_14-1025C_Receipt.pdf;

Ms. Bragg,

Attached is a Request for Information for Ingram Concrete LLC's Application No. 14-1025 to sever COA No. 14-1026 and combine it with and amend COA No. 14-1025.

Response is due on Thursday, August 27, 2020.

If you have any questions, please do not hesitate to contact me.

Thank you,

Lillian E. Beerman, Ph.D.
Water Rights Permitting Team
Water Availability Division
512-239-4019
lillian.beerman@tceq.texas.gov

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 28, 2020

Ms. Montana Bragg
Westward Environmental, Inc.
4 Shooting Club Road
Boerne, TX 78006-5914

VIA EMAIL

RE: Ingram Concrete, LLC
ADJ 1025
CN603378241, RN102589413
Application No. 14-1025C to Sever Certificate of Adjudication No. 14-1026
And Combine It with And Amend Certificate of Adjudication No. 14-1025
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Colorado River, Colorado River Basin
Coke County

Dear Ms. Bragg:

This acknowledges receipt on June 18, 2020, of the referenced application and fees in the amount of \$ 212.50 (Receipt No. M021422, copy attached).

Before the application can be declared administratively complete, remit fees in the amount of **\$ 2.94**, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fees	(Sever & Combine/Amendment)	\$ 200.00
Recording Fees	(\$1.25 x 10 pages)	\$ 12.50
Notice Fees	(\$2.94 x 1 WR Holder)	\$ 2.94
<hr/>		
TOTAL FEES		\$ 215.44
FEES RECEIVED		\$ 212.50
<hr/>		
TOTAL FEES DUE		\$ 2.94

Please submit the requested fees by August 27, 2020 or the application may be returned pursuant to Title 30 Texas Administrative Code (TAC) § 281.18.

Note that as of July 28, 2020, one or more of the Texas Water Development Board's (TWDB) Water Use Surveys have not been received and/or declared administratively complete by the TWDB.

Texas Water Code (TWC) § 16.012(m) states: "a person who fails to timely complete and return the survey is not eligible for funding from the board for board programs and is ineligible to obtain permits, permit amendments, or permit renewals from the commission under Chapter 11..." Copies of TWC § 16.012 (m) and Title 30 TAC § 297.41 are enclosed for your reference.

Be aware that the amendment to COA No. 14-1025 will not be issued, if recommended for issuance, until the TWDB's 2019 Water Use Survey is returned and declared administratively complete by the TWDB.

Ingram Concrete, LLC
Application No. 14-1025C
July 28, 2020
Page 2 of 2

If you have any questions concerning this matter, please contact me via email at lillian.beerman@tceq.texas.gov or by telephone at (512) 239-4019.

Sincerely,

Lillian E. Beerman, Ph.D.

Lillian E. Beerman, Ph.D., Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



29-JUN-20 09:07 AM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u>	<u>Account#</u>	<u>Account Name</u>	<u>Ref#1</u>	<u>Ref#2</u>	<u>Paid In By</u>	<u>Check Number</u>	<u>CC Type</u>	<u>Tran Code</u>	<u>Slip Key</u>	<u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP			M021422			5110063441				BS00081208	29-JUN-20	-\$212.50
	WUP			ADJ141026			062520	N			D0805484		
WATER USE PERMITS				US CONCRETE			VHERNAND	CK					
				INC									
	WUP			M021423			1536				BS00081208	29-JUN-20	-\$1,268.22
	WUP			ADJ141189A			062520	N			D0805484		
WATER USE PERMITS				GLASS,			VHERNAND	CK					
				ROGER									

Total (Fee Code): -\$1,480.72
 Grand Total: -\$2,594.22

RECEIVED
 2020 JUL -1 A 9:45
 WATER AVAILABILITY DIV.

RECEIVED
 JUL 01 2020
 Water Availability Division

WESTWARD ENVIRONMENTAL, INC.



TCEQ WATER RIGHTS PERMITTING APPLICATION PERMIT AMENDMENT

Certificates 14-1025 and 14-1026
Colorado River, Coke County, Texas

AMENDMENT APPLICATION PREPARED FOR:
INGRAM CONCRETE, LLC

PREPARED BY:
WESTWARD ENVIRONMENTAL, INC.
BOERNE, TEXAS
PROJECT NO. 10013.221

JUNE 2020

Ingram Concrete, LLC
TCEQ Water Rights Permitting Application
Permit Amendment
Certificates 14-1025 and 14-1026
Colorado River, Coke County, Texas

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June 2020

Westward Environmental, Inc.

Project No.: 10013.221

www.westwardenv.com

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): Ingram Concrete, 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 Irrigation Land
- Worksheet 1.1**
- Addendum to Worksheet 1.1
- Worksheet 1.2**
- Addendum to 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 Inundation 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
- 24-hour Pump Test
- 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

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

Administrative Information Report

ADMINISTRATIVE INFORMATION REPORT

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

*****Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4691.**

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."

Sever and combine 14-1025 and 14-1026.

Set the sole diversion point to 31.858593°, -100.339756° on the north bank of the Colorado River

to be utilized for mining purposes for all 67 acre-feet.

Remove all pre-existing diversion points, as they are invalid and no longer in use.

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?

Ingram Concrete, 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 : 603378241 (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: **Jeff Roberts**

Title: **Vice President**

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

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

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

Name: **Ingram Concrete, LLC**

Mailing Address: **PO Box 1166**

City: **Brownwood**

State: **TX**

ZIP Code: **76804**

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 4/22/2020

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 18304867536 SOS Charter (filing) Number: 0800835923

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: **Montana Bragg**

Title: **Environmental Specialist**

Organization Name: **Westward Environmental, Inc.**

Mailing Address: **4 Shooting Club Road**

City: **Boerne**

State: **TX**

ZIP Code: **78006**

Phone No.: **830-249-8284**

Extension: **N/A**

Fax No.: **830-249-0221**

E-mail Address: 

N/A

**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:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

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) 239-4691, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / 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**

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**

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).

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Jeff Roberts

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: [Handwritten Signature]
(Use blue ink)

Date: 4/17/2020

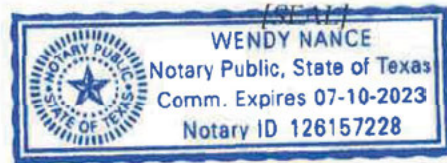
Subscribed and Sworn to before me by the said

on this 17th day of April, 2020.

My commission expires on the 10th day of July, 2023.

Wendy L. Nance
Notary Public

Brown
County, Texas



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

Written Evidence of Signatory Authority

**WRITTEN CONSENT
OF THE SOLE MEMBER
OF
INGRAM CONCRETE, LLC**

April 30, 2020

The undersigned, being the sole member (the “*Sole Member*”) of Ingram Concrete, LLC, a Texas limited liability company (the “*Company*”), does hereby waive notice and consent to and adopt the following resolutions, which resolutions shall be deemed to be adopted as of the date hereof to the same extent and with the same force and effect as if such resolutions were duly adopted at a duly convened meeting held for such purpose, all in accordance with Section 101.359 of the Business Organizations Code of the State of Texas.

**RATIFICATION OF APPOINTMENT
OF OFFICERS OF THE COMPANY**

WHEREAS, Luis A. Collazo has resigned from his position as Treasurer of the Company and any and all other positions he held at any direct and indirect subsidiary of the Company (each a “*Subsidiary*”, and collectively, the “*Subsidiaries*”);

WHEREAS, the Sole Member deems it advisable, and in the Company’s best interest, to ratify the appointment of Thomas Wayne Womack as the replacement to Luis A. Collazo in his positions at the Company and each of the Subsidiaries;

WHEREAS, the individuals listed immediately below previously have been appointed to the offices set forth opposite their respective names:

Paul M. Jolas	Vice President and Secretary
Ronnie Pruitt	President
Jeffrey W. Roberts	Vice President and General Manager
Thomas Wayne Womack	Treasurer

WHEREAS, the Sole Member deems it advisable and in the Company’s best interest to ratify the appointment of those individuals to the offices set forth opposite their respective names above.

NOW, THEREFORE, BE IT RESOLVED, that, the appointment of the individuals listed above to the offices set forth opposite their respective names be, and hereby is, ratified, confirmed and approved in all respects, with such individuals holding office until their respective successors have been duly elected and qualified or until their earlier death, resignation, retirement or removal;

RESOLVED FURTHER, that the appointment of Thomas Wayne Womack as the replacement to Luis A. Collazo at the Company and each of the Subsidiaries be, and hereby is, ratified, confirmed and approved in all respects, with such individual holding office until his respective successors have been duly elected and qualified or until his earlier death, resignation, retirement or removal.

GENERAL

NOW, THEREFORE, BE IT RESOLVED, that, the “proper officers” referenced in these resolutions, with respect to the Company and each Subsidiary, shall be the Company’s or such Subsidiary’s Chief Executive Officer (if any), President, Vice President or Secretary (if any), including, for the avoidance of doubt, the officers appointed pursuant to the foregoing resolutions;

RESOLVED FURTHER, that, the Company’s and each Subsidiary’s proper officers are, and each of them individually hereby is, authorized, empowered and directed, in the name and on behalf of the Company or such Subsidiary, to approve, execute and deliver, from time to time, any and all such agreements, instruments, certificates and other documents in connection with any action contemplated by the foregoing resolutions as necessary, desirable or appropriate to carry into effect the purposes and intent of the foregoing resolutions;

RESOLVED FURTHER, that, in connection with the actions contemplated by the foregoing resolutions, the Company’s and each Subsidiary’s proper officers be, and each hereby is, authorized, in the name and on behalf of the Company and such Subsidiary, to do such further acts and things as are necessary or appropriate in connection with, or to carry out the actions contemplated by, the foregoing resolutions, including (i) executing, delivering, issuing or filing (or causing to be made, executed, delivered or filed) with any person, including any governmental authority or agency, all such agreements, documents, instruments, certificates, consents and waivers and any amendments to any such agreements, documents, instruments or certificates and (ii) exercising, in the name and on behalf of the Company and each such Subsidiary, the rights and powers that the Company and each such Subsidiary may have as a direct or indirect equity holder of the Subsidiaries to appoint each of the officers of each such Subsidiary, in each case to hold office until their respective successors have been duly elected and qualified or until their earlier death, resignation, retirement or removal;

RESOLVED FURTHER, that, any and all actions of the proper officers of the Company or any Subsidiary (including, for the avoidance of doubt, the officers appointed pursuant to the foregoing resolutions) taken in connection with the actions contemplated by the foregoing resolutions prior to the execution hereof be, and each hereby is, ratified, confirmed, approved and adopted in all respects by the Company or any applicable Subsidiary, as fully as if any such action had been presented for approval and approved prior to such action being taken;

RESOLVED FURTHER, that, any and all agreements, documents, instruments, certificates, amendments, consents and waivers signed, executed or delivered, in the name and on behalf of the Company or any Subsidiary prior to the date hereof (including, for the avoidance of doubt, any indemnification arrangements with any officer of the Company or any Subsidiary), by any officer of the Company or such Subsidiary appointed pursuant to the foregoing resolutions are, and each hereby is, ratified, confirmed, approved and adopted in all respects by the Company or applicable Subsidiary, as fully as if any such agreement, document, instrument, certificate, amendment, consent or waiver had been presented for approval and approved prior to being signed, executed or delivered;

RESOLVED FURTHER, that, if any resolution contained herein shall be adjudicated by a court of competent jurisdiction to be invalid, prohibited or unenforceable for any reason, then,

to the greatest extent permitted by applicable law, such resolution, solely with respect to such jurisdiction, shall be ineffective, without affecting the validity or enforceability of any other resolution in such jurisdiction and without affecting the validity or enforceability of any resolution in any other jurisdiction;

RESOLVED FURTHER, that, the Secretary and any other appropriate officer of the Company or each Subsidiary are, and each individually hereby is, authorized, empowered and directed to certify and furnish such copies of these resolutions and such statements as to the incumbency of the Company's or such Subsidiary's officers, under seal if necessary, as may be requested, and any person receiving such certified copy is and shall be authorized to rely upon the contents thereof;

RESOLVED FURTHER, that, this consent may be executed by facsimile, telecopy or other reproduction, and such execution shall be considered valid, binding and effective for all purposes; and

RESOLVED FURTHER, that, this consent may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall be considered one and the same consent and shall become effective when executed by all relevant persons.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the undersigned has executed this consent as of the date first above written.

**ALBERTA INVESTMENTS, INC., as Sole
Member**



Name: Paul M. Jolas

Title: Vice President and Secretary

Technical Information Report

TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

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

Applicants are strongly encouraged 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 call Water Availability Division at (512) 239-4691 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N (If yes, date : 4/22/2020).

1. New or Additional Appropriations of State Water. Texas Water Code (TWC) § 11.121 (Instructions, Page. 12)

State Water is: *The water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake, and of every bay or arm of the Gulf of Mexico, and the storm water, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watershed in the state. TWC § 11.021.*

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N
- 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 (If yes, indicate the Certificate or Permit number: n/a)

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

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

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

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

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

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

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

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 14-1025

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
14-1026	14-1025

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)

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 / N *If yes, call the Water Availability Division at (512) 239-4691 to discuss.*

Additionally, all amendments require:

- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page.34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

3. Bed and Banks. TWC § 11.042 (Instructions, Page 13)

- a. Pursuant to contract, Applicant requests authorization to convey, stored or conserved water to the place of use or diversion point of purchaser(s) using the bed and banks of a watercourse? TWC § 11.042(a). Y/N

If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC §§ 295.101 and 297.101. Further, if the underlying Permit or Authorization upon which the Contract is based does not authorize Purchaser's requested Quantity, Purpose or Place of Use, or Purchaser's diversion point(s), then either:

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

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

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

- c. Applicant requests to convey Applicant's own return flows derived from privately owned groundwater using the bed and banks of a watercourse? TWC § 11.042(b). Y/N

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

- d. Applicant requests to convey Applicant's own return flows derived from surface water using the bed and banks of a watercourse? TWC § 11.042(c). Y/N

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, Maps, and fees from the list below.

****Please note, if Applicant requests the reuse of return flows belonging to others, the Applicant will need to submit the worksheets and documents under Section 1 above, as the application will be treated as a new appropriation subject to termination upon direct or indirect reuse by the return flow discharger/owner.***

- e. Applicant requests to convey water from any other source, other than (a)-(d) above, using the bed and banks of a watercourse? TWC § 11.042(c). Y/N

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

Worksheets and information:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)
- **Worksheet 4.0 – Discharge Information Worksheet** (for each discharge point)
- **Worksheet 5.0 – Environmental Information Worksheet**
- **Worksheet 6.0 – Water Conservation Information Worksheet**
- **Worksheet 7.0 – Accounting Plan Information Worksheet**
- **Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34**
- **Maps – See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

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

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

Ingram Concrete, LLC Bronte Plant is located within the Region F Planning Group.

The state and regional water plans do not address this individual water right.

The application is consistent with the 2016 Regional and the 2017 State water plan

because there is nothing in the plans that conflict with the application.

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

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

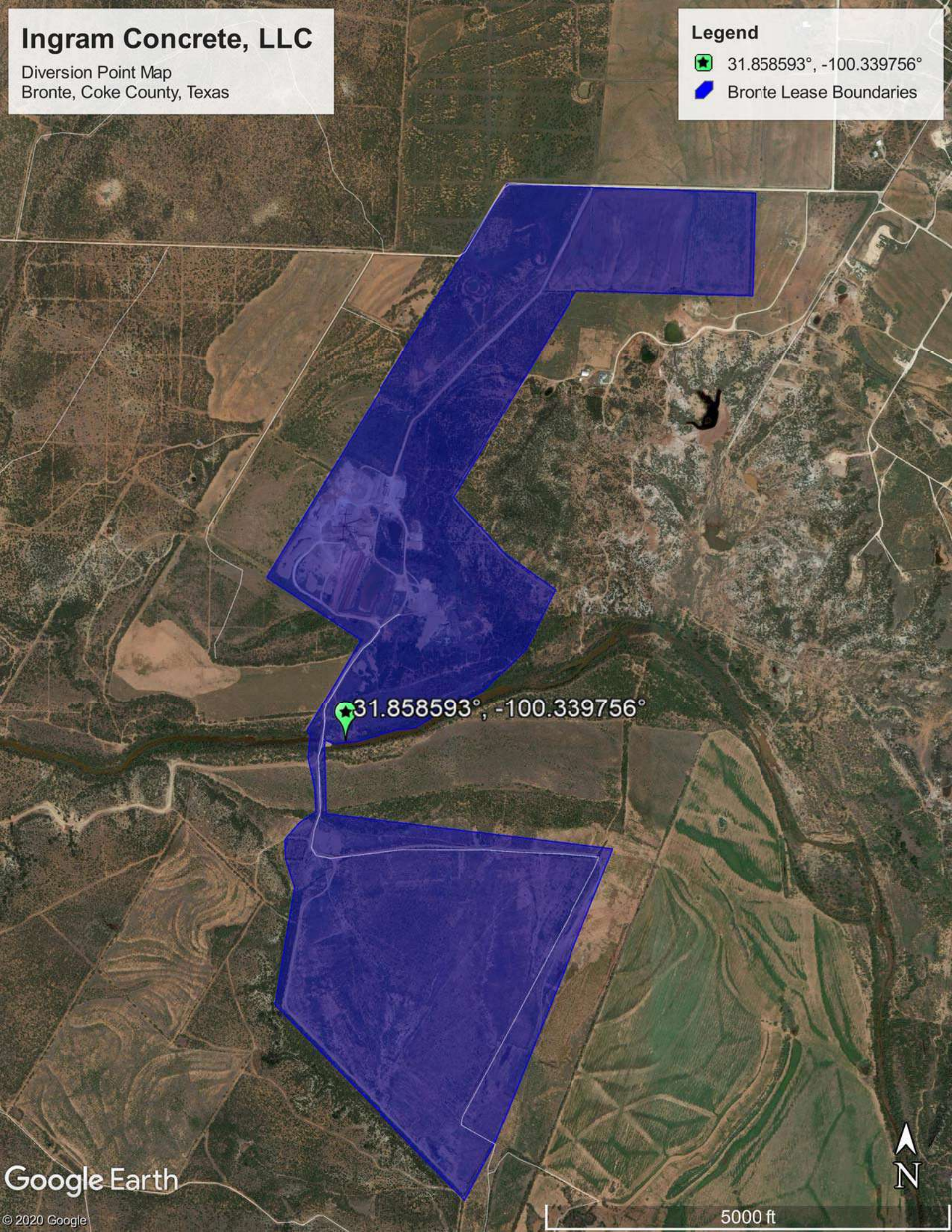
Maps

Ingram Concrete, LLC

Diversion Point Map
Bronte, Coke County, Texas

Legend



-  31.858593°, -100.339756°
-  Bronte Lease Boundaries



Ingram Concrete, LLC

Diversion Point Map
Bronte, Coke County, Texas

Legend

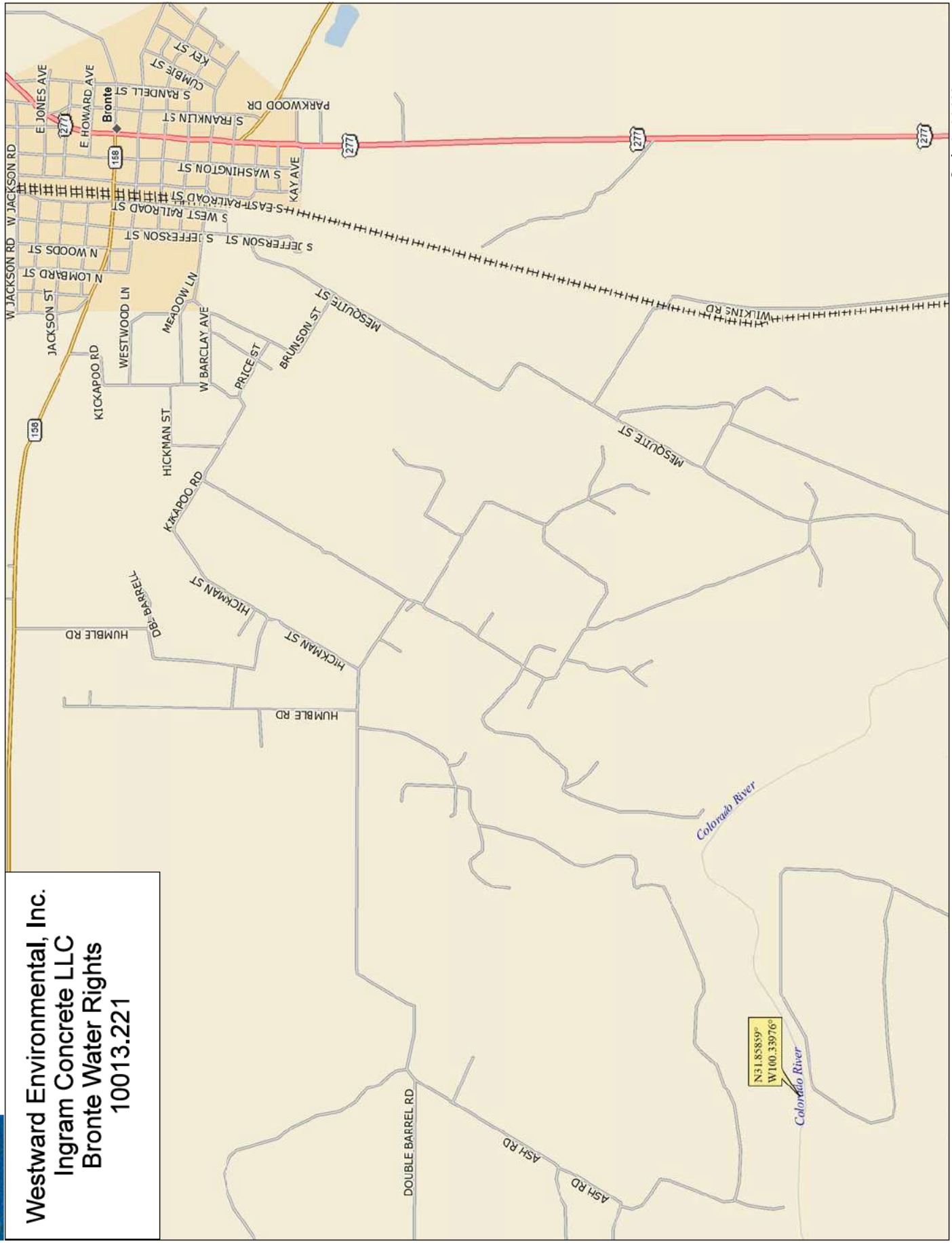
-  31.858593°, -100.339756°
-  Bronte Lease Boundaries

31.858593°, -100.339756°





Westward Environmental, Inc.
 Ingram Concrete LLC
 Bronte Water Rights
 10013.221



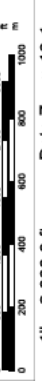
Data use subject to license.

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www.delorme.com



Scale 1 : 24,000



1" = 2,000.0 ft

Data Zoom 13-1

Worksheet 3.0

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** ^{2.22} _____ 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 checked="" type="checkbox"/>	Directly from stream	proposed
<input type="checkbox"/>	From an on-channel reservoir	
<input type="checkbox"/>	From a stream to an on-channel reservoir	
<input type="checkbox"/>	Other method (explain fully, use additional sheets if necessary)	

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

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

If yes, the drainage area is _____ sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4691, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Colorado River
- b. Zip Code: 76933
- c. Location of point: In the Maverick, SA Original Survey No. 951, Abstract No. 576, Coke 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.

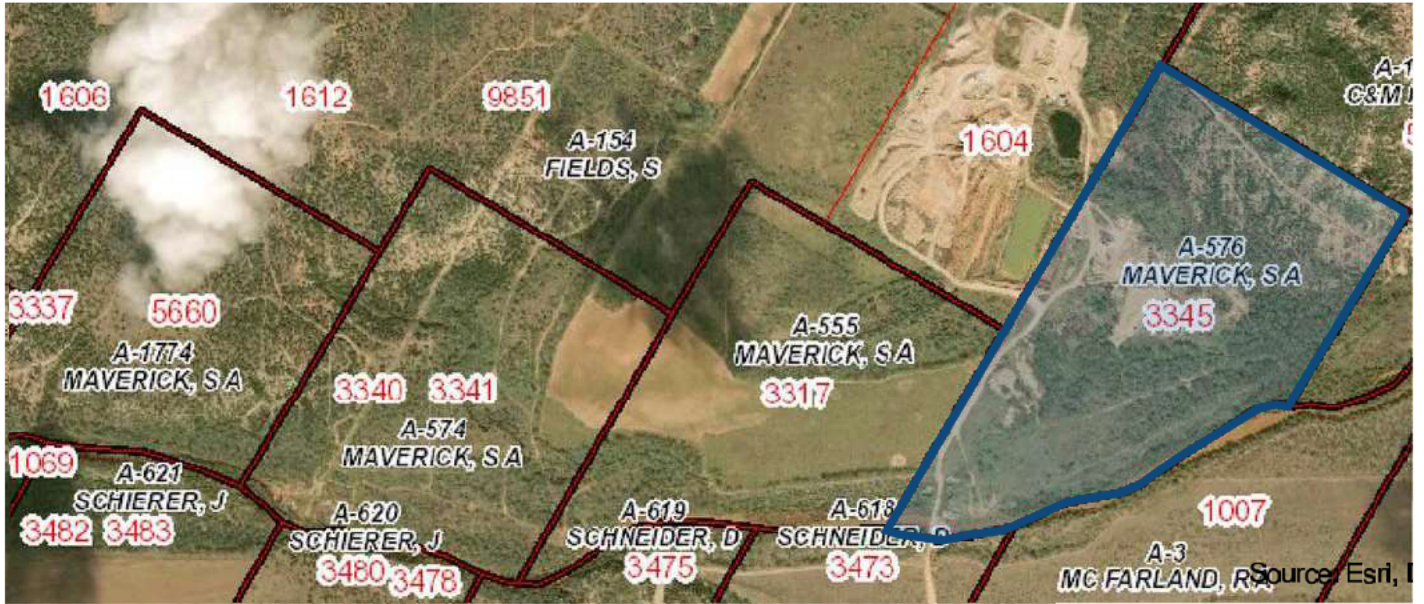
- d. Point is at:
Latitude 31.858593 °N, Longitude -100.339756 °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- 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.

Recorded Deeds for Diversion Access and Lease Agreements

Coke CAD Property Search

Property ID: 3345 For Year 2019

Map



Property Details

Account	
Property ID:	3345
Legal Description:	ABST 576SEC 951S A MAVERICK
Geographic ID:	1-22-005760951001000000
Agent Code:	
Type:	Real Estate
Location	
Address:	, , TX
Map ID:	,
Neighborhood CD:	
Owner	
Owner ID:	R4050
Name:	WICKSON PAT ETAL
Mailing Address:	110 QUAIL RUN ODESSA, TX 79761
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$0
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$0
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$96,650
Market Value:	\$96,650
Ag Use Value:	\$4,300
Appraised Value:	\$4,300
Homestead Cap Loss:	\$0
Assessed Value:	\$4,300

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01	Coke Cad	0.000000	\$96,650	\$4,300	\$0.00	\$0.00
02	Coke County	0.376368	\$96,650	\$4,300	\$16.18	\$0.00
04	FM & FC	0.114395	\$96,650	\$4,300	\$4.92	\$0.00
05	Underground Water	0.010370	\$96,650	\$4,300	\$0.45	\$0.00
11	East Hospital	0.350057	\$96,650	\$4,300	\$15.05	\$0.00
24	Bronte ISD	1.010000	\$96,650	\$4,300	\$43.43	\$0.00

Total Tax Rate: 1.861190 Estimated Taxes With Exemptions: \$80.03 Estimated Taxes Without Exemptions: \$1,798.84

Property Improvement - Building

Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
P3		31	0.00	0.00	0.00	\$31,000	\$1,520
P1		22	0.00	0.00	0.00	\$31,900	\$1,320
P2		27	0.00	0.00	0.00	\$33,750	\$1,460

Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2020	N/A	N/A	N/A	N/A	N/A	N/A
2019	\$0	\$96,650	\$4,300	\$4,300	\$0	\$4,300
2018	\$0	\$96,650	\$4,300	\$4,300	\$0	\$4,300
2017	\$0	\$96,650	\$4,220	\$4,220	\$0	\$4,220
2016	\$0	\$89,140	\$4,220	\$4,220	\$0	\$4,220
2015	\$0	\$89,140	\$4,220	\$4,220	\$0	\$4,220
2014	\$0	\$75,460	\$3,750	\$3,750	\$0	\$3,750
2013	\$0	\$75,460	\$3,760	\$3,760	\$0	\$3,760
2012	\$0	\$75,460	\$3,760	\$3,760	\$0	\$3,760
2011	\$0	\$75,460	\$3,760	\$3,760	\$0	\$3,760

Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Number
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DISCLAIMER

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

THE STATE OF TEXAS

COUNTY OF COKE

PLANT SITE LEASE

THIS LEASE AGREEMENT is by and between LARRY BILLINGSLEY AND PATRICIA WICKSON (Lessor), and SANCO MATERIALS COMPANY, a Texas corporation (Lessee), acting by and through its undersigned duly authorized officer,

WITNESSETH

1. Lessor, for and in consideration of the rents, covenants, conditions and agreements hereinafter contained, to be paid, kept and performed by Lessee, HAS LEASED AND LET and by these presents does lease and let unto Lessee, its successors and assigns, for the sole and only purpose of processing, washing, sorting, separating, grading, crushing, transporting, storing and selling sand, gravel and rock certain lands located in Coke County, Texas, and more fully described in Exhibit "A" attached hereto.

TO HAVE AND TO HOLD the same unto the said Lessee, its successors and assigns forever, for the uses and purposes herein set out and subject to the covenants, conditions and consideration set forth herein. The terms and conditions of this Lease shall be binding upon the heirs, successors and assigns of both Lessor and Lessee.

The purpose of this Lease shall be to allow Lessor to conduct the operations described above with regard to materials mined on properties that do not belong to the Lessor. Though this lease may remain in effect, operations related to materials mined from Lessor's property will not be subject to this Lease in that they are covered by the Sand, Gravel and Rock Lease which is executed concurrently with this Lease.

2. This Lease shall be for a term of ten (10) years from the date hereof. Said term may be extended by mutual consent of Lessee and Lessor in writing in one (1) year increments.

3. Once operations commence on the leased premises, and operations shall be considered to have commenced when Lessee moves in a sand and gravel processing plant, Lessee shall pay unto Lessor as rent during the term of this Lease for so long as the processing operations described by Section 1 continue thereon,

*AB
plw*

the sum of Two Thousand Dollars (\$2,000.00) per month, due and payable on the last day of the month following the month during which the operations occurred, during the first five (5) year period of this Lease, Two Thousand Three Hundred Dollars (\$2,300.00) per month during the second five year period of this Lease. Should further extensions be granted payments shall be negotiated at that time. No payments under this Lease shall be required while Lessee is mining and processing materials from lands owned by Lessor or prior to Lessee's movement of a sand and gravel processing plant onto the leased premises.

All payments to Lessor hereunder shall be payable at the addresses shown under Section 9 of this Lease.

4. This Lease shall terminate at the end of the term described above unless renewed by Lessor and Lessee, or terminated earlier by cessation of operations on the leased premises by Lessee. The commencement of mining operations on Lessor's land shall not cause a termination of this Lease even though such operations shall not be subject to this Lease. Early termination by Lessee shall require written notice to Lessor.

Lessee agrees to deliver full possession of the leased premises to Lessor upon termination of this Lease, as provided herein. If at any time during the term of this Lease, Lessee violates, whether intentionally or otherwise, any of the provisions hereof, Lessor may, after Lessee fails to cure such default within thirty (30) days after receipt of written notice by Lessor of such default, or if such default cannot be reasonably cured within said thirty days and Lessee fails to commence to cure such default within said thirty (30) days and thereafter proceed with reasonable diligence and good faith to cure such default, in addition to and without waiving any other remedies available to Lessor in this lease contract, declare this Lease terminated and Lessee shall remove all of its equipment and personnel from the premises within six (6) months from the date Lessor gives notice of the declaration of termination.

Within six (6) months of the termination of this Lease for whatever reason, Lessee shall, at its sole cost, risk and expense:

- (i) remove from the Plant Site and the leased premises all of its plant, equipment, machinery and buildings, and
- (ii) exercise its best effort to minimize damage to the land and restore it as near as is reasonably possible to the condition it was in immediately prior to

*AB
plus*

the execution of this Lease, recognizing that, given the purpose of this Lease, certain changes in the land will be inevitable. Settling ponds and other open pits dug by Lessee shall be filled with materials which were dug from such ponds and pits, graded, leveled and contoured. Plant areas will be cleaned up and any junk and scrap metal shall be removed. Lessee shall attempt to sell all remaining stockpiles of sand and gravel as soon as possible after operations under this Lease cease; any unsold stockpiles of processed sand and gravel remaining upon the leased premises at the end of one (1) year after the termination of this Lease shall become the property of Lessor. Lessee shall make every reasonable effort to restore the leased premises to a condition suitable for growing an improved variety of grass, and shall seed the area with a grass of Lessor's choice. To affect this end, Lessee will, where necessary, spread a layer of fines derived from Lessee's settling ponds over the area to provide an adequate material on which to plant grass.

Lessee shall make its best effort to complete all restoration within one (1) year after the cessation of operations, but given the vagaries of weather conditions in the area, certain aspects of the restoration, especially the seeding of grass, may take longer than one year. However, under any circumstances, Lessor shall complete all restoration within two (2) years of cessation of operations.

5. Lessee shall have the right to place upon the leased premises all plant and other equipment and machinery which it may deem necessary for its operations.

6. Lessee shall have rights of ingress and egress (including the right to construct and maintain roads) to, over and upon said land for the purpose herein set forth, and the right to take upon said lands all machinery and other equipment as Lessee may deem necessary in said work and operation. Lessor also grants ingress and egress across lands belonging to Lessor but not included in this Lease for the purposes described herein and to allow the transportation of mined raw materials from adjacent landowners' lands to Lessee's plant for processing. Lessee shall discuss the location of all proposed roads across Lessor's lands for the purposes stated herein and shall attempt to accommodate Lessor's reasonable concerns and requests as to location of such roads. Lessee shall maintain any roads it builds and/or uses so long as it continues to use them. Upon request by Lessor, Lessee shall build and maintain to the satisfaction of Lessor, cattleguards and/or gates (the choice shall be Lessee's) where necessary for Lessee's roads to cut or cross existing fences. Lessee and Lessor agree to keep all gates along

AB
plw

public roads which may allow access to Lessee's operations locked when not in use.

Lessor agrees to grant any powerline right-of-ways as needed upon Lessor's lands to provide sufficient electrical power for the operation of Lessee's equipment on the leased premises.

Lessee shall have the right to drill and produce water wells on the leased premises and to install pumping equipment. Lessee shall not have the right and it is specifically prohibited from selling, giving or removing from the devised premises any water that may be extracted from wells located on the property. Lessee shall have the right to lay a water line from the Colorado River across Lessor's lands to the leased premises, to place a water pump at the river at Lessee's water permit site and to have ingress and egress to and from said water pump and line for the purpose of maintenance.

7. Lessee binds and obligates itself to pay Lessor for all damages to the improvements or personal properties of Lessor that may result from Lessee's operations or, at Lessee's option, to replace such improvements in-kind. Lessee agrees to indemnify and hold Lessor harmless of and from any and all claims for damages whatsoever arising out of all operations carried on under this agreement whether caused by Lessee, its agents, servants and employees or its subcontractors. This shall be a complete indemnity of Lessor for all such claims for damages, whether same should be for personal injury, death or property damage or all of them, and shall include all expenses which might be incurred by Lessor in connection with the defense of any such claims, including but not limited to litigation expenses and reasonable attorneys' fees. All operations of Lessee shall be the complete and sole responsibility of Lessee, and Lessor shall have no right or authority to control any of the aspects of such operations. Lessee shall be liable for all damages to the surface estate of said lands, or any part thereof, due to pollution or any other cause resulting from Lessee's operations, including, but not limited to environmental damages, and from all claims of other persons arising out of or based upon Lessee's operations hereunder, except that changes in the land as discussed under the restoration provisions of Section 4 hereof shall not be considered as damages for the purposes of this Lease. Lessee shall carry and maintain a general liability insurance policy providing a minimum coverage of Two Million Dollars (\$2,000,000.00), naming Lessor as an additional insured, at Lessee's sole cost and expense.

Lessee accepts the demised premises, including all fences, improvements, fixtures and equipment located thereon, in their condition and state of repair existing on the date Lessee commences operations thereon.



8. Lessee shall not assign this Lease or any part thereof without Lessor's prior written consent.

9. Notices. All notices between the parties hereto shall be given in writing and shall be mailed to the addresses indicated below. Such notice will be conclusively presumed to have been given three (3) days from the date such notice was deposited in the U.S. Mail, Certified, Return Receipt Requested. Either party may change its address by delivering notice thereof to the other party.

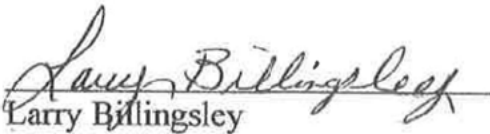
Lessor: Larry Billingsley
28160 Windwood
Boerne, Texas 78006

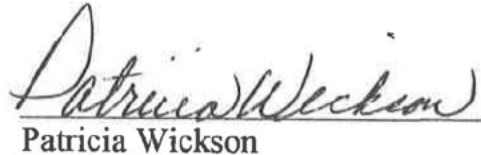
Patricia Wickson
No. 61 Augustine Ct.
Odessa, Texas 79765

Lessee: Sanco Materials Company
1040 Foster
San Angelo, Texas 76903

IN WITNESS WHEREOF, the respective parties hereto have executed this Lease in multiple originals and it shall become effective as of the most recent signatory date subscribed to below.

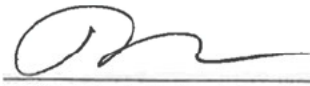
LESSOR:


Larry Billingsley


Patricia Wickson

LESSEE:

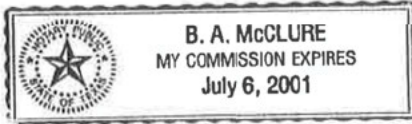
SANCO MATERIALS COMPANY


BY: Ted J. Swiderski, Vice President

THE STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me this 21st day of May, 1997, by Larry Billingsley.



B. A. McClure
NOTARY PUBLIC
STATE OF TEXAS

THE STATE OF TEXAS

COUNTY OF Llano

This instrument was acknowledged before me this 21st day of May, 1997, by Patricia Wickson.

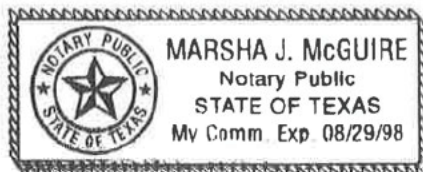


Sandra S. Stalik
NOTARY PUBLIC
STATE OF TEXAS

THE STATE OF TEXAS

COUNTY OF TOM GREEN

This instrument was acknowledged before me this 25th day of APRIL, 1997, by Ted Swiderski, Vice President of SANCO MATERIALS COMPANY, a Texas corporation, on behalf of said corporation.



Marsha J. McGuire
NOTARY PUBLIC
STATE OF TEXAS

EXHIBIT "A"

Forty acres of land belonging to Lessor and being a part of those lands described by Exhibit "A" of that certain Sand, Gravel and Rock Lease by and between Lessor and Lessee, executed concurrently with this Lease, all located in Coke County, Texas.

Alv

LESSEE:

SANCO MATERIALS COMPANY

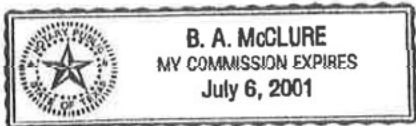


By: Ted J. Swiderski, Vice President

STATE OF TEXAS

COUNTY OF Bexar

This instrument was acknowledged before me this 30th day of August, 1999 by Larry Billingsley.

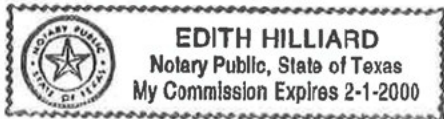


B. A. McClure
NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS

COUNTY OF ECTOR

This instrument was acknowledged before me this 7th day of SEPTEMBER, 1999 by Patricia Wickson.

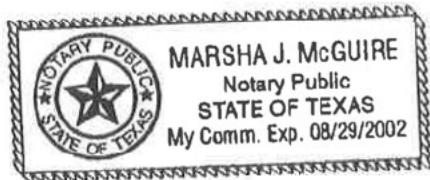


Edith Hilliard
NOTARY PUBLIC STATE OF TEXAS

STATE OF TEXAS

COUNTY OF TOM GREEN

This instrument was acknowledged before me this 9 day of Sept., 1999 by Ted J. Swiderski.



Marsha J. McGuire
NOTARY PUBLIC STATE OF TEXAS



A U.S. CONCRETE COMPANY

May 5, 2016

Larry Billingsley
28160 Windwood
Boerne, TX 78006

Patricia Wickson

~~No. 84 Augustine Ct~~
Odessa, TX 79766

110 QUAIL RUN

Re: Plant Site Lease effective September 9, 1999 and amended April 24, 2006 with Ingram Enterprises, LP (assignee of Sanco Materials Company) (the "Lease")

This is to confirm:

Ingram Enterprises, LP has merged into Ingram Concrete, LLC and you agree that Ingram Concrete, LLC is now the current lessee under the Lease.

We agree that the Lease term is extended to April 30, 2021 and that the monthly rent for the extended term shall be \$4,500.

This letter agreement shall be effective May 10, 2016.

Ingram Concrete, LLC

By: 
Jeff Roberts, Vice President

Larry Billingsley



Patricia Wickson

March 11, 2020

TCEQ

12100 Park 35 Circle

Austin, TX 78711

RE: TCEQ temporary water permit for Ingram Concrete LLC. @ Bronte, TX.

Dear Sir or Madam,

LARRY BILLINGSLEY

I, _____ grant permission to Ingram Concrete LLC. to pump from our water source on the Colorado River so that they may fill their fresh water supply pond for the purpose of washing sand and gravel.

Monty Austin is the on-site representative for Ingram Concrete LLC. at this location. He may be contacted at 325-650-2582 or 325-473-2090.

Joshua Haynes is the Aggregate Operations Manager for Ingram Concrete LLC. He may be contacted at 817-933-5503 or 254-897-4016.

Please let us know if you need any additional information.

Thank you for your help.

Regards,

Larry Billingsley

Worksheet 5.0

WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

This worksheet is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins. The worksheet is also required in all basins for: requests to change a diversion point, applications using an alternate source of water, and bed and banks applications. **Instructions, Page 28.**

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

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

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 map submitted with the application indicating the location of the photograph and the direction of the shot.
2. Measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on the new diversion structure).
3. 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.

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

For all bed and banks applications: **N/A**

- a. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on the new diversion structure).

- b. 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.

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

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

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

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

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

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

Addendum to Worksheet 5.0

Addendum to Worksheet 5.0

Job Number 10013.221
Site Name Bronte



Photo # 1
Direction: S

Notes: View of the pump at diversion point, and Colorado River Below E. V. Spence Reservoir



Photo # 2
Direction: SW,
Upstream

Notes: View at pump at Diversion Point

Addendum to Worksheet 5.0

Job Number 10013.221

Site Name Bronte



Photo # 3
Direction: SE,
Downstream

Notes: View at pump
at Diversion Point

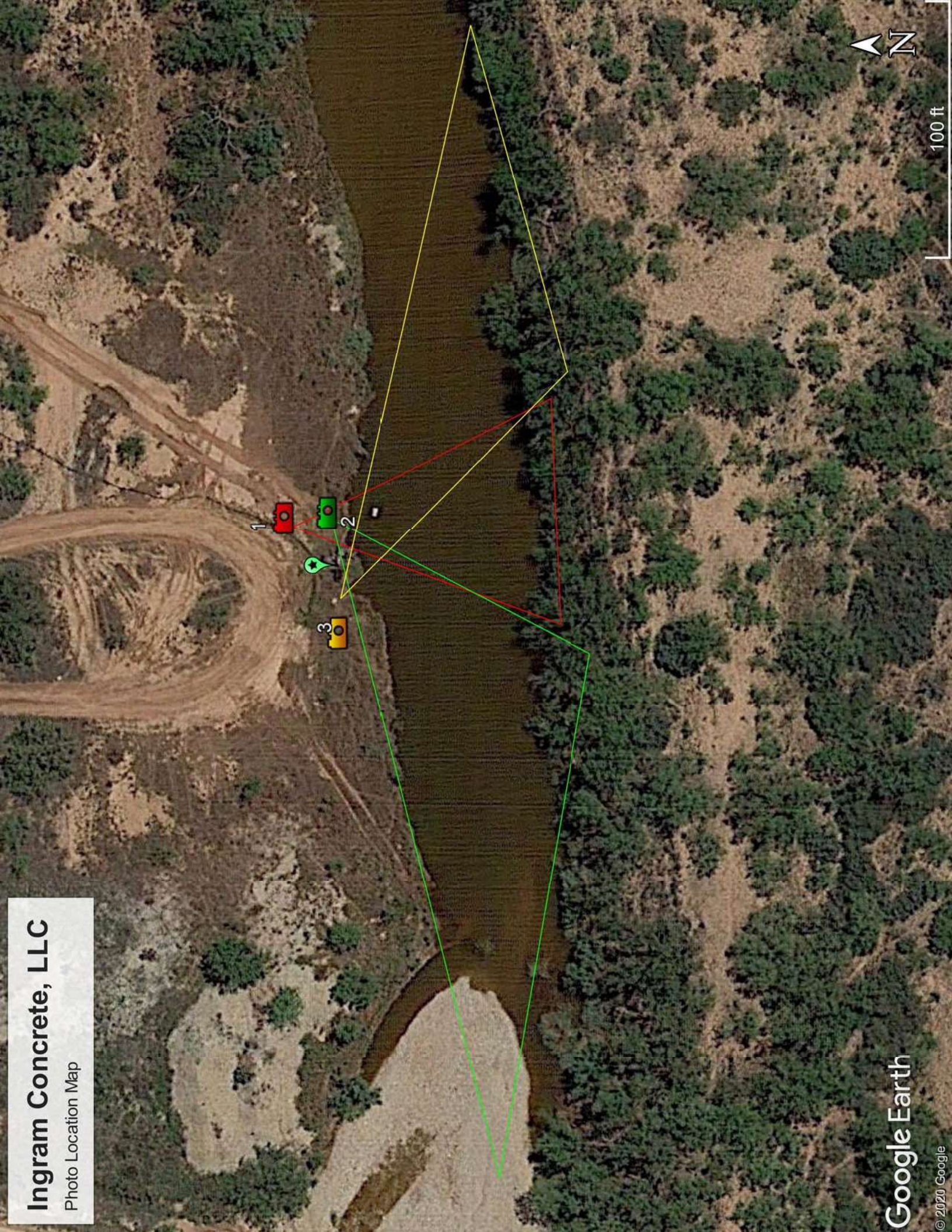


Photo # 4

Notes: Screen and float
on the pump to avoid
impingement and
entrainment of aquatic
organisms

Ingram Concrete, LLC

Photo Location Map



Worksheet 8.0

WORKSHEET 8.0 CALCULATION OF FEES

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

1. NEW APPROPRIATION

	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . <u>In Acre-Feet</u> a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4691.	
TOTAL		\$

2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
Filing Fee	Amendment: \$100 OR Sever and Combine: \$100 x $\frac{2}{100}$ of water rights to combine	200.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$ 212.50

3. BED AND BANKS

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

Copy of 14-1025

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 1, 2017

Ingram Concrete, LLC.
4301 Danhil Drive
Brownwood, Texas 76801-8512

RE: Change of Ownership
Certificate of Adjudication No. 14-1026

Dear Ingram Concrete, LLC.:

This acknowledges the receipt of the Change of Ownership form for Certificate of Adjudication No. 14-1025 on November 27, 2017.

Enclosed is a copy of the *TCEQ Water Rights Change of Ownership Memorandum*.

If you have any questions concerning this matter, please contact **Erik Shtaygrud** via e-mail at Erik.Shtaygrud@tceq.texas.gov or by telephone at (512) 239-4658.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Joseph Nicosia", written over a large, faint circular stamp.

R. Joseph Nicosia, Team Leader, MC 160
Water Rights Compliance Assurance Team
Water Availability Division

Enclosure

JN/es

TCEQ Water Rights Change of Ownership Memorandum

To: Records Management
From: Permit Support Compliance and Groundwater Section Water Availability Division
Subject: Change of Ownership

Date: December 1, 2017
Certificate of Adjudication No. 14-1025
Source County: Coke
Source Basin: Colorado

Delete: Sanco Materials Company, as owner

Add: Ingram Concrete, LLC as owner

Conveyance Documents Reviewed

Title	Dated	Doc. No.
Articles of Merger	12/21/2001	2147408800
Certificate of Assumed Business Name	11/15/2017	774201370007
Certificate of Assumed Business Name	07/19/2007	178880670002

The change of ownership form and \$100 recording fee (Receipt No. M806623) were received from Ingram Concrete, LLC. (Applicant) on November 27, 2017. The review of the submittal documents was completed on December 1, 2017. The conclusions in this memo are based upon a review of the above mentioned conveyance documents filed in the Office of the Secretary of State of Texas.

Ownership of Record with Addresses and Remarks:

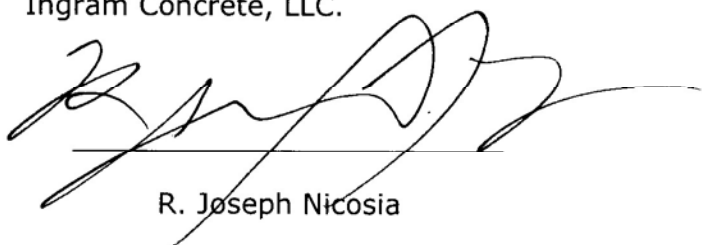
- Ingram Concrete, LLC.
4301 Danhil Drive
Brownwood, Texas 76801-8512

The ownership interest has been apportioned as follows:

Authorization 1: 309 acre-feet of water per year with the consumptive use of 35 acre-feet of water per year to divert for Mining Purposes from the Colorado River, Colorado River Basin, in Coke County, Texas.

Owner Names
Ingram Concrete, LLC

Sanco Materials Company merged with Ingram Enterprises, L.P., as stated in the Articles of Merger document dated December 21, 2001. Ingram Enterprises, L.P. is doing business as Ingram Concrete, LLC.



R. Joseph Nicosia

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



RECEIVED
SEP 18 2017
TCEQ
R8 - San Angelo

*Now held by
Ingram as of 2017*

AMENDMENT TO
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-1025B

TYPE: §11.122

Permittee: Sanco Materials Company

Address: 1040 Foster
San Angelo, Texas 76903

Filed: October 21, 1998

Granted: OCT 30 1998

Purpose: Mining

County: Coke

Watercourse: Colorado River

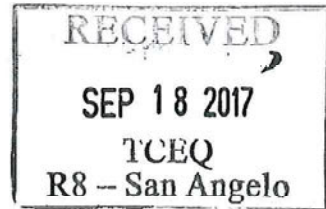
Watershed: Colorado River Basin

WHEREAS, Certificate of Adjudication No.14-1025, as amended in 1996, authorizes Sanco Materials Company to divert 309 acre-feet of water and consumptively use not to exceed 35 acre-feet of water per annum from two points on the Colorado River at a maximum rate of 2.22 cubic feet per second (cfs) (3,300 gallons per minute (gpm)) for mining purposes. The certificate has a time priority of January 10, 1966, except that diversions from the point added in the amendment (Point No. 2) is junior to all of the water rights in the watershed between the original diversion point (Point No. 1) and the added diversion point. Diversion Point No. 2 is approximately 6.5 miles downstream of the original point. ~~Special Condition A of the amendment specifies that the certificate owner's ability to divert and use water is contingent upon the maintenance of a lease agreement with Mr. W. A. Hickman and will become null and void when the lease expires.~~ *Lease agreement ended*

*2.22cfs
is approx
1,000
gpm.*

WHEREAS, an application was received from Sanco Materials Company to 1) add a diversion point (Diversion Point No. 3) and place of use located approximately two miles downstream of Diversion Point No. 1 and 4.5 miles upstream of Diversion Point No. 2 at a point on the south or right bank of the Colorado River which is S50°E, 1470 feet from the NW corner of the George Kuhlman Survey No. 463, Abstract No. 488, Coke County, Texas; 2) change Special Condition A of amendment 14-1025A such that the amendment does not reference a specific lease agreement, but only that a lease agreement is maintained; and 3) add another special condition for Diversion Point No. 3, specifying that Amendment B is valid as long as a lease agreement is maintained, and;

WHEREAS, no other changes are requested and the maximum diversion rate and amount will be a combined total for all three diversion points; and



WHEREAS, any diversions authorized from Diversion Point No. 3 will have a time priority of January 10, 1966, as there are no water rights with diversion points in the Colorado River Watershed between Diversion Point Nos. 1 and 3; and

WHEREAS, the Texas Natural Resource Conservation Commission finds that jurisdiction over the application is established; and

WHEREAS, no person protested the granting of this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Natural Resource Conservation Commission in issuing this amendment.

NOW, THEREFORE, this amendment to Certificate No. 14-1025, as amended, is issued to Sanco Materials Company, subject to the following terms and conditions:

1. DIVERSION

Remove point no longer needed
In addition to the two existing ~~diversion~~ points in the Certificate, Owner is authorized to divert water from Diversion Point No. 3 located at a point on the south or right bank of the Colorado River, which is S50°E, 1470 feet from the NW corner of the George Kuhlman Survey No. 463, Abstract No. 488, Coke County, Texas, Latitude 31.8490°N, Longitude 100.4299°W.

This number appears incorrect. 2.22 cfs = 1000 gpm
The maximum combined diversion rate for all three diversion points is 2.22 cubic feet per second (3,300 gallons per minute).

2. CONSERVATION

Owner shall implement a water conservation plan that provides for the utilization of those practices, techniques and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses.

3 SPECIAL CONDITIONS

Remove, lease agreement ended
a) ~~Authorization to divert and use water from Diversion Point No. 2 is contingent upon the owner maintaining a valid lease agreement at the diversion site.~~

b) ~~Authorization to divert and use water from Diversion Point No. 3 is contingent upon the owner maintaining a valid lease agreement at the diversion site.~~

Remove, lease agreement ended

RECEIVED
SEP 18 2017
TCEQ
R8 - San Angelo

4 TIME PRIORITY

The time priority for diversion and use of water at Diversion Point no. 3 is January 10, 1966.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate No. 14-1025, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Certificate owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Natural Resource Conservation Commission and to the right of continuing supervision of State water resources exercised by the Commission.

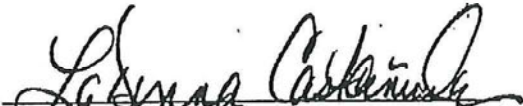
TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION



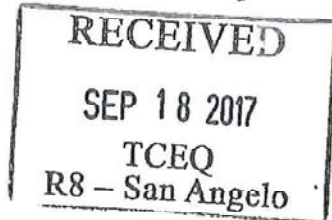
For the Commission

Date Issued: OCT 30 1998

ATTEST:


LaDonna Castañuela, Acting Chief Clerk

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



AMENDMENT TO
CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1025A

CERTIFICATE NO. 14-1025A

Name	: SANCO Materials Company	Address	: 1040 Foster San Angelo, Texas 76903
Filed	: July 2, 1996	Granted	: <u>OCT 4 1996</u>
Purpose	: Mining	County	: Coke
Watercourse	: Colorado River	Watershed	: Colorado River

WHEREAS, Certificate of Adjudication No. 14-1025, was issued to SANCO Materials Company on August 19, 1977 and includes authorization to divert 309 acre-feet of water per annum with the consumptive use of not to exceed 35 acre-feet of water per annum from the Colorado River for mining purposes to be diverted at a maximum rate of 2.22 cfs (1000 gpm), in Coke County; and

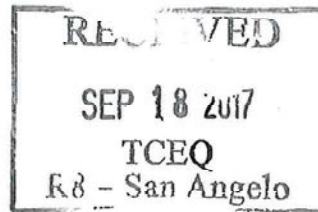
WHEREAS, the certificate has a time priority of January 10, 1966; and

WHEREAS, an application to amend Certificate No. 14-1025 has been submitted and requests the Commission to amend the Certificate by changing the place of use and point of diversion for all waters authorized for diversion and use under Certificate No. 14-1025; and

WHEREAS, the new diversion point and place of use are approximately 6.5 straight line miles downstream on the south bank of the Colorado River; and

WHEREAS, a lease agreement between SANCO Materials Company and W.A. Hickman has been received by the Commission and authorizes the use of 344.27 acres of land in the Carl L. Assman Survey No. 446 and 447, E. Allstetter Survey 448, David Schneider Survey 449, and the Mrs. J.L. Wyly Survey 1½, for mining sand and gravel at a location approximately 9 miles east southeast of Robert Lee, Coke County, Texas; and

WHEREAS, the diversion rate authorized in Certificate No. 14-1025 remains unchanged; and



WHEREAS, the Texas Natural Resource Conservation Commission finds that jurisdiction over the application is established; and

WHEREAS, the Texas Natural Resource Conservation Commission is of the opinion and so finds the proposed changes will not impair the rights of any person entitled to the use of a portion of the waters of the Colorado River Basin; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Natural Resource Conservation Commission in issuing this amendment.

NOW, THEREFORE, this amendment to Certificate No. 14-1025, is issued to SANCO Materials Company, subject to the following provisions:

1. DIVERSION

These coordinates are inaccurate. Remove point.

- A. Additional point of diversion: At the northwest corner of the E. Allstetter Survey No. 448, Abstract No. 3, also being at 31.8338° N Latitude, 100.3334° W Longitude.
- B. Maximum combined diversion rate remains unchanged at 2.22 cfs (1000 gpm).

2. PRIORITY

This amendment is junior in time priority to all the water rights in the Colorado River watershed, including tributaries, between the diversion point originally authorized for Certificate No. 14-1025 and the new diversion point authorized in this amendment to said certificate. The time priority of this amendment as it relates to all other water rights is January 10, 1966.

3. CONSERVATION

Permittee shall implement a water conservation plan that provides for the utilization of those practices, techniques, and technologies that reduce the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

4. SPECIAL CONDITION

In addition to the special conditions specified in Certificate No. 14-1025:

- ~~A.~~ The Certificate owner's ability to divert and use water on this leased property is dependent on continued maintenance of a valid lease. This amendment will become null and void without further Commission action when the lease agreement between

lease agreement ended.

RECEIVED
SEP 18 2017
TCEQ
R8 - San Angelo

SANCO Materials Company and Mr. W.A. Hickman is no longer valid. Should the owner desire to move the diversion point and place of use, a subsequent amendment would be required.

- B. Prior to the diversion of the water authorized herein, the certificate owner shall install a measurement device or utilize a method that measures within five percent (5%) accuracy and which accounts for the quantity of water diverted from the Colorado River for irrigation.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate No. 14-1025, except as specifically amended herein.

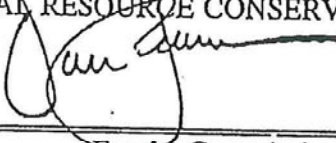
This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

The Certificate owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Natural Resource Conservation Commission and to the right of continuing supervision of State water resources exercised by the Commission.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



For the Commission

DATE ISSUED: OCT. 4 1996

ATTEST:

Mamie M. Black
Mamie M. Black, Acting Chief Clerk

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R8 - San Angelo

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION NO: 14-1025 OWNER: SANCO MATERIALS COMPANY
COUNTY: Coke PRIORITY DATE: January 10, 1966
WATERCOURSE: Colorado River BASIN: Colorado River

WHEREAS, by final decree of the 51st District Court of Tom Green County, in Cause No. 44-031-A, In Re: The Adjudication of Water Rights in the Upper Colorado River Segment of the Colorado River Basin, dated September 10, 1976, a right was recognized under Permit No. 2196 authorizing Sanco Materials Company to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Colorado River Basin is issued to Sanco Materials Company subject to the following terms and conditions:

1. USE

Owner is authorized to divert 309 acre-feet of water per annum with the consumptive use not to exceed 35 acre-feet of water per annum from the Colorado River for mining (sand and gravel washing) purposes in Coke County, Texas.

2. DIVERSION

(a) Point of Diversion: At a point on the S bank of the Colorado River which is N 87° E, 1070 feet from the NW corner of Christoph Hornburg Survey No. 466, Abstract No. 189, Coke County, Texas.

(b) Maximum Diversion Rate: 2.22 cfs (1000 gpm).

3. PRIORITY

The time priority of owner's right is January 10, 1966.

4. SPECIAL CONDITIONS

(a) Owner shall at all times maintain adequate settling pond or ponds in conjunction with use hereunder and shall return all surplus waters to the Colorado River within the near vicinity.

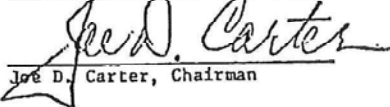
(b) This certificate shall terminate automatically when mining operations connected herewith cease.

The locations of pertinent features related to this certificate are shown on Page No. 16 of the Upper Colorado River Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Water Rights Commission and the office of the County Clerk.

This certificate of adjudication is issued subject to all terms, conditions and provisions provided for in the final decree of the 51st District Court of Tom Green County, Texas, dated September 10, 1976, in Cause No. 44-031-A, In Re: The Adjudication of Water Rights in the Upper Colorado River Segment of the Colorado River Basin and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to the Rules of the Texas Water Rights Commission and its continuing right of supervision of State water resources consistent with the public policy of the State set forth in Water Code §1.003.

TEXAS WATER RIGHTS COMMISSION


Joe D. Carter, Chairman

DATE ISSUED:

AUG 19 1977

ATTEST:


Mary Ann Pfner, Secretary

Copy of 14-1026

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 1, 2017

Ingram Concrete, LLC.
4301 Danhil Drive
Brownwood, Texas 76801-8512

RE: Change of Ownership
Certificate of Adjudication No. 14-1026

Dear Ingram Concrete, LLC.:

This acknowledges the receipt of the Change of Ownership form for Certificate of Adjudication No. 14-1026 on November 27, 2017.

Enclosed is a copy of the *TCEQ Water Rights Change of Ownership Memorandum*.

If you have any questions concerning this matter, please contact **Erik Shtaygrud** via e-mail at Erik.Shtaygrud@tceq.texas.gov or by telephone at (512) 239-4658.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Joseph Nicosia".

R. Joseph Nicosia, Team Leader, MC 160
Water Rights Compliance Assurance Team
Water Availability Division

Enclosure

JN/es

TCEQ Water Rights Change of Ownership Memorandum

To: Records Management
From: Permit Support Compliance and Groundwater Section Water Availability Division
Subject: Change of Ownership

Date: December 1, 2017
Certificate of Adjudication No. 14-1026
Source County: Coke
Source Basin: Colorado

Delete: Ingram Enterprises, L.P., as owner

Add: Ingram Concrete, LLC as owner

Conveyance Documents Reviewed

Title	Dated	Doc. No.
Articles of Merger	12/21/2001	2147408800
Certificate of Assumed Business Name	11/15/2017	774201370007
Certificate of Assumed Business Name	07/19/2007	178880670002

The change of ownership form and \$100 recording fee (Receipt No. M806622) were received from Ingram Concrete, LLC. (Applicant) on November 27, 2017. The review of the submittal documents was completed on December 1, 2017. The conclusions in this memo are based upon a review of the above mentioned conveyance documents filed in the Office of the Secretary of State of Texas.

Ownership of Record with Addresses and Remarks:

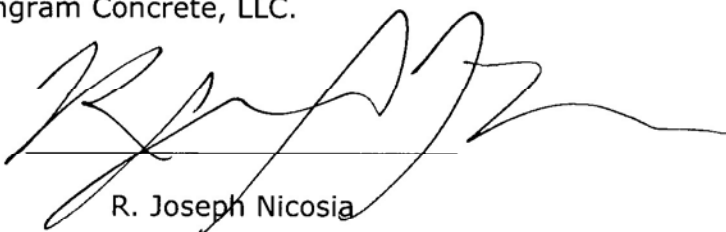
- Ingram Concrete, LLC.
4301 Danhil Drive
Brownwood, Texas 76801-8512

The ownership interest has been apportioned as follows:

Authorization 1: 320 acre-feet of water per year with the consumptive use of 32 acre-feet of water per year to divert for Mining Purposes from the Colorado River, Colorado River Basin, in Coke County, Texas.

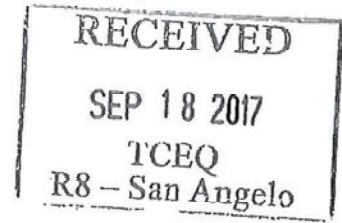
Owner Names
Ingram Concrete, LLC

Sanco Materials Company merged with Ingram Enterprises, L.P., as stated in the Articles of Merger document dated December 21, 2001. Ingram Enterprises, L.P. is doing business as Ingram Concrete, LLC.



R. Joseph Nicosia

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



*held by ingram
ASOF 2017*

AMENDMENT TO
CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1026B

CERTIFICATE NO. 14-1026B

Owner : SANCO Materials Company
Filed : August 5, 1999
Purpose : Mining
Watercourse : Colorado River

Address : 1040 Foster
San Angelo, Texas
Granted : SEP 08 1999
County : Coke County
Basin : Colorado River

WHEREAS, Certificate of Adjudication No. 14-1026, as amended on October 30, 1998 incorrectly identified Diversion Point No. 2 as being located on the south bank of the Colorado River at the northwest corner of the Emil Allstetter Survey No. 448, Abstract No. 3, Coke County also being 31.8581° N Latitude and 100.3887° W Latitude; and

they do not match coordinates from 14-1026 A. Coordinates are wrong

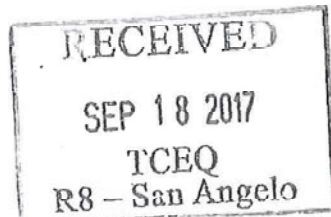
WHEREAS, this amendment should have identified this diversion point as being located on the North bank of the Colorado River; and

WHEREAS, pursuant to 30 TAC § 297.61(5) the Executive Director is recommending that this amendment be granted to SANCO Materials to indicate that this diversion point is on the north bank of the Colorado River rather than on the south bank of the river; and

WHEREAS, the Texas Natural Resource Conservation Commission finds that jurisdiction over the application is established; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Natural Resource Conservation Commission in issuing this amendment.

NOW, THEREFORE, this amendment to Certificate No. 14-1026, as amended, is issued to SANCO Materials as follows:



1. DIVERSION POINT

In lieu of the current description of Diversion Point No. 2, this point is on the North bank of the Colorado River at the northwest corner of the Emil Allstetter Survey No. 448, Abstract No. 3, Coke County also being 31.8581° N Latitude and 100.3887° W Latitude.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate No. 14-1026, as amended, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Certificate owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Natural Resource Conservation Commission and to the right of continuing supervision of State water resources exercised by the Commission.

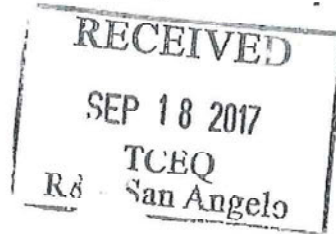
TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION

A handwritten signature in cursive script, appearing to read "Jeffrey A. Sartin".

For the Commission

Date Issued: SEP 08 1999

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



AMENDMENT TO
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-1026A	TYPE: §11.122
Permittee: Sanco Materials Company	Address: 1040 Foster San Angelo, Texas 76903
Filed: August 12, 1998	Granted: OCT 30 1998
Purpose: Mining	County: Coke
Watercourse: Colorado River	Watershed: Colorado River Basin

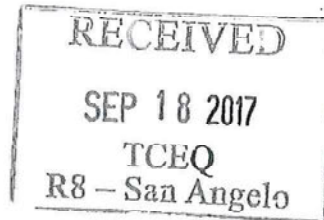
WHEREAS, Certificate of Adjudication No.14-1026 authorizes Sanco Materials Company to divert 320 acre-feet of water and consumptively use not to exceed 32 acre-feet of water per annum from a specific point (Diversion Point No. 1) on the Colorado River at a maximum rate of 1.5 cubic feet per second (cfs) (675 gallons per minute (gpm)) for mining purposes; and

WHEREAS, the certificate has a time priority of April 27, 1970; and

WHEREAS, an application was received from Sanco Materials Company to 1) add a diversion point (Diversion Point No. 2) and place of use located approximately five miles downstream of Diversion Point No. 1 at a point on the south or right bank of the Colorado River at the northwest corner of the Emil Allstetter Survey No. 448, Abstract No. 3, Coke County, TX, and 2) correct the description of the location of Diversion Point No. 1 as being at a point on the south or right bank of the Colorado River which is S50°E, 1470 feet from the NW corner of the George Kuhlman Survey No. 463, Abstract No. 488, Coke County, Texas (the certificate indicated the point as being S70°E, 1470 feet from the survey corner), and;

WHEREAS, no other changes are requested and the maximum diversion rate and the annual amount authorized under the certificate will be a combined total for both diversion points; and

WHEREAS, there are two water rights,(14-0993 and 14-0994) with diversion points on the Colorado River downstream of the diversion point authorized by Certificate No. 14-1026 and upstream of the proposed diversion point; and



WHEREAS, the Texas Natural Resource Conservation Commission finds that jurisdiction over the application is established; and

WHEREAS, no person protested the granting of this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Natural Resource Conservation Commission in issuing this amendment.

NOW, THEREFORE, this amendment to Certificate No. 14-1025, as amended, is issued to Sanco Materials Company, subject to the following terms and conditions:

1. DIVERSION

Owner is authorized to divert the water included in the certificate from:

Remove Diversion Point.

a) ~~Diversion Point No. 1 located at a point on the south or right bank of the Colorado River, which is S50°E, 1470 feet from the NW corner of the George Kuhlman Survey No. 463, Abstract No. 488, Coke County, Texas, Latitude 31.8490°N, Longitude 100.4299°W; and~~ *corrected in 1026-B*

b) ~~Diversion Point No. 2 located at a point on the south or right bank of the Colorado River at the northwest corner of the Emil Allstetter Survey No. 448, Abstract No. 3, Coke County, TX, Latitude 31.8581°N, Longitude 100.3387°W.~~ *coordinates were wrong here, and also wrong on 1026.B*

The maximum combined diversion rate for the two points shall not exceed 1.5 cubic feet per second (675 gallons per minute).

2. CONSERVATION

Owner shall implement a water conservation plan that provides for the utilization of those practices, techniques and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses.

3. PRIORITY

The time priority of use of water authorized under this certificate is April 27, 1970, except that it is junior in priority to the water rights authorized by Certificate of Adjudication Nos. 14-0993 and 14-0994.

This amendment is issued subject to all terms, conditions and provisions contained in

Certificate No. 14-1026, except as specifically amended herein.

This amendment is issued subject to all superior and senior water rights in the Colorado River Basin.

Certificate owner agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Natural Resource Conservation Commission and to the right of continuing supervision of State water resources exercised by the Commission.

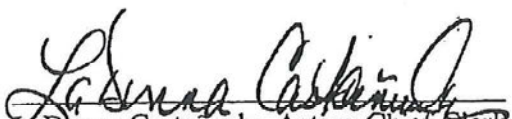
TEXAS NATURAL RESOURCE
CONSERVATION COMMISSION



For the Commission

Date Issued: OCT 30 1998

ATTEST:


LaDonna Castañuela, Acting Chief Clerk



CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION NO: 14-1026 OWNER: SANCO MATERIALS COMPANY
COUNTY: Coke PRIORITY DATE: April 27, 1970
WATERCOURSE: Colorado River BASIN: Colorado River

WHEREAS, by final decree of the 51st District Court of Tom Green County, in Cause No. 44-031-A, In Re: The Adjudication of Water Rights in the Upper Colorado River Segment of the Colorado River Basin, dated September 10, 1976, a right was recognized under Permit No. 2587 authorizing Sanco Materials Company to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Colorado River Basin is issued to Sanco Materials Company subject to the following terms and conditions:

1. USE

Owner is authorized to divert 320 acre-feet of water per annum with the consumptive use not to exceed 32 acre-feet of water per annum from the Colorado River for mining (sand and gravel washing) purposes, in Coke County, Texas.

2. DIVERSION

(a) Point of Diversion: At a point on the S bank of the Colorado River which is S 70° E, 1470 feet from the NW corner of George Kuhlman Survey No. 463, Abstract No. 488, Coke County, Texas.

(b) Maximum Diversion Rate: 1.5 cfs (675 gpm).

3. PRIORITY

The time priority of owner's right is April 27, 1970.

4. SPECIAL CONDITION

This certificate shall expire and become null and void upon the cessation of mining.

The locations of pertinent features related to this certificate are shown on Page No. 16 of the Upper Colorado River Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Water Rights Commission and the office of the County Clerk.

This certificate of adjudication is issued subject to all terms, conditions and provisions provided for in the final decree of the 51st District Court of Tom Green County, Texas, dated September 10, 1976, in Cause No. 44-031-A, In Re: The Adjudication of Water Rights in the Upper Colorado River Segment of the Colorado River Basin and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to the Rules of the Texas Water Rights Commission and its continuing right of supervision of State water resources consistent with the public policy of the State set forth in Water Code §1.003.

TEXAS WATER RIGHTS COMMISSION

DATE ISSUED:

AUG 19 1977

ATTEST:

Mary Ann Hefner
Mary Ann Hefner, Secretary

