

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN AMENDMENT TO A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1432A

Samuel W. Beaumont Jr. and Beate C. Beaumont (Owners/Applicants) seek to amend their portion of Certificate of Adjudication No. 14-1432 to add a diversion reach on Barons Creek, Colorado River Basin, in Gillespie County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Samuel W. Beaumont Jr. and Beate C. Beaumont, P.O. Box 1011, Fredericksburg, Texas 78624, Applicants, have applied to the Texas Commission on Environmental Quality to amend Certificate of Adjudication No. 14-1432, pursuant to Texas Water Code § 11.122 and Texas Commission on Environmental Quality Rules Title 30 Texas Administrative Code (TAC) § 295.1, *et seq.* Mailed notice to the interjacent water right holders in the Colorado River Basin is required pursuant to Title 30 TAC § 295.158(c)(3)(D).

A portion of Certificate of Adjudication No. 14-1432 authorizes Samuel W. Beaumont Jr. and Beate C. Beaumont to divert and use not to exceed 1.5 acre-feet of water per year from a point on an unnamed tributary of Barons Creek, and from five points on Barons Creek, tributary of the Pedernales River, Colorado River Basin, at a maximum combined diversion rate of 1.34 cfs (600 gpm), for agricultural purposes to irrigate three acres out of a 20.5-acre tract of land in Gillespie County. The time priority of Owners' right is 1947.

Applicants seek to amend their portion of Certificate of Adjudication No. 14-1432 to add a diversion reach on Barons Creek, Colorado River Basin in Gillespie County, ZIP Code 78624.

The proposed upper limit of the diversion reach is located at Latitude 30.344692° N, Longitude 98.933030° W.

The proposed lower limit of the diversion reach is located at Latitude 30.342628° N, Longitude 98.931896° W.

The application and partial fees were received on August 12, 2021. Additional information and fees were received on September 9, 2021. The application was declared administratively complete and filed with the Office of the Chief Clerk on September 24, 2021.

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 screens on any new diversion structure(s). 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 by phone 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 February 27, 2023. 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 February 27, 2023. The Executive Director may approve the application unless a written request for a contested case hearing is filed by February 27, 2023.

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 1432 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 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 08, 2023

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-1432A

TYPE § 11.122

Owners:	Samuel W. Beaumont Jr. and Beate C. Beaumont	Address:	P.O. Box 1011 Fredericksburg, Texas 78624
Filed:	September 24, 2021	Granted:	
Purpose:	Agricultural	County:	Gillespie
Watercourses:	Unnamed tributary of Barons Creek and Barons Creek, tributary of the Pedernales River	Watershed:	Colorado River Basin

WHEREAS, a portion of Certificate of Adjudication No. 14-1432 authorizes Samuel W. Beaumont Jr. and Beate C. Beaumont (Owners/Applicants) to divert and use not to exceed 1.5 acre-feet of water per year from a point on an unnamed tributary of Barons Creek, and from five points on Barons Creek, tributary of the Pedernales River, Colorado River Basin, at a maximum combined diversion rate of 1.34 cfs (600 gpm), for agricultural purposes to irrigate three acres out of a 20.5-acre tract of land in Gillespie County; and

WHEREAS, time priority of Owners' right is 1947; and

WHEREAS, Applicants seek to amend their portion of Certificate of Adjudication No. 14-1432 to add a diversion reach on Barons Creek, Colorado River Basin in Gillespie County; and

WHEREAS, the proposed upper limit of the diversion reach is located at Latitude 30.344692° N, Longitude 98.933030° W; and

WHEREAS, the proposed lower limit of the diversion reach is located at Latitude 30.342628° N, Longitude 98.931896° W; and

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

WHEREAS, the Executive Director recommends special conditions be included in this amendment; 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. 14-1432, designated Certificate of Adjudication No. 14-1432A, is issued to Samuel W. Beaumont Jr. and Beate C. Beaumont subject to the following terms and conditions:

1. DIVERSION

In addition to previous authorizations, Owners are authorized to divert their portion of the water authorized by Certificate of Adjudication No. 14-1432A from a diversion reach on Barons Creek, Colorado River Basin in Gillespie County described as follows:

- A. The upper limit of the diversion reach is located at Latitude 30.344692° N, Longitude 98.933030° W.
- B. The lower limit of the diversion reach is located at Latitude 30.342628° N, Longitude 98.931896° W.
- C. At a maximum combined diversion rate of 1.34 cfs (600 gpm).

2. SPECIAL CONDITIONS

- A. Owners 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 on any new diversion structure(s).
- B. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point(s) authorized above in Paragraph 1. DIVERSION and maintain measurement records.
- C. Owners shall allow representatives of the Texas Commission on Environmental Quality reasonable access to the property to inspect the measuring device and records.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-1432 except as specifically amended herein.

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

Owners agree 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:

DRAFT

Jenna Rollins

From: Sam Beaumont [REDACTED]
Sent: Thursday, January 26, 2023 2:42 PM
To: Jenna Rollins
Cc: Chris Kozlowski
Subject: Re: Samuel W. Beaumont Jr. and Beate C. Beaumont, Application No. 14-1432A Drafts

Ms. Rollins, I /we have no additions, comments or questions regarding the Draft Amendment to Certificate of Adjudication No. 14-1432.

Thank you and best regards,
Sam W. Beaumont Jr.

Jenna Rollins

From: Chris Kozlowski
Sent: Tuesday, January 17, 2023 10:58 AM
To: Sam Beaumont
Cc: Jenna Rollins
Subject: Re: Phone Call to Discuss Trip to Austin

Jenna just sent you a draft permit for your review about 30 minutes ago. Please let us know if you did not receive it. Thanks.

From: Sam Beaumont [REDACTED]
Sent: Tuesday, January 17, 2023 10:52 AM
To: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Cc: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Re: Phone Call to Discuss Trip to Austin

Chris, it's been two weeks since our last discussion regarding our change in diversion point. To date I've received nothing from TCEQ.
Sam Beaumont

Jenna Rollins

From: Jenna Rollins
Sent: Tuesday, January 17, 2023 10:36 AM
To: Sam Beaumont
Cc: Chris Kozlowski
Subject: Samuel W. Beaumont Jr. and Beate C. Beaumont, Application No. 14-1432A Drafts
Attachments: Samuel W. Beaumont Jr. and Beate C. Beaumont 14-1432A Drafts Sent 1.17.23.pdf

Dear Mr. Beaumont,

Please review the attached draft amendment and public notice for Samuel W. Beaumont Jr. and Beate C. Beaumont, Certificate of Adjudication No. 14-1432A, and provide any comments by January 31, 2023. Please let me know if you have any questions.

Best regards,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 17, 2023

Mr. Samuel W. Beaumont Jr.
P.O. Box 1011
Fredericksburg, Texas 78624-1011

VIA-EMAIL

RE: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432
CN605665306, CN605673235, RN102701679
Application No. 14-1432A to Amend Certificate of Adjudication No. 14-1432
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Barons Creek, Colorado River Basin
Gillespie County

Dear Mr. Beaumont:

Drafts, subject to revision, of the public notice, proposed amendment to Certificate of Adjudication No. 14-1432, and the related technical memoranda are attached.

Staff is recommending that the referenced application be granted in accordance with the attached drafts. Please review the drafts and contact me no later than January 31, 2023 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 two-week comment period and once the comment period has closed, the proposed amendment to Certificate of Adjudication No. 14-1432 may be issued as drafted given no hearing requests are received.

If you have any questions concerning this matter, please contact me via email at jenna.rollins@tceq.texas.gov or at (512) 239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachments

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN AMENDMENT TO A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1432A

Samuel W. Beaumont Jr. and Beate C. Beaumont (Owners/Applicants) seek to amend their portion of Certificate of Adjudication No. 14-1432 to add a diversion reach on Barons Creek, Colorado River Basin, in Gillespie County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Samuel W. Beaumont Jr. and Beate C. Beaumont, P.O. Box 1011, Fredericksburg, Texas 78624, Applicants, have applied to the Texas Commission on Environmental Quality to amend Certificate of Adjudication No. 14-1432, pursuant to Texas Water Code § 11.122 and Texas Commission on Environmental Quality Rules Title 30 Texas Administrative Code (TAC) § 295.1, *et seq.* Mailed notice to the interjacent water right holders in the Colorado River Basin is required pursuant to Title 30 TAC § 295.158(c)(3)(D).

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Applicants seek to amend their portion of Certificate of Adjudication No. 14-1432 to add a diversion reach on Barons Creek, Colorado River Basin in Gillespie County, ZIP Code 78624.

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The proposed lower limit of the diversion reach is located at Latitude 30.342628° N, Longitude 98.931896° W.

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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 screens on any new diversion structure(s). 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 by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

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CONTESTED CASE HEARING. The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by_____. The Executive Director may approve the application unless a written request for a contested case hearing is filed by_____.

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 1432 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 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



AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-1432A

TYPE § 11.122

Owners:	Samuel W. Beaumont Jr. and Beate C. Beaumont	Address:	P.O. Box 1011 Fredericksburg, Texas 78624
Filed:	September 24, 2021	Granted:	
Purpose:	Agricultural	County:	Gillespie
Watercourses:	Unnamed tributary of Barons Creek and Barons Creek, tributary of the Pedernales River	Watershed:	Colorado River Basin

WHEREAS, a portion of Certificate of Adjudication No. 14-1432 authorizes Samuel W. Beaumont Jr. and Beate C. Beaumont (Owners/Applicants) to divert and use not to exceed 1.5 acre-feet of water per year from a point on an unnamed tributary of Barons Creek, and from five points on Barons Creek, tributary of the Pedernales River, Colorado River Basin, at a maximum combined diversion rate of 1.34 cfs (600 gpm), for agricultural purposes to irrigate three acres out of a 20.5-acre tract of land in Gillespie County; and

WHEREAS, time priority of Owners' right is 1947; and

WHEREAS, Applicants seek to amend their portion of Certificate of Adjudication No. 14-1432 to add a diversion reach on Barons Creek, Colorado River Basin in Gillespie County; and

WHEREAS, the proposed upper limit of the diversion reach is located at Latitude 30.344692° N, Longitude 98.933030° W; and

WHEREAS, the proposed lower limit of the diversion reach is located at Latitude 30.342628° N, Longitude 98.931896° W; and

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

WHEREAS, the Executive Director recommends special conditions be included in this amendment; 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. 14-1432, designated Certificate of Adjudication No. 14-1432A, is issued to Samuel W. Beaumont Jr. and Beate C. Beaumont subject to the following terms and conditions:

1. DIVERSION

In addition to previous authorizations, Owners are authorized to divert their portion of the water authorized by Certificate of Adjudication No. 14-1432A from a diversion reach on Barons Creek, Colorado River Basin in Gillespie County described as follows:

- A. The upper limit of the diversion reach is located at Latitude 30.344692° N, Longitude 98.933030° W.
- B. The lower limit of the diversion reach is located at Latitude 30.342628° N, Longitude 98.931896° W.
- C. At a maximum combined diversion rate of 1.34 cfs (600 gpm).

2. SPECIAL CONDITIONS

- A. Owners 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 on any new diversion structure(s).
- B. Owners shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point(s) authorized above in Paragraph 1. DIVERSION and maintain measurement records.
- C. Owners shall allow representatives of the Texas Commission on Environmental Quality reasonable access to the property to inspect the measuring device and records.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-1432 except as specifically amended herein.

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

Owners agree 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:

DRAFT

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Jenna Rollins, Project Manager
Water Rights Permitting Team

Date: January 3, 2023

Through: Kathy Alexander, Ph.D., Policy and Technical Analyst
KA Water Availability Division

TG Trent Gay, Team Leader
Surface Water Availability Team

From: Andrew Garcia, Hydrologist
Surface Water Availability Team

Subject: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432
CN605665306, CN605673235
Barons Creek, Colorado River Basin
Gillespie County

Water Availability Review

Application Summary

Certificate of Adjudication No. 14-1432 (Certificate), among other things, authorizes Samuel W. Beaumont Jr. and Beate C. Beaumont (Applicants) to divert 1.5 acre-feet of water per year from one point on an unnamed tributary of Barons Creek and five points on Barons Creek, Colorado River Basin, at a maximum combined diversion rate of 1.34 cfs (600 gpm), for agricultural purposes, in Gillespie County.

Applicants request to amend the Certificate to add a diversion reach on Barons Creek.

The application was declared administratively complete on September 24, 2021.

Water Availability Review

Resource Protection Staff did not recommend that the application be subject to instream flow requirements; however, they did recommend other special conditions. See the Resource Protection Memo dated November 9, 2021.

The application does not request a new appropriation of water; therefore, a water availability analysis is not necessary, however, the application must be reviewed to ensure that no water rights are affected by the request.

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 the application. The period of record for the Colorado WAM is 1940 through 2016. Staff modeled the application with the diversion of the authorized 1.5 acre-feet of water at both the upstream and downstream end of the requested diversion reach. Staff compared the pre-and post-application volume reliabilities of all water rights in the Colorado River Basin and found that two water rights were negatively affected as a result of adding the diversion reach, although the effects were minimal (<1%). Because the impacts are 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.

Andrew Garcia


Andrew Garcia, Hydrologist


Texas Commission on Environmental Quality


INTEROFFICE MEMORANDUM

To: Jenna Rollins, Project Manager
Water Rights Permitting Team

Date: November 10, 2021

Through: Leslie Patterson, Team Leader
 Resource Protection Team

Jennifer Allis, Senior Water Conservation Specialist
 Resource Protection Team

From: Kristin Wang, Senior Water Conservation Specialist
 Resource Protection Team

Subject: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432A
CN605665306, CN605673235
Barons Creek, Colorado River Basin
Gillespie County

APPLICATION SUMMARY

Certificate of Adjudication No. 14-1432 (Certificate), among other things, authorizes Samuel W. Beaumont Jr. and Beate C. Beaumont (Applicants) to divert 1.5 acre-feet of water per year from one point on an unnamed tributary of Barons Creek and five points on Barons Creek, Colorado River Basin, at a maximum combined diversion rate of 1.34 cfs (600 gpm), for agricultural purposes, to irrigate 3 acres out of a 20.5-acre tract, in Gillespie County.

Applicants request to amend the Certificate to add a diversion reach on Barons Creek.

WATER CONSERVATION REVIEW

Pursuant to Title 30 Texas Administrative Code §295.9, a water conservation plan is not required to be submitted for this application.

The application is consistent with the 2021 Region K 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.


Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Jenna Rollins, Project Manager
Water Rights Permitting Team

Date: November 9, 2021

Through: Leslie Patterson, Team Leader
 Resource Protection Team

From: Kenneth Coonrod, Aquatic Scientist
 Resource Protection Team

Subject: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432
CN605665306, CN605673235
Barons Creek, Colorado River Basin
Gillespie 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. 14-1432 (Certificate), among other things, authorizes Samuel W. Beaumont Jr. and Beate C. Beaumont (Applicants) to divert 1.5 acre-feet of water per year from one point on an unnamed tributary of Barons Creek and five points on Barons Creek, Colorado River Basin, at a maximum combined diversion rate of 1.34 cfs (600 gpm), for agricultural purposes, in Gillespie County.

Applicants request to amend the Certificate to add a diversion reach on Barons Creek.

ENVIRONMENTAL ANALYSIS

Aquatic and Riparian Habitats: Barons Creek is a perennial stream located in the Edwards Plateau Woodland ecoregion (Griffith et al. 2007).

The checklist for the Colorado River Basin identified 41 species of ichthyofauna occurring within the Pedernales hydrologic unit (United States Geologic Survey [USGS] code 12090206) (Hendrickson and Cohen 2015). The Texas salamander (*Eurycea neotenes*), the Guadalupe roundnose minnow (*Dionda flavipinnis*), the Guadalupe bass (*Micropterus treculii*), a caddisfly (*Xiphocentron messapus*), the Texas fatmucket (*Lampsilis bracteate*), the Texas pimpleback (*Cyclonaias petrina*),

the Balcones spike (*Fusconaia iheringi*), and the Texas fawnsfoot (*Truncilla macrodon*), high-interest aquatic species, are known to occur in Gillespie 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 Applicants.

The Applicants have agreed to install screens on any new diversion structures in order to minimize entrainment and impingement of aquatic organisms. The Applicants' 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 Applicants do 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 Applicants are requesting to add a diversion reach, Resource Protection staff does not recommend a streamflow restriction for the change in diversion point, because the proposed diversion reach is located between the Applicants' existing diversion points and is a small distance from the currently authorized points.

Recreational Uses: Barons Creek has a presumed primary contact recreation 1 use (TCEQ 2018). The Applicants' request should not adversely impact recreational uses.

Water Quality: According to Appendix D of the Texas Surface Water Quality Standards, Barons Creek is a perennial stream from the confluence with the Pedernales River upstream to the most northern crossing of US 87 northwest of the City of Fredericksburg and has a designated high aquatic life use (TCEQ 2018). The Applicants' 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 Applicants' request should not have any impact to Matagorda Bay.

RECOMMENDATIONS

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

1. Permittees 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]. [cited 2021 Nov 1]; 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.

TPWD. 2015. TPWD County Lists of Texas Protected Species and Species of Greatest Conservation Need [Internet]. Austin (TX): Gillespie County, revised June 22, 2021. [cited 2021 Nov 1]. Available from <http://tpwd.texas.gov/gis/rtest/>.

**Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE**

Call to: Sam Beaumont	Call from: TCEQ Staff Chris Kozlowski
Date: 1/2/2023	Project No: 14-1432A
<i>Information for File follows:</i> I spoke with Mr. Beaumont and explained that we had a draft permit and notice in review and that it will be sent to him in the next week or two.	
Signed <i>Chris Kozlowski</i>	

Jenna Rollins

From: Sam Beaumont [REDACTED]
Sent: Saturday, December 31, 2022 7:42 AM
To: Chris Kozlowski
Cc: Jenna Rollins
Subject: Re: Phone Call to Discuss Trip to Austin

Chris, my understanding of our phone conversation on the 31st of October 2022, was that a draft approval for our requested water diversion range would be issued during December 2022. Since today is the last day of December 2022, and the last business day was yesterday, 30 December 2022, please be aware I have received no such "draft" from TCEQ. Our application has been in the hands of TCEQ for 478 days (including weekends and holidays since 9 September 2021), and 463 elapsed days since the application was declared Administratively Complete by TCEQ on 24 December 2021. As you recall, the initial estimate from Mrs. Rollins was a 300 day turnaround for this type application.

I would appreciate feedback regarding our application for a change in our Adjudicated Water Rights Diversion Point from you and/or Mrs. Rollins.

Sam Beaumont

**Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE**

Call to: Sam Beaumont	Call from: TCEQ Staff Chris Kozlowski
Date:10/31/2022	Project No: 14-1432A
<p><i>Information for File follows:</i></p> <p><i>I called Mr. Beaumont after he asked Jenna Rollins to speak with her supervisor to set up a meeting in person to discuss the timeline of his application. I was able to assure him that we were working on his application and that we would probably have a draft permit and notice to him around the end of December or the beginning of January. He agreed that he did not need to come in for a meeting after getting this timeline.</i></p>	
Signed <i>Chris Kozlowski</i>	

On 10/31/2022 9:05 AM, Chris Kozlowski wrote:

Mr. Beaumont, I am Ms. Rollins supervisor. I will make sure that any meeting we have that she will be available and present for the meeting. I would like to discuss the situation with you so that you can fully understand what to expect going forward.

From: Sam Beaumont [REDACTED]
Sent: Monday, October 31, 2022 9:03 AM
To: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Subject: Re: Phone Call to Discuss Trip to Austin

Will Ms. Rollins be on the call as well?
Thanks,
Sam Beaumont

Jenna Rollins

From: Sam Beaumont [REDACTED]
Sent: Monday, October 31, 2022 8:58 AM
To: Chris Kozlowski
Cc: Jenna Rollins
Subject: Re: Phone Call to Discuss Trip to Austin

Chris, thanks. But think I'd like to discuss with Ms. Rollins on the line as well. So, I when she responds with the time she'll be available, hopefully you'll be available as well.

Thanks,
Sam Beaumont

Jenna Rollins

From: Chris Kozlowski
Sent: Monday, October 31, 2022 8:54 AM
To: Sam Beaumont; Jenna Rollins
Subject: Re: Phone Call to Discuss Trip to Austin

Mr. Beaumont, If you like I can call you at 2pm to discuss your application.

From: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Sent: Monday, October 31, 2022 8:48 AM
To: Sam Beaumont [REDACTED]; Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Re: Phone Call to Discuss Trip to Austin

Mr Beaumont, you can call me this afternoon anytime after 2pm. 512-239-1801.

From: Sam Beaumont [REDACTED]
Sent: Monday, October 31, 2022 8:47 AM
To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Subject: Phone Call to Discuss Trip to Austin

Ms. Rollins, what will be a good time today for me to give you a phone call and discuss a convenient date and time for me to come to Austin to discuss the issue(s) (that are) involved in the delay of processing/approving our application for a change in our Water Right diversion point?

So you can readily identify the call as not being "spam" I will be calling from is (830) 992 3153.

Thanks,
Sam Beaumont

Jenna Rollins

From: Chris Kozlowski
Sent: Tuesday, September 27, 2022 2:52 PM
To: Sam Beaumont; Jenna Rollins
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A Diversion Pt. Change

Mr. Beaumont,

I apologize that it has taken longer than anticipated, but it is still next in que for the Colorado Basin. Since we haven't met the timeline that I mentioned previously I am hesitant to give you another one, but we are doing everything we can to get through and have this drafted as soon as we can.

Chris Kozlowski, Team Leader
Water Rights Permitting Team
Water Availability Division
TCEQ

From: Sam Beaumont [REDACTED]
Sent: Monday, September 26, 2022 5:13 PM
To: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A Diversion Pt. Change

Chris, been a month and couple of days since our last contact, any estimate of how much "so" time remains?
Regards,
Sam

On 8/24/2022 11:40 AM, Sam Beaumont wrote:

Chris, thanks. I realize your estimate hasn't passed yet, but I've been geared to the 300 day estimate I was given sometime back. I also realize I don't know what a technical review involves, and I'm aware staffing at the State level has taken a hit.
Regards,
Sam Beaumont

On 8/24/2022 10:13 AM, Chris Kozlowski wrote:

Mr. Beaumont,

The application is still going according to the timeline I laid out a month ago. It is still coming up in the que and should be done in the next month or so. Thanks.

Chris Kozlowski, Team Leader
Water Rights Permitting Team
Water Availability Division
TCEQ

From: Sam Beaumont [REDACTED]
Sent: Wednesday, August 24, 2022 9:13 AM

To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A Diversion Pt. Change

Mrs. Rollins, I appreciate the explanation of what comes next if and when our request for a Diversion Pt. Change to a Diversion Range located on property owned by us, finally makes it out of "technical review".

However, I hope you can appreciate that our main concern, at this point, is actually getting the request through the technical review process.

Regards,
Sam Beaumont

On 8/24/2022 8:07 AM, Jenna Rollins wrote:

Good morning Mr. Beaumont,

Your application is still in technical review at this time. After technical review is completed, I will prepare a draft amendment and notice and send them to you to review.

Best regards,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

From: Sam Beaumont [REDACTED]
Sent: Wednesday, August 24, 2022 7:49 AM
To: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Cc: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A Diversion Pt. Change

Like to follow up and see if our request for a Diversion Pt. Range for the referenced Adjudication has made any progress over the last month +.
Thanks,
Sam Beaumont

On 7/19/2022 9:47 AM, Chris Kozlowski wrote:

It is still in technical review. It is coming up in the queue for the Colorado Basin so it will be another month or two before it is completed.

From: Sam Beaumont [REDACTED]
Sent: Monday, July 18, 2022 7:03 AM
To: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Cc: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Samuel W. and Beate C. Beaumont, 14-1432A Diversion Pt. Change

Chris, since Mrs. Rollins gave me your email address, thought I'd follow

up with you regarding the status of our application for a
change in
Diversion Pt. for the referenced Adjudication.
Thanks and regards,
Sam Beaumont

Jenna Rollins

From: Sam Beaumont [REDACTED]
Sent: Thursday, April 14, 2022 9:37 AM
To: Jenna Rollins
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A

Phone call and further discussion won't be necessary.
However, as we approach the 300 day average turnaround I'll check back regarding the status.
Regards,
Sam Beaumont

On 4/14/2022 9:09 AM, Jenna Rollins wrote:

Dear Mr. Beaumont,

Please understand that there is not a 300 day backlog in the system. The 300 days I referenced is the average turnaround time for permits to be completed after receiving the original application. There are currently two applications ahead of yours in technical review. We will do our best to complete your permit within 300 days, but please note that time frame is only an estimate and it is not guaranteed. If you would like to further discuss the status of your application please call me at 512-239-1845 or contact my supervisor, Chris Kozlowski, at 512-239-1801.

Best regards,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

From: Sam Beaumont [REDACTED]
Sent: Tuesday, April 12, 2022 5:08 PM
To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A

Mrs. Rollins, with the current drought, we can certainly make use of the water as designated in the Adjudicated Water Right, and would like to keep up with the status of the request for a diversion range. If I recall correctly, you indicated at the time of the application clearing the administrative process, that there was a 300 day back log in the system for the diversion range to be approved. So specifically, with our request being approximately 180 days into the process, is that 300 days still applicable? Also, I was curious if there is an expedited approval process that could be requested?
Thank you,
Sam Beaumont

On 4/12/2022 4:02 PM, Jenna Rollins wrote:

Dear Mr. Beaumont,

Mr. Galvan reached out to me today and said that you were looking for a status update on your application, Samuel W. and Beate C. Beaumont, application No. 14-1432A. The referenced application is currently in technical review and is actively being reviewed by

our tech staff. If you have any further questions or wish to further discuss the status of your application please let me know.

Thank you,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

Jenna Rollins

From: Sam Beaumont [REDACTED]
Sent: Friday, September 24, 2021 10:39 AM
To: Jenna Rollins
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A

Mrs. Rollins, thanks very much for the update! We'll be looking forward to receive the draft permit and notice. Again, we appreciate the assistance of the Permitting Team to complete the application.
Best regards,
Sam Beaumont

On 9/24/2021 10:20 AM, Jenna Rollins wrote:

> Good morning Mr. Beaumont,
>
> Your application, 14-1432A, has been declared administratively complete, and is now in technical review. Our tech staff reviews applications in the order they are received, so there may be several applications ahead of yours. Upon completion of the technical review process a draft permit and draft notice will be prepared and sent to you to review. Please keep in mind that the average turnaround time for permits is 300 days from the day the application was received.
>
> Please let me know if you have any further questions.
>
> Thank you,
> Jenna Rollins, Project Manager
> Water Rights Permitting Team
> Water Rights Permitting and Availability Section
> 512-239-1845
>
> -----Original Message-----
> From: Sam Beaumont [REDACTED]
> Sent: Thursday, September 23, 2021 7:07 PM
> To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
> Subject: Samuel W. and Beate C. Beaumont, 14-1432A
>
> Mrs. Rollins, just curious when you would anticipate letting us know how long it will be whether our request for a diversion range on our property of the subject water right might be granted or denied?
> Thanks and best regards,
> Sam Beaumont
>

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Jenna Rollins, Project Manager
Water Rights Permitting Team

DATE: September 24, 2021

SUBJECT: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432
CN605665306, CN605673235, RN102701679
Application No. 14-1432A to Amend Certificate of Adjudication No. 14-1432
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Unnamed tributary of Barons Creek and Barons Creek, Colorado River
Basin
Gillespie County

The application was received on August 12, 2021. Additional information and fees were received on September 9, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on September 24, 2021. Mailed notice to the interjacent water right holders of record in the Colorado River Basin is required pursuant to Title 30 TAC § 295.158(c)(3)(D).

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

Jenna L. Rollins

Jenna Rollins, 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 24, 2021

Mr. Samuel W. Beaumont Jr.
P.O. Box 1011
Fredericksburg, Texas 78624-1011

VIA-EMAIL

RE: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432
CN605665306, CN605673235, RN102701679
Application No. 14-1432A to Amend Certificate of Adjudication No. 14-1432
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Unnamed tributary of Barons Creek and Barons Creek, Colorado River Basin
Gillespie County

Dear Mr. Beaumont:

This acknowledges receipt, on September 9, 2021, of additional information and fees in the amount of \$5.88 (Receipt No. M200283, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on September 24, 2021. 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 the application, please contact me via email at jenna.rollins@tceq.texas.gov or by phone at 512-239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna L. Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



10-SEP-21 11:43 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>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M200280	2334		BS00088696	10-SEP-21	-\$112.50
	WUP	122820	091021	N	D2800052		
<i>Kathy B.</i> - WATER USE PERMITS		ARTESIAN CATTLE & FARMING LLC	VHERNAND	CK			
	WUP	M200281	2340		BS00088696	10-SEP-21	-\$112.50
	WUP	122822	091021	N	D2800052		
<i>Natalia P.</i> - WATER USE PERMITS		ARTESIAN CATTLE & FARMING LLC	VHERNAND	CK			
	WUP	M200282	2339		BS00088696	10-SEP-21	-\$112.50
	WUP	123653	091021	N	D2800052		
WATER USE PERMITS		ARTESIAN CATTLE & FARMING LLC	VHERNAND	CK			
	WUP	M200283	2577		BS00088696	10-SEP-21	-\$5.88
	WUP	141432	091021	N	D2800052		
<i>Jema R.</i> - WATER USE PERMITS		BEAUMONT, SAMUEL W/BEATE C	VHERNAND	CK			

RECEIVED
SEP 13 2021
Water Availability Division

7 September 2021

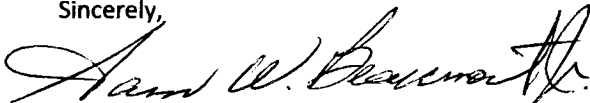
Texas Commission on Environmental Quality
Water Availability Division, MC-160
Water Rights Permitting and Availability Section
P.O. Box 13087
Austin, Texas 78711-3087
Attn. Ms. J. Rollins

Dear Ms. Rollins:

Please accept the attachments as our response to your request for information to complete our application for a change in the Diversion Point for our portion of Adjudicated Water Right 14-1432. We have requested a change to a Diversion Range which is located on our property along Baron's Creek, Gillespie County, Texas, which flows into the Pedernales River and Colorado River Basin. The attachments cover *Worksheet 5.0 Environmental Information Items 1 & 2*. In addition, we have included the Balance Due of \$5.88 to cover the notice fees to Interjacent Water Right Holders.

Please let us know if we may provide any additional information you require to complete this application.

Sincerely,



Sam W. Beaumont Jr.
P.O. Box 1011
Fredericksburg, Texas 78624

RECEIVED

SEP 09 2021

Water Availability Division

Attachments...Worksheet 5.0 Environmental Information, Supplement to Worksheet 5.0 and personal check.

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 29.**

Addendum To Worksheet 5.0 is Attached

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

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. 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.

TCEQ Water Rights Permitting Application
Applicants: Sam W. Beaumont Jr. & Beate C. Beaumont

Supplement to Permitting Application Received by TCEQ 12 August 2021

Addendum to Worksheet 5.0

Item 1. Impingement and Entrainment

The applicant(s) will take reasonable measures to avoid impingement and entrainment of aquatic organisms within the diversion range requested. End of intake pipe measures will include mesh screen(s) of a suitable size to accomplish those reasonable measures. At this point the size of the mesh screen(s) and the flow through are undefined as equipment for pumping has been delayed until the application is approved. However, in no case will the water volume exceed the maximum combined rate of 600 gpm as per the granted right.

Item 2. New Appropriations of Water and Changes in Diversion Point(s)

d. 1. Photograph of the Stream at the requested Upper Range (upstream) of Diversion:



Photograph of the Stream at the requested Lower Range (downstream) of Diversion:



Signatures: Sam W. Beaumont Jr. Beate C. Beaumont 7 SEP 2021
Sam W. Beaumont Jr. Beate C. Beaumont Date
9-7-2021

Jenna Rollins

From: Sam Beaumont [REDACTED]
Sent: Tuesday, September 7, 2021 9:16 AM
To: Jenna Rollins
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A

Thanks for the prompt reply. Hope to get the required information in the hands of the U.S. Postal Service tomorrow.
Regards,
Sam Beaumont

On 9/7/2021 8:20 AM, Jenna Rollins wrote:

Good morning Mr. Beaumont,

The signatures do not have to be notarized. If you have any other questions, please let me know.

Best regards,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

From: Sam Beaumont [REDACTED]
Sent: Saturday, September 4, 2021 12:15 PM
To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
Subject: Re: Samuel W. and Beate C. Beaumont, 14-1432A

Mrs. Rollins, I forgot to ask yesterday if the signatures on the Supplemental Information sheets required in Worksheet 5.0 need to be notarized?
Thanks and regards,
Sam Beaumont

**Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE**

Call to: Mr. Samuel Beaumont	Call from: Jenna Rollins, Bert Galvan, Kenneth Coonrad
Date: 9/3/2021	Project No: Samuel W. and Beate C. Beaumont 14-1432A

Information for File follows:

A phone call was made to Mr. Beaumont to discuss RFI questions.

The phone call was made at 1:30 p.m. and ended at 1:38 p.m.

Signed *Jenna L. Rollins*

Date: 9/3/21

Jenna Rollins

From: Jenna Rollins
Sent: Wednesday, September 1, 2021 3:31 PM
To: [REDACTED]
Subject: Samuel W. and Beate C. Beaumont, 14-1432A
Attachments: Samuel W. and Beate C. Beaumont_14-1432A_RFI_9.1.21.pdf

Dear Mr. Beaumont,

Attached is a request for information letter for the Samuel W. and Beate C. Beaumont application No. 14-1432A. Please review and provide a response by October 1, 2021.

Thank you,
Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-1845

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 1, 2021

Mr. Samuel W. Beaumont
P.O. Box 1011
Fredericksburg, Texas 78624-1011

VIA-EMAIL

RE: Samuel W. Beaumont Jr. and Beate C. Beaumont
ADJ 1432
CN605665306, CN605673235, RN102701679
Application No. 14-1432A to Amend Certificate of Adjudication No. 14-1432
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Barons Creek, Colorado River Basin
Gillespie County

Dear Mr. Beaumont:

This acknowledges receipt, on August 12, 2021, of the referenced application, and partial fees in the amount of \$112.50 (Receipt No. M121420, copy attached).

Additional information and fees are required before the application can be declared administratively complete.

1. Complete Items 1 and 2 in *Worksheet 5.0 Environmental Information*.
2. Remit fees in the amount of \$ 5.88 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

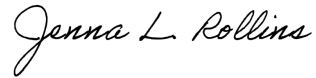
Filing Fee (Amendment)	\$ 100.00
Recording Fee	\$ 12.50
Notice Fee (\$2.94 x 2 Interjacent Water Right Holders)	\$ 5.88
TOTAL FEES	\$ 118.38
FEES RECEIVED	\$ 112.50
BALANCE DUE	\$ 5.88

Please provide the requested information and fees by October 1, 2021 or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

Mr. Samuel W. Beaumont
Application No. 14-1432A
September 1, 2021
Page 2 of 2

If you have any questions concerning this matter, please contact me via email at jenna.rollins@tceq.texas.gov or by telephone at (512) 239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna L. Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



13-AUG-21 12:39 PM

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>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M121420	2565		BS00088012	13-AUG-21	-\$112.50
	WUP	141432	081321	N	D1804018		
<i>Jenna Collins</i> WATER USE PERMITS		BEAUMONT, SAMUEL W/BEATE C	RHDAVIS	CK			
Total (Fee Code):							-\$112.50
Grand Total:							-\$3,952.44

RECEIVED
AUG 16 2021
Water Availability Division

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): Samuel W. Beaumont Jr & Beate C. Beaumont

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are not required for every application).

Y/N

Y Administrative Information Report

Y Additional Co-Applicant Information

Y Additional Co-Applicant Signature Pages

N Written Evidence of Signature Authority

N Technical Information Report

Y USGS Map (or equivalent) See W.S. #3.0

N Map Showing Project Details

N Original Photographs

N Water Availability Analysis

N Worksheet 1.0

Y Recorded Deeds for Irrigated Land

N Consent For Irrigation Land

N Worksheet 1.1

N Addendum to Worksheet 1.1

N Worksheet 1.2

N Addendum to Worksheet 1.2

N Worksheet 2.0

N Additional W.S 2.0 for Each Reservoir

N Dam Safety Documents

N Notice(s) to Governing Bodies

N Recorded Deeds for Inundated Land

N Consent For Inundation Land

Y/N

Y Worksheet 3.0

Y Additional W.S 3.0 for each Point

Y Recorded Deeds for Diversion Points

N Consent For Diversion Access

N Worksheet 4.0

N TPDES Permit(s)

N WWTP Discharge Data

N 24-hour Pump Test

N Groundwater Well Permit

N Signed Water Supply Contract

N Worksheet 4.1

N Worksheet 5.0

N Addendum to Worksheet 5.0

N Worksheet 6.0

N Water Conservation Plan(s)

N Drought Contingency Plan(s)

N Documentation of Adoption

N Worksheet 7.0

N Accounting Plan

Y Worksheet 8.0

Y Fees

RECEIVED

AUG 12 2021

Water Availability Division

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

New Appropriation of State Water

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."

Adjudication 14-1432---Authorization 4---1.5 acre ft.-- Owners; Sam W. Beaumont Jr. and

Beate C. Beaumont are requesting addition of a new Diversion Range within 95 acres along

Baron's Creek, Gillespie County, Texas, of the subject Water Right Adjudication. Physical location

of the Diversion Range located near 1895 Old Mason Rd., Gillespie County, Texas.

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 2
(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?

Sam W. Beaumont Jr. & Beate C. Beaumont

(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: CN605665306 (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: Sam W. Beaumont Jr.

Title: Owner

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

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: Sam W. Beaumont Jr.

Mailing Address: P.O. Box 1011

City: Fredericksburg State: Texas ZIP Code: 78624

Indicate an X next to the type of Applicant:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Estate |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government |
| <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> Other _____ |

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: _____ SOS Charter (filing) Number: _____

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 2
(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?

Sam W. Beaumont Jr. & Beate C. Beaumont

(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: CN605673235 (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: Beate C. Beaumont

Title: Owner

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

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: Beate C. Beaumont

Mailing Address: P.O. Box 1011

City: Fredericksburg State: Texas ZIP Code: 78624

Indicate an X next to the type of Applicant:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Estate |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government |
| <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> Other _____ |

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: _____ SOS Charter (filing) Number: _____

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: Sam W. Beaumont Jr.

Title: Property Owner

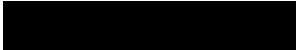
Organization Name: N/A

Mailing Address: P.O. Box 1011

City: Fredericksburg State: Texas ZIP Code: 78624

Phone No.: (830) 992 3153 Extension: N/A

Fax No.: N/A

E-mail Address: 

3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: Beate C. Beaumont

Title: Property Owner


Organization Name: N/A

Mailing Address: P.O. Box 1011

City: Fredericksburg State: Texas ZIP Code: 78624

Phone No.: (830) 992 3153 Extension: N/A

Fax No.: N/A

E-mail Address: 

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

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

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

First and Last Name:

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) 239-4600, prior to submitting your application.

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

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 N**

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, Beate C. Beaumont Owner
(Typed or printed name) (Title)

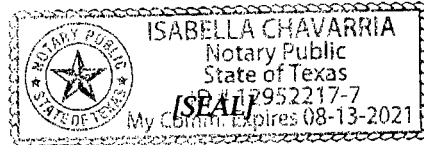
certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the 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: Beate C. Beaumont Date: 2 AUG 2021
(Use blue ink)

Subscribed and Sworn to before me by the said
on this 2nd day of AUGUST, 20 21.
My commission expires on the 13 day of AUGUST, 20 21.

Isabella Chavarria
Notary Public



GILLESPIE
County, Texas

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Samuel W. Beaumont Jr. Owner
(Typed or printed name) (Title)

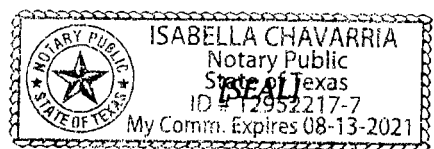
certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the 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] Date: 2 August 2021
(Use blue ink)

Subscribed and Sworn to before me by the said
on this 2nd day of AUGUST, 2021.
My commission expires on the 13 day of AUGUST, 2021.

[Handwritten Signature]
Notary Public
GILLESPIE
County, Texas



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

210-092



LD 20100764
7 PGS

2/10/2019

CLINTON S. HARTMANN

TO

SAM W. BEAUMONT, JR. AND
BEATE C. BEAUMONT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

CERTIFIED COPY
PAGE 1 OF 7

THE STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

§

COUNTY OF GILLESPIE

THAT I, CLINTON S. HARTMANN, not joined herein by my wife since we own, occupy and claim an urban homestead in Dallas, Dallas County, Texas ("Grantor"), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration paid to Grantor by a qualified intermediary under Internal Revenue Code §1031, in behalf of Grantees who have elected to accomplish a Tax-Deferred Exchange and direct deeding to Grantees in accordance with said Code, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto SAM W. BEAUMONT, JR. AND SPOUSE, BEATE C. BEAUMONT, ("Grantees") whose address is P.O. Box 1472, Goldthwaite, Texas 76844, all of the following described real property in Gillespie County, Texas, together with all improvements, farm and ranch accessories, fixtures, rights, privileges and appurtenances pertaining to the real property described in Ex A including but not limited to, if any, water rights, claims, permits, strips and gores,

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office

ATTEST: JUN 25 2019

MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas



[Handwritten Signature]

easements, windmills, tanks, barns, pens, fences, gates, corrals, irrigation equipment, submersible pumps, pressure tanks, and all oil, gas and minerals owned by Grantor:

BEING 7.24 acres of land, more or less, situated in Gillespie County, Texas, part of the J.D. Anderson Survey No. 231, Abstract No. 3; said 7.24 acre tract of land is described by metes and bounds on Exhibit "A", attached hereto and made a part hereof.

Property taxes for the current year have been prorated and are assumed by Grantees.

CERTIFIED COPY
PAGE 2 OF 7

This conveyance is made and accepted with the understanding and agreement by the parties hereto that the lands herein described may be rendered for ad valorem tax purposes under the Texas Constitutional Provision as "open space" or "Agricultural Use" lands. Grantees are aware of the fact that should they, after purchase of said lands, discontinue to use such lands so as to qualify under the "open space" or "Agricultural Use" provisions of the law of this State, then a roll back tax may become due to the taxing authorities. Grantees further agree that should a "roll back" occur as a result thereof, then such "roll back" tax obligation shall be the sole obligation of Grantees.

This conveyance is made and accepted subject to the following matters, to the extent the same validly affect the property and are validly in force and effect:

1. Restrictive covenants found of record under Register No. 20100763, Official Public Records of Gillespie County, Texas
2. Right-of-Way Easement executed by Leola Mathisen to Central Texas Electric Cooperative, Inc., dated February 27, 1978, recorded in Volume 124, Pages 317-319, Deed Records of Gillespie County, Texas

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

Mary Lynn Rusche
Deputy

3. Road Easement dated April 14, 2008, recorded under Register No. 20083979, Official Public Records of Gillespie County, Texas
4. Utility easements and access easement reserved in Restrictions recorded under Register No. 20100763, Official Public Records of Gillespie County, Texas
5. Building setback lines as referred to in Restrictions recorded under Register No. 20100763, Official Public Records of Gillespie County, Texas
6. Rules, regulations and orders governing subdivision, sanitation and waste disposal, and the drilling, construction, and use of water wells as passed by the Commissioners' Court of Gillespie County, Texas, and the Texas Commission on Environmental Quality
7. The following matters, all as shown on survey prepared by Dale Allen Sultemeier, Registered Professional Land Surveyor No. 4542, dated January 27, 2010:
 - a. Overhead electric line

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantees, their heirs and assigns forever, and I do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, subject to the foregoing exceptions, all and singular the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

CERTIFIED COPY

PAGE 3 OF 7

EXECUTED this 19th day of February, 2010.

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

By Debra Correll
Deputy

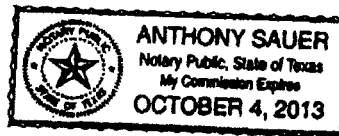
Clinton S. Hartmann
CLINTON S. HARTMANN

THE STATE OF TEXAS §

COUNTY OF GILLESPIE §

This instrument was acknowledged before me on this the 19th day of February, 2010, by CLINTON S. HARTMANN

Anthony Sauer
Notary Public in and for the
State of Texas



CERTIFIED COPY
PAGE 4 OF 7

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

By Mary Lynn Rusche
Deputy

SULTEMEIER SURVEYING & ENGINEERING

805 North Llano
Fredericksburg, TX 78624
Tel: (830) 990-1221 Fax: (830) 990-1222

EXHIBIT "A"

7.24 ACRES
GILLESPIE COUNTY, TEXAS

FM-4808-7.24AC
JANUARY 27, 2010

A DESCRIPTION OF A 7.24 ACRE TRACT OF LAND OUT OF THE J. D. ANDERSON SURVEY NO. 221, ABSTRACT NO. 3, SITUATED IN GILLESPIE COUNTY, TEXAS; BEING PART OF THE FOLLOWING TRACTS DESCRIBED IN THE OFFICIAL PUBLIC RECORDS OF SAID GILLESPIE COUNTY:

- THAT CERTAIN 12.96 ACRE (DEED/CALLED ACRES) TRACT OF LAND DESCRIBED IN VOLUME 512, PAGE 558 ET SEQ. OF THE SAID OFFICIAL PUBLIC RECORDS, AND
- THAT CERTAIN 23.85 ACRE (DEED/CALLED ACRES) TRACT OF LAND DESCRIBED IN VOLUME 527, PAGE 583 ET SEQ. OF THE SAID OFFICIAL PUBLIC RECORDS;

SAID 7.24 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a 1/2 inch diameter iron rod found on the west R.O.W. (Right-of-way) line of the Old Mason (County) Road at the northeast corner of the said 12.96 acre tract, being at the southeast corner of that certain 10.82 acre (deed/called acreage) tract described in Volume 112, Page 187 et seq. of the Deed Records of said County, for the northeast corner hereof;

THENCE with the north line of the said 12.96 acre tract, and continuing with the north line of the said 23.85 acre tract, the following two (2) courses:

1. N 89° 59' 57" W, a distance of 340.50 feet to a 1/2 inch diameter iron rod found at the northwest corner of the said 12.96 acre tract and northeast corner of the said 23.85 acre tract, and
2. N 89° 55' 01" W, a distance of 55.95 feet to the point of intersection with the centerline of Baron's Creek, for the northwest corner hereof;

THENCE departing from said north line and passing over and across the said 23.85 acre tract and the said 12.96 acre tract along the meanders of the said centerline of Baron's Creek, the following fifteen (15) courses:

1. S 17° 18' 27" W, a distance of 28.58 feet,
2. S 01° 11' 47" E, a distance of 39.75 feet,
3. S 08° 18' 41" W, a distance of 85.54 feet,
4. S 03° 17' 37" W, a distance of 14.54 feet,
5. S 48° 21' 00" W, a distance of 5.75 feet,
6. S 01° 57' 24" W, a distance of 33.08 feet,
7. S 02° 56' 04" E, a distance of 11.33 feet.

Page 1 of 2

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

Mary Lynn Rusche
Deputy

CERTIFIED COPY
PAGE 5 OF 7

- 8. S 25° 10' 56" E, a distance of 47.71 feet, whence a 1/4 inch diameter iron rod found at the SE corner of the said 23.85 acre tract bears N 65° 12' 31" E, a distance of 49.96 feet,
- 9. S 03° 08' 41" W, a distance of 125.44 feet,
- 10. S 03° 40' 57" W, a distance of 51.11 feet,
- 11. S 05° 10' 40" E, a distance of 51.08 feet,
- 12. S 47° 34' 21" E, a distance of 22.99 feet,
- 13. S 45° 21' 28" E, a distance of 63.12 feet,
- 14. S 61° 52' 05" E, a distance of 46.34 feet, and
- 15. S 63° 24' 19" E, a distance of 12.14 feet to the southwesterly corner hereof;

THENCE departing from said centerline and continuing over and across the said 12.96 acre tract with the following four (4) courses:

- 1. N 70° 51' 40" E, a distance of 73.04 feet to a 3/8 inch diameter iron rod set,
- 2. S 72° 10' 49" E (BASE BEARING FOR DIRECTIONAL CONTROL FROM GPS OBSERVATION), a distance of 331.83 feet to a 3/8 inch diameter iron rod set,
- 3. A distance of 57.15 feet along the arc of a curve to the right having a radius of 230.00 feet, a central angle of 14° 14' 10" and a chord bearing of N 31° 49' 09" E, a distance of 57.00 feet to a 3/8 inch diameter iron rod set, and
- 4. N 37° 48' 28" E, a distance of 55.82 feet to a 2/8 inch iron rod set on the said west R.O.W. line of the Old Mason (County) Road and east line of the said 12.96 acre tract, for the southeasterly corner hereof;

THENCE with the said west R.O.W. line of the Old Mason (County) Road and east line of the 12.96 acre tract, the following three (3) courses:

- 1. A distance of 181.87 feet along the arc of a curve to the right having a radius of 812.50 feet, a central angle of 17° 00' 47" and a chord bearing of N 25° 17' 28" W, a distance of 181.21 feet to a concrete R.O.W. monument found at the end of said curve,
- 2. N 16° 48' 56" W, a distance of 433.45 feet to a 3/8 inch diameter iron rod set at the beginning of a curve to the left, and
- 3. A distance of 34.23 feet along the arc of said curve to the left having a radius of 778.50 feet, a central angle of 02° 31' 10" and a chord bearing of N 17° 47' 09" W, a distance of 34.23 feet to the POINT OF BEGINNING, containing 7.24 acres of land, more or less.

CERTIFIED COPY
PAGE 6 OF 7

I, Dale Allen Sultemeier, a Registered Professional Land Surveyor, do hereby certify that this description and accompanying plat were prepared, examined, and approved by me as a ground survey performed under my direction and supervision.

SULTEMEIER SURVEYING &
ENGINEERING, LLC
808 North Liano
Fredericksburg, Texas 78824
(830) 890-1221



Dale Allen Sultemeier
Dale Allen Sultemeier
Registered Professional Land
Surveyor
No. 4542 - State of Texas

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHKE, County Clerk
Gillespie County, Texas

By *Mary Lynn Ruschke*
Deputy

HCT

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Mary Lynn Rusche

Mary Lynn Rusche, County Clerk

Gillespie County TEXAS

February 19, 2010 03:51:48 PM

FEE: \$35.00

20100764

HC

CERTIFIED COPY
PAGE 7 OF 7

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.

ATTEST: JUN 25 2019

MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas



Debra D. D... [Signature]

Deputy

211-871



11 PGS
WD

20115321

12/30/2011

CLINTON S. HARTMANN

TO

SAM W. BEAUMONT, JR.
AND SPOUSE,
BEATE C. BEAUMONT

NOTICE OF CONFIDENTIALLY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

CERTIFIED COPY
PAGE 1 OF 11

THE STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF GILLESPIE

§

THAT I, CLINTON S. HARTMANN, ("Grantor") not joined herein by my wife since we own, occupy and claim an urban homestead in Dallas, Dallas County, Texas, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration paid to Grantor by a qualified intermediary under Internal Revenue Code §1031, in behalf of Grantees who have elected to accomplish a Tax-Deferred Exchange and direct deeding to Grantees in accordance with said Code, the receipt of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto SAM W. BEAUMONT, JR. AND SPOUSE, BEATE C. BEAUMONT, ("Grantees") all of the following described real property in Gillespie County, Texas, together with all improvements, farm and ranch accessories, fixtures, rights, privileges and appurtenances pertaining to the real property described in Ex A including but not limited to, if any, water rights, claims,

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.

ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas



Debra Ornel
Deputy

permits, strips and gores, easements, windmills, tanks, barns, pens, fences, gates, corrals, irrigation equipment, submersible pumps, pressure tanks, and all oil, gas and minerals owned by Grantor:

TRACT I:

BEING 13.26 acres of land, more or less, situated in Gillespie County, Texas, part of the J. D. Anderson Survey No. 231, Abstract No. 3; said 13.26 acre tract of land is described by metes and bounds on Exhibit "A", attached hereto and made a part hereof.

TRACT II:

TOGETHER WITH A NON-EXCLUSIVE ACCESS EASEMENT over and across 7.91 acres of land, more or less, situated in Gillespie County, Texas, comprising part of the J. D. Anderson Survey No. 231, Abstract No. 3, part of the Feuge & Strackbein Survey No. 690, Abstract No. 1008, and part of the H. & C. Feuge Survey No. 689, Abstract No. 1195; said 7.91 acre easement is described by metes and bounds on Exhibit "B", attached hereto and made a part hereof.

CERTIFIED COPY
PAGE 2 OF 11

Property taxes for the current year have been prorated and are paid.

This conveyance is expressly made by Grantor and accepted by Grantees subject to the following matters to the extent, but only to the extent, the same are valid and subsisting and affect the Property (without waiving rights or defenses relating to, and without ratifying, such matters), to-wit:

1. Restrictive covenants found of record under Register No. 20100763, Official Public Records of Gillespie County, Texas, and Restrictive covenants found of record under Register No. 20115320, Official Public Records of Gillespie County, Texas.
2. Utility easements reserved and Building setback lines referred to in Restrictions recorded under Register No. 20100763, Official Public Records of Gillespie County, Texas.
3. Subject to all definitions, easements, restrictions, covenants,

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wd:sh/Hartmann9599/Warranty Deed
Page 2



ATTEST:
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

[Handwritten Signature]
Deputy

limitations, conditions, rights, privileges, obligations, liabilities, charges, liens, assessments, and other terms and provisions of that certain Hartmann Crossing Road Easement and Maintenance Agreement dated December 3, 2010, recorded under Register No. 20112099, Official Public Records of Gillespie County, Texas.

- 4. Rights of tenant in possession under unrecorded lease.
- 5. Rules, regulations and orders governing subdivision, sanitation and waste disposal, and the drilling, construction, and use of water wells as passed by the Commissioners' Court of Gillespie County, Texas, and the Texas Commission on Environmental Quality.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantees, their heirs and assigns forever, and I do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND, subject to the foregoing exceptions, all and singular the said premises unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 30th day of December, 2011.

Address of Grantee:

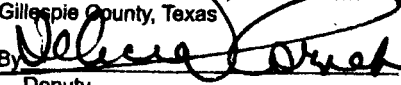
P. O. Box 1011
Fredericksburg, Texas 78624

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PAGE 3 OF 11


CLINTON S. HARTMANN

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office. JUN 25 2019



ATTEST:
MARY LYNN RUSCNE, County Clerk
Gillespie County, Texas
By 
Deputy

THE STATE OF TEXAS §

COUNTY OF Gillespie §

This instrument was acknowledged before me on this the 30 day of
December, 20 11, by CLINTON S. HARTMANN.

Linda Kneese

Notary Public, State of Texas



CERTIFIED COPY
PAGE 4 OF 11

The page to which this certificate is affixed is a full,
true and correct copy of the original on file and of re-
cord in my office.

ATTEST: JUN 25 2019



MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

By: *Mary Lynn Rusche*
Deputy

SULTEMEIER

SURVEYING & ENGINEERING

805 North Llano
Fredericksburg, TX 78624
Tel.: (830) 990-1221 Fax: (830) 990-1222

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST **JUN 25 2019**
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas
By: *[Signature]*
Deputy

13.26 ACRES
GILLESPIE COUNTY, TEXAS

EXHIBIT " A "

FN-11-5270
DECEMBER 2, 2011

A DESCRIPTION OF A 13.26 ACRE TRACT OF LAND OUT OF THE J. D. ANDERSON SURVEY NO. 231, ABSTRACT NO. 3, SITUATED IN GILLESPIE COUNTY, TEXAS; BEING PART OF THE FOLLOWING TRACTS DESCRIBED IN THE OFFICIAL PUBLIC RECORDS OF SAID GILLESPIE COUNTY:

- THAT CERTAIN 12.96 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN VOLUME 512, PAGE 856 ET SEQ. OF THE SAID OFFICIAL PUBLIC RECORDS,
- THAT CERTAIN 15.56 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN SAID VOLUME 512, PAGE 863 ET SEQ.,
- THAT CERTAIN 13.78 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN SAID VOLUME 512, PAGE 869 ET SEQ., AND
- THAT CERTAIN 13.88 ACRE (DEED/CALLED ACREAGE) TRACT OF LAND DESCRIBED IN SAID VOLUME 512, AT PAGE 898 ET SEQ.

SAID 13.26 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CERTIFIED COPY
PAGE 5 OF 11

BEGINNING at a 3/8 inch iron rod found on the northwesterly line of Hartmann Crossing, a 60 Foot Wide Roadway Easement described in Document No. 20112099 of the said Official Public Records, being at the southerly corner of that certain 7.24 acre (deed/called acreage) tract of land described in Document No. 20100764 of the said Official Public Records, for the most easterly corner hereof;

THENCE passing over and across the said 12.96 with the southerly line of the said 7.24 acre tract, the following two (2) courses:

1. N 72° 10' 49" W, a distance of 381.83 feet to a 3/8 inch iron rod found, and
2. S 70° 51' 40" W, a distance of 73.04 feet to the centerline of Baron's Creek and southwest corner of the said 7.24 acre tract, for a point on a northerly line hereof;

THENCE continuing over and across the said 12.96 acre tract, the said 15.56 acre tract and the said 13.78 acre tract with the following eight (8) courses:

1. S 70° 51' 40" W, a distance of 55.74 feet to a 3/8 inch iron rod found
2. S 40° 25' 22" W, a distance of 42.86 feet to a 10 inch creosoted post found,
3. S 05° 10' 32" W, a distance of 139.85 feet to a 3/8 inch iron rod found,
4. S 59° 27' 36" W, a distance of 374.46 feet to a 1/2 inch iron rod found,
5. S 65° 37' 50" W, a distance of 427.59 feet to a 3/8 inch iron set,

13.26 ACRES: CONTINUED

FN-11-5270

- 6. S 63° 41' 04" E, a distance of 88.74 feet to a 3/8 inch iron rod set,
- 7. S 11° 44' 52" E, a distance of 98.88 feet to a 3/8 inch iron rod set, and
- 8. S 40° 09' 23" E, a distance of 213.52 feet to a mag-nail set in a rock on the northerly line of said Hartmann's Crossing, for the southwest corner hereof;

THENCE continuing over and across the said 13.78 acre tract, the said 13.88 acre tract and the said 12.96 acre tract with the said northerly and northwesterly line of Hartmann's Crossing, the following six (6) courses:

- 1. N 83° 50' 01" E, a distance of 544.95 feet to a mag-nail found in a rock at a point of curvature,
- 2. A distance of 142.03 feet along the arc of a curve to the left having a radius of 170.00 feet and a chord bearing of N 59° 54' 00" E, a distance of 137.93 feet to a 3/8 inch iron rod found at a point of tangency,
- 3. N 35° 57' 58" E, a distance of 383.56 feet to a 3/8 inch iron rod found at a point of curvature,
- 4. A distance of 148.02 feet along the arc of a curve to the left having a radius of 385.19 feet and a chord bearing of N 24° 57' 26" E, a distance of 147.11 feet to a point of tangency,
- 5. N 13° 56' 54" E, crossing said Baron's Creek, a distance of 150.91 feet to a 3/8 inch iron rod found at a point of curvature, and
- 6. A distance of 47.96 feet along the arc of a curve to the right having a radius of 230.00 feet and a chord bearing of N 18° 43' 40" E, a distance of 47.87 feet to the POINT OF BEGINNING, containing 13.26 acres of land, more or less.

CERTIFIED COPY
PAGE 6 OF 11

I, Dale Allen Sultemeier, a Registered Professional Land Surveyor, do hereby certify that this description and accompanying plat were prepared from an on the ground survey performed under my direction and supervision.

SULTEMEIER SURVEYING &
ENGINEERING, LLC
805 North Llano
Fredericksburg, Texas 78624
(830) 990-1221



Dale Allen Sultemeier
Dale Allen Sultemeier
Registered Professional Land
Surveyor
No. 4542 - State of Texas

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.

ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas
By *Mary Lynn Rusche*
Deputy

EXHIBIT " B "

SULTEMEIER SURVEYING & ENGINEERING

805 North Llano Fredericksburg, TX

CERTIFIED COPY
PAGE 7 OF 11

7.91 ACRE, 60 FOOT WIDE STRIP/PROPOSED ACCESS EASEMENT
GILLESPIE COUNTY, TEXAS

FN-09-4809ACCESS1
APRIL 9, 2009

A DESCRIPTION OF A 7.91 ACRE, 60 FOOT WIDE STRIP/PROPOSED ACCESS EASEMENT OUT OF THE J. D. ANDERSON SUR. NO. 231, ABS. NO. 3, THE FEUGE & STRACKBEIN SUR. NO. 690, ABS. NO. 1008 AND THE H. & C. FEUGE SUR. NO. 689, ABS. NO. 1195 IN GILLESPIE COUNTY, TEXAS; BEING OVER AND ACROSS THE FOLLOWING TWELVE (12) TRACTS:

- 12.96 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN VOLUME 512, PAGE 856, O.P.R.G.C.T.;
- 6.15 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN VOLUME 512, PAGE 892, O.P.R.G.C.T.;
- 13.88 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN VOLUME 512, PAGE 898, O.P.R.G.C.T.;
- 21.07 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN VOLUME 512, PAGE 905, O.P.R.G.C.T.;
- 13.78 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN VOLUME 512, PAGE 869, O.P.R.G.C.T.;
- 0.177 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN DOCUMENT #20086718, O.P.R.G.C.T.;
- 0.57 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN DOCUMENT #20086717, O.P.R.G.C.T.;
- 10.35 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN VOLUME 527, PAGE 523, O.P.R.G.C.T.;
- 59.76 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN DOCUMENT #20063582, O.P.R.G.C.T.;
- 159.91 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN DOCUMENT #20063584, O.P.R.G.C.T.;
- 55.84 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN DOCUMENT #20081764, O.P.R.G.C.T.;
- 159.94 ACRE (DEED/CALLED ACREAGE) TRACT AS RECORDED IN DOCUMENT #20063583, O.P.R.G.C.T.;

SAID 7.91 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a concrete Right-of-Way monument in the west R.O.W. of Old Mason (county) Road, from which the east corner of the said 12.96 acre tract bears S 35° 56' 33" E, a distance of 106.61 feet;

THENCE with the west R.O.W. line of Old Mason (county) Road, S 35° 56' 33" E, a distance of 76.37 feet to a 3/8" iron rod set, for the most easterly corner hereof;

THENCE over and across the above said tracts the following twenty four (24) courses:

- 1. S 83° 33' 54" W (BASE BEARING), a distance of 48.00 feet to a 3/8" iron rod found at the beginning of a curve;

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ATTEST: JUN 25 2019
 MARY LYNN RUSCHE, County Clerk
 Gillespie County, Texas
 By: *[Signature]*
 Deputy

- 2. A distance of 73.67 feet along the arc of a curve to the left having a central angle of 24° 49' 48", a radius of 170.00 feet and a chord bearing of S 26° 21' 48" W, a distance of 73.10 feet to a 3/8" iron rod set;
- 3. S 13° 56' 54" W, a distance of 150.91 feet to a 3/8" iron rod set at the beginning of a curve;
- 4. A distance of 171.08 feet along the arc of a curve to the right having a central angle of 22° 01' 04", a radius of 445.19 feet and a chord bearing of S 24° 57' 26" W, a distance of 170.03 feet to a 3/8" iron rod set;
- 5. S 35° 57' 58" W, a distance of 383.56 feet to a 3/8" iron rod set at the beginning of a curve;
- 6. A distance of 192.15 feet along the arc of a curve to the right having a central angle of 47° 52' 03", a radius of 230.00 feet and a chord bearing of S 59° 54' 00" W, a distance of 186.61 feet to a 3/8" iron rod set;
- 7. S 83° 50' 01" W, a distance of 615.56 feet to a 3/8" iron rod set;
- 8. S 84° 53' 35" W, a distance of 451.66 feet to a 3/8" iron rod set at the beginning of a curve;
- 9. A distance of 13.11 feet along the arc of a curve to the left having a central angle of 04° 25' 07", a radius of 170.00 feet and a chord bearing of S 82° 41' 01" W, a distance of 13.11 feet to a 3/8" iron rod set;
- 10. S 80° 28' 28" W, a distance of 165.49 feet to a 3/8" iron rod set at the beginning of a curve;
- 11. A distance of 332.93 feet along the arc of a curve to the left having a central angle of 42° 42' 00", a radius of 446.74 feet and a chord bearing of S 59° 07' 28" W, a distance of 325.28 feet to a 3/8" iron rod set;
- 12. S 37° 46' 28" W, a distance of 173.01 feet to a 3/8" iron rod set at the beginning of a curve;
- 13. A distance of 86.08 feet along a curve to the right having a central angle of 21° 26' 37", a radius of 230.00 feet and a chord bearing of S 48° 29' 46" W, a distance of 85.58 feet to a 3/8" iron rod set;
- 14. S 59° 13' 05" W, a distance of 296.73 feet to a 3/8" iron rod set at the beginning of a curve;
- 15. A distance of 136.01 feet along a curve to the right having a central angle of 33° 52' 53", a radius of 230.00 feet and a chord bearing of S 76° 09' 32" W, a distance of 134.04 feet to a 3/8" iron rod set;
- 16. N 86° 54' 02" W, a distance of 643.57 feet to a 3/8" iron rod set at the beginning of a curve;
- 17. A distance of 77.46 feet along a curve to the right having a central angle of 19° 17' 48", a radius of 230.00 feet and a chord bearing of N 77° 15' 08" W, a distance of 77.10 feet to a 3/8" iron rod set;
- 18. N 67° 36' 13" W, a distance of 537.60 feet to a 3/8" iron rod set at the beginning of a curve;
- 19. A distance of 394.14 feet along a curve to the left having a central angle of 55° 47' 00", a radius of 404.83 feet and a chord bearing of S 84° 30' 16" W, a distance of 378.76 feet to a 3/8" iron rod set;
- 20. S 56° 36' 46" W, a distance of 81.06 feet to a 3/8" iron rod set at the beginning of a curve;

CERTIFIED COPY
PAGE 8 OF 11

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

By: *Debra Corwell*
Deputy

- 21. A distance of 480.51 feet along a curve to the right having a central angle of 36°36'31", a radius of 752.05 feet and a chord bearing of S 74°55'02" W, a distance of 472.38 feet to a 3/8" iron rod set;
- 22. N 86°46'43" W, a distance of 72.68 feet to a 3/8" iron rod set at the beginning of a curve;
- 23. A distance of 115.90 feet along a curve to the left having a central angle of 39°03'42", a radius of 170.00 feet and a chord bearing of S 73°41'26" W, a distance of 113.67 feet to a 3/8" iron rod set;
- 24. S 54°09'35" W, a distance of 37.35 feet to a 3/8" iron rod set at a southerly corner hereof;

THENCE N 35°50'25" W, a distance of 60.00 feet to a 3/8" iron rod set, for the most westerly corner hereof;

THENCE continuing over and across the above said tracts the following twenty four (24) courses:

CERTIFIED COPY
PAGE 9 OF 11

- 1. N 54°09'35" E, a distance of 37.35 feet to a 3/8" iron rod set at the beginning of a curve;
- 2. A distance of 156.80 feet along a curve to the right having a central angle of 39°03'42", a radius of 230.00 feet and a chord bearing of N 73°41'26" E, a distance of 153.78 feet to a 3/8" iron rod set, being the southeast corner of a 2.43 acre 60 foot wide strip/proposed access easement created this same date;
- 3. S 86°46'43" E, a distance of 72.68 feet to a 3/8" iron rod set at the beginning of a curve;
- 4. A distance of 442.18 feet along a curve to the left having a central angle of 36°36'31", a radius of 692.05 feet and a chord bearing of N 74°55'02" E, a distance of 434.69 feet to a 3/8" iron rod set;
- 5. N 56°36'46" E, a distance of 81.06 feet to a 3/8" iron rod set at the beginning of a curve;
- 6. A distance of 452.56 feet along a curve to the right having a central angle of 55°47'00", a radius of 464.83 feet and a chord bearing of N 84°30'16" E, a distance of 434.90 feet to a 3/8" iron rod set;
- 7. S 67°36'13" E, a distance of 537.60 feet to a 3/8" iron rod set at the beginning of a curve;
- 8. A distance of 57.25 feet along a curve to the left having a central angle of 19°17'48", a radius of 170.00 feet and a chord bearing of S 77°15'08" E, a distance of 56.98 feet to a 3/8" iron rod set;
- 9. S 86°54'02" E, a distance of 643.57 feet to a 3/8" iron rod set at the beginning of a curve;
- 10. A distance of 100.53 feet along a curve to the left having a central angle of 33°52'53", a radius of 170.00 feet and a chord bearing of N 76°09'32" E, a distance of 99.07 feet to a 3/8" iron rod set;
- 11. N 59°13'05" E, a distance of 296.73 feet to a 3/8" iron rod set at the beginning of a curve;
- 12. A distance of 63.62 feet along a curve to the left having a central angle of 21°26'37", a radius of 170.00 feet and a chord bearing of N 48°29'46" E, a distance of 63.25 feet to a 3/8" iron rod set;
- 13. N 37°46'28" E, a distance of 173.01 feet to a 3/8" iron rod set at the beginning of a curve;
- 14. A distance of 377.65 feet along a curve to the right having a central angle of 42°42'00", a radius of 506.74 feet and a chord bearing of N 59°07'28" E, a distance of 368.97 feet to a 3/8" iron rod set;
- 15. N 80°28'28" E, a distance of 165.49 feet to a 3/8" iron rod set at the beginning of a curve;

Page 3 of 4

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ATTEST: JUN 25 2019



MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas

By: *[Signature]*
Deputy

16. A distance of 17.74 feet along a curve to the right having a central angle of $04^{\circ}25'07''$, a radius of 230.00 feet and a chord bearing of $N 82^{\circ}41'01'' E$, a distance of 17.73 feet to a $3/8''$ iron rod set;

17. $N 84^{\circ}53'35'' E$, a distance of 451.11 feet to a $3/8''$ iron rod set;

18. $N 83^{\circ}50'01'' E$, a distance of 615.01 feet to a $3/8''$ iron rod set at the beginning of a curve;

19. A distance of 142.03 feet along a curve to the left having a central angle of $47^{\circ}52'03''$, a radius of 170.00 feet and a chord bearing of $N 59^{\circ}54'00'' E$, a distance of 137.93 feet to a $3/8''$ iron rod set;

20. $N 35^{\circ}57'58'' E$, a distance of 383.56 feet to a $3/8''$ iron rod set at the beginning of a curve;

21. A distance of 148.02 along a curve to the left having a central angle of $22^{\circ}01'04''$, a radius of 385.19 feet and a chord bearing of $N 24^{\circ}57'26'' E$, a distance of 147.11 feet to a $3/8''$ iron rod set;

22. $N 13^{\circ}56'54'' E$, a distance of 150.91 feet to a $3/8''$ iron rod set at the beginning of a curve;

23. A distance of 105.10 feet along a curve to the right having a central angle of $26^{\circ}10'57''$, a radius of 230.00 feet and a chord bearing of $N 25^{\circ}50'45'' E$, a distance of 104.19 feet to a $3/8''$ iron rod set;

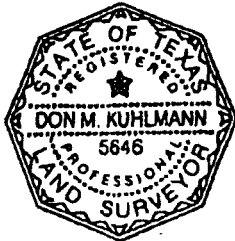
24. $N 37^{\circ}48'28'' E$, a distance of 55.82 feet to a $3/8''$ iron rod set at the most northerly corner hereof, being in the east line of the said 12.96 acre tract, being in the curving west R.O.W. line of Old Mason (county) Road;

THENCE a distance of 24.07 feet along a curve to the left having a central angle of $02^{\circ}15'01''$, a radius of 612.90 feet and a chord bearing of $S 35^{\circ}21'00'' E$, a distance of 24.07 feet to the POINT OF BEGINNING, containing 7.91 acres of land, more or less.

CERTIFIED COPY
PAGE 10 OF 11

I, Don M. Kuhlmann, a Registered Professional Land Surveyor, do hereby certify that this description and accompanying plat were prepared from an on the ground survey performed under my direction and supervision.

SULTEMEIER SURVEYING
& ENGINEERING
805 North Llano
Fredericksburg, Texas 78624
(830) 990-1221



Don M. Kuhlmann
Don M. Kuhlmann
Registered Professional Land
Surveyor
No. 5646 - State of Texas

Page 4 of 4

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.



ATTEST: JUN 25 2019
MARY LYNN RUSCHKE, County Clerk
Gillespie County, Texas

By *Debra L. Ornel*
Deputy

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Mary Lynn Rusche

HET



Mary Lynn Rusche, County Clerk
Gillespie County Texas

December 30, 2011 09:40:08 AM

KC

FEE: \$51.00
LD

20115321

CERTIFIED COPY
PAGE 11 OF 11

The page to which this certificate is affixed is a full, true and correct copy of the original on file and of record in my office.

ATTEST: JUN 25 2019

MARY LYNN RUSCHE, County Clerk
Gillespie County, Texas



By: *[Signature]*
Deputy

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, Applicant 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) 239-4600 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / NN _____ (If yes, date : _____).

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 / NN _____
- 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 / NN _____ (If yes, indicate the Certificate or Permit number: _____)

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

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

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

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

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

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

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

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

Water Right (Certificate or Permit) number you are requesting to amend: 14-1432

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

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

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

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 / NN

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 / NN

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 / NY

If yes, submit:

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

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

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

- f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / NN _____ If yes, call the Water Availability Division at (512) 239-4600 to discuss.

Additionally, all amendments require:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Worksheets and information:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **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":

This application is not in conflict with the state or regional water plans.

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

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 / NY

WORKSHEET 1.0

Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

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

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

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

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

a. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.

ii) Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.

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

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

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

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

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

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

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

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

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

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
- i. Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.
 - ii. Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.
A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.
Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.
- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

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

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

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

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

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

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

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

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

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

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

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

WORKSHEET 1.2 NOTICE. “THE MARSHALL CRITERIA”

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

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

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

1. The “Marshall Criteria” (Instructions, Page. 21)

Submit responses on a supplemental attachment titled “Marshall Criteria” in a manner that conforms to the paragraphs (a) – (g) below:

- a. Administrative Requirements and Fees. Confirm whether application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Texas Administrative Code (TAC) Chapters 281, 295, and 297. An amendment application should include, but is not limited to, a sworn application, maps, completed conservation plan, fees, etc.
- b. Beneficial Use. Discuss how proposed amendment is a beneficial use of the water as defined in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. Public Welfare. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.

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

WORKSHEET 2.0

Impoundment/Dam Information

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

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

1. Storage Information (Instructions, Page. 21)

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

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

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

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

2. Structure Location (Instructions, Page. 23)

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

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

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

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

Latitude _____°N, Longitude _____°W.

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

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

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

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

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

b. Maximum Rate of Diversion for **this new point** 1.34 cfs (cubic feet per second)
or 600 gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / NY
If yes, submit Maximum Combined Rate of Diversion for all points/reaches 1.34 cfs or 600 gpm

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

*** 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 / NN

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

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Baron's Creek
- b. Zip Code: 78624
- c. Location of point: In the J.D. Anderson Original Survey No. 231, Abstract No. 3, Gillespie 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 30.344692 °N, Longitude -98.933030 °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): Location determined by 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.

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. x Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** 1.34 cfs (cubic feet per second)
or 600 gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / NY ___
If yes, submit Maximum Combined Rate of Diversion for all points/reaches 1.34 cfs or 600 gpm

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

*** 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 / NN ___

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

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Baron's Creek
- b. Zip Code: 78624
- c. Location of point: In the J.D. Anderson Original Survey No. 231, Abstract No. 3, Gillespie 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 30.342628 °N, Longitude -98.931896 °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): Location determined by 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.

Proposed Up (Northern) & Down (Southern) Stream Diversion Range Points

Water Right 14-1432 – Beaumont

*1895 Old Mason Rd
Gillespie County, Texas*



WORKSHEET 4.0 DISCHARGE INFORMATION

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

- a. The purpose of use for the water being discharged will be N/A.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses _____% and explain the method of calculation: _____

Is the source of the discharged water return flows? Y / N _____ If yes, provide the following information:

1. The TPDES Permit Number(s) _____ (attach a copy of the **current** TPDES permit(s))
2. Applicant is the owner/holder of each TPDES permit listed above? Y / N _____

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

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
 4. The percentage of return flows from groundwater _____, surface water _____?
 5. If any percentage is surface water, provide the base water right number(s) _____.
- c. Is the source of the water being discharged groundwater? Y / N _____ If yes, provide the following information:
1. Source aquifer(s) from which water will be pumped: _____
 2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbrpt.asp>. Additionally, provide well numbers or identifiers _____.
 3. Indicate how the groundwater will be conveyed to the stream or reservoir.
 4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.
- ci. Is the source of the water being discharged a surface water supply contract? Y / N _____ If yes, provide the signed contract(s).
- cii. Identify any other source of the water _____

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

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

For water discharged at this location provide:

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

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

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 29.**

N/A

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

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. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

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

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

- a. For all bed and banks applications:
 - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements
- b. For all alternate source applications:
 - i. If the alternate source is treated return flows, provide the TPDES permit number _____
 - ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:
Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

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

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

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

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

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

Instructions, Page 31.

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

1. Water Conservation Plans

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

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

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

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

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

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

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

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

2. Drought Contingency Plans

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

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

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

1. Is Accounting Plan Required

Accounting Plans are generally required:

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

2. Accounting Plan Requirements

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

WORKSHEET 8.0 CALCULATION OF FEES

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

1. NEW APPROPRIATION

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

2. AMENDMENT OR SEVER AND COMBINE

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

3. BED AND BANKS

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