

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION FOR A TEMPORARY WATER USE PERMIT

APPLICATION NO. 13932

Thomas S. Erickson (Applicant) seeks a temporary water use permit to divert and use not to exceed 9 acre-feet of water, within a period of three years, from the South Fork San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Thomas S. Erickson, Applicant, 1411 Orchard Drive, Leander, TX 78641, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Temporary Water Use Permit pursuant to Texas Water Code § 11.138 and TCEQ Rules Title 30 Texas Administrative Code (TAC) § 295.1, et seq. Mailed notice to downstream water right holders of record in the Brazos River Basin is required pursuant to Title 30 TAC § 295.154(a).

Applicant seeks a temporary water use permit to divert and use not to exceed 9 acre-feet of water, within a period of three years, from the South Fork San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County.

Water will be diverted at a maximum diversion rate of 0.22 cfs (100 gpm), from a point located at Latitude 30.615641° N, Longitude 97.842915° W in Zip Code 78641.

The application was received on August 28, 2023, and fees were received on June 1, 2023 and November 27, 2023. Additional information was received November 21, 2023 and December 6, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 8, 2023.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, streamflow restrictions. The application, technical memoranda, and Executive Director's draft permit 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 Chief Clerk, at the address provided in the information section below, by December 09, 2024. 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 December 09, 2024. The Executive Director may approve the application unless a written request for a contested case hearing is filed by December 09, 2024.

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 W RTP 13932 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: November 21, 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 13932

TYPE 11.138

Permittee: Thomas S. Erickson

Address: 1411 Orchard Drive
Leander, TX 78641-1368

Received: August 28, 2023

Granted:

Watercourse: South Fork San Gabriel River

County: Williamson

Watershed: Brazos River Basin

WHEREAS, after considering the recommendation of the staff relative to the above identified application, the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. The application is in proper form and accompanied by all necessary fees.
2. Sufficient water is available at the proposed point of diversion to satisfy the requested diversion and use not to exceed 9 acre-feet of water, within a period of three years, from a point on the South Fork San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County.
3. The water will be diverted at a maximum diversion rate of 0.22 cfs (100 gpm), from a point located at Latitude 30.615641° N, Longitude 97.842915° W.
4. Notice of this application is required to be mailed to the downstream water right holders of record in the Brazos River Basin.

CONCLUSIONS OF LAW

- A. Jurisdiction is vested to consider this application under Texas Water Code § 11.138 and Title 30 Texas Administrative Code §§ 295.174 and 297.13.
- B. Applicant has complied with the particular requirements of the Texas Commission on Environmental Quality.
- C. The Executive Director recommends that special conditions be included.

NOW, THEREFORE, Temporary Water Use Permit No. 13932 is issued to Thomas S. Erickson, subject to the following terms and conditions:

1. USE

Permittee is authorized to divert and use not to exceed 9 acre-feet of water, within a period of three years, from a point on the South Fork San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County.

2. DIVERSION

Permittee is authorized to divert:

- A. From a point on the South Fork San Gabriel River, located at Latitude 30.615641° N, Longitude 97.842915° W.
- B. At a maximum diversion rate of 0.22 cfs (100 gpm).

3. SPECIAL CONDITIONS

- A. Permittee 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 diversion structure(s).
- B. Diversions shall be restricted based on the following streamflows at USGS Gage No. 08106500 - Little River near Cameron, TX, as set forth in Paragraphs 3.C.-3.G. below.

Season	Subsistence	Hydrologic Conditions	Base
Winter	32 cfs	Dry	110 cfs
		Average	190 cfs
		Wet	460 cfs
Spring	32 cfs	Dry	140 cfs
		Average	310 cfs
		Wet	760 cfs
Summer	32 cfs	Dry	97 cfs
		Average	160 cfs
		Wet	330 cfs

cfs=cubic feet per second

- C. Seasons are defined as follows: Winter (November through February), Spring (March through June), and Summer (July through October).

- D. Permittee shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service, shall be used to determine the hydrologic condition for the following season as set out in Paragraphs (i) - (iii) below.
- i. Permittee shall determine the PHDI Index for a season based on the following formula: $(0.619 * \text{North Central PHDI}) + (0.147 * \text{East Texas PHDI}) + (0.057 * \text{Edwards Plateau PHDI}) + (0.132 * \text{South Central PHDI}) + (0.045 * \text{Upper Coast PHDI})$
 - ii. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:
 - iii. Permittee may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.

Subsistence Flow Special Conditions and 50% Rule

- E. Permittee shall not divert water if the average adjusted streamflow at USGS Gage. No. 08106500 - Little River near Cameron, TX is less than or equal to the applicable subsistence flow. The "average adjusted streamflow" at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The "adjusted streamflow" at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Permittee. Unless informed otherwise by the Brazos Watermaster, Permittee may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Permittee under this water right equals adjusted streamflow.
- F. If average adjusted streamflow at USGS Gage. No. 08106500 - Little River near Cameron, TX is greater than the applicable subsistence flow but less than the applicable base flow, Permittee shall not divert in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Permittee is not required to adjust its diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

- G. If average adjusted streamflow at USGS Gage. No. 08106500 - Little River near Cameron, TX is greater than the applicable base flow for the applicable hydrologic condition, Permittee shall not divert in excess of the rate that would

reduce average streamflow at the gage and the applicable base flow; provided, however, Permittee is not required to adjust its diversion rate more frequently than once every 24 hours.

- H. Permittee shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available to the Brazos Watermaster upon request.
- I. This temporary water use permit is junior to all existing water rights in the Brazos River Basin.
- J. Upon diversion and use of the water authorized herein, this temporary water use permit shall expire and be of no further force and effect.
- K. This temporary water use permit shall expire and become null and void three years from the date of issuance with no further Commission action. Permittee also waives the right to notice and hearing on cancellation of this water right.
- L. No diversion of water shall be made when such water is required to satisfy domestic and livestock demands downstream, or when necessary to satisfy senior and superior water rights and instream needs.
- M. Permittee shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized above in Paragraph 2. DIVERSION and maintain measurement records.
- N. Permittee shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.
- O. Permittee shall contact the Brazos Watermaster prior to diversion of water authorized by this permit.
- P. The issuance of this temporary water use permit does not grant to the permittee the right to use private or public property for diversion of water authorized by this permit. This includes property belonging to but not limited to any individual, partnership, corporation or public entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to make any diversion authorized by this permit.

This temporary water use permit does not vest in its holder a permanent right and shall in no event be construed as a commitment of the Commission to approve or disapprove any other application or request by the permittee.

This temporary permit is subject to the requirements and orders of the Brazos Watermaster.

Permittee agrees to be bound by the terms, conditions, and provisions contained herein, and such agreement is a condition precedent to the granting of this temporary water use permit.

All other matters requested in the application which are not specifically granted by this temporary water use permit are denied.

This temporary water use permit is issued subject to the Rules of the Texas Commission on Environmental Quality and to its right of continuing supervision.

For The Commission

DATE ISSUED:

Jeremy Walker-Lee

From: Tom Erickson [REDACTED]
Sent: Tuesday, November 12, 2024 9:45 AM
To: Jeremy Walker-Lee
Cc: Humberto Galvan; Chris Kozlowski
Subject: Re: Thomas Erickson WRTP No. 13932

Jeremy,
Everything looks good would like to move forward. Thanks!

Regards
Tom

From: Jeremy Walker-Lee <Jeremy.Walker-Lee@tceq.texas.gov>
Sent: Friday, November 8, 2024 3:58 PM
To: Tom Erickson [REDACTED]
Cc: Humberto Galvan <Humberto.Galvan@tceq.texas.gov>; Chris Kozlowski <chris.kozlowski@tceq.texas.gov>
Subject: Thomas Erickson WRTP No. 13932

Good Afternoon Mr. Erickson,

Please see the attached draft public notice, temporary water use permit and related technical memoranda for Thomas Erickson WRTP No. 13932. Please respond with any comments or questions by 11.22.2024.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

Attachment

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 08, 2024

Mr. Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas S. Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

Drafts, subject to revision, of the public notice, proposed Temporary Water Use Permit No. 13932, 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 November 22, 2024 with any comments or questions as the notice will be forwarded to the Office of the Chief Clerk for mailing after that date.

Please note this application requires a 15-day comment period and once the comment period has closed, the proposed Temporary Water Use Permit No. 13932 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 jeremy.walker-lee@tceq.texas.gov or by phone at 512-239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachments

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION FOR A TEMPORARY WATER USE PERMIT

APPLICATION NO. 13932

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The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, streamflow restrictions. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web page at:

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Issued:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TEMPORARY WATER USE PERMIT

PERMIT NO. 13932

TYPE 11.138

Permittee: Thomas S. Erickson

Address: 1411 Orchard Drive
Leander, TX 78641-1368

Received: August 28, 2023

Granted:

Watercourse: South Fork San Gabriel River

County: Williamson

Watershed: Brazos River Basin

WHEREAS, after considering the recommendation of the staff relative to the above identified application, the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. The application is in proper form and accompanied by all necessary fees.
2. Sufficient water is available at the proposed point of diversion to satisfy the requested diversion and use not to exceed 9 acre-feet of water, within a period of three years, from a point on the South Fork San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County.
3. The water will be diverted at a maximum diversion rate of 0.22 cfs (100 gpm), from a point located at Latitude 30.615641° N, Longitude 97.842915° W.
4. Notice of this application is required to be mailed to the downstream water right holders of record in the Brazos River Basin.

CONCLUSIONS OF LAW

- A. Jurisdiction is vested to consider this application under Texas Water Code § 11.138 and Title 30 Texas Administrative Code §§ 295.174 and 297.13.
- B. Applicant has complied with the particular requirements of the Texas Commission on Environmental Quality.
- C. The Executive Director recommends that special conditions be included.

NOW, THEREFORE, Temporary Water Use Permit No. 13932 is issued to Thomas S. Erickson, subject to the following terms and conditions:

1. USE

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2. DIVERSION

Permittee is authorized to divert:

- A. From a point on the South Fork San Gabriel River, located at Latitude 30.615641° N, Longitude 97.842915° W.
- B. At a maximum diversion rate of 0.22 cfs (100 gpm).

3. SPECIAL CONDITIONS

- A. Permittee 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 diversion structure(s).
- B. Diversions shall be restricted based on the following streamflows at USGS Gage No. 08106500 - Little River near Cameron, TX, as set forth in Paragraphs 3.C.-3.G. below.

Season	Subsistence	Hydrologic Conditions	Base
Winter	32 cfs	Dry	110 cfs
		Average	190 cfs
		Wet	460 cfs
Spring	32 cfs	Dry	140 cfs
		Average	310 cfs
		Wet	760 cfs
Summer	32 cfs	Dry	97 cfs
		Average	160 cfs
		Wet	330 cfs

cfs=cubic feet per second

- C. Seasons are defined as follows: Winter (November through February), Spring (March through June), and Summer (July through October).

- D. Permittee shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service, shall be used to determine the hydrologic condition for the following season as set out in Paragraphs (i) - (iii) below.
- i. Permittee shall determine the PHDI Index for a season based on the following formula: $(0.619 * \text{North Central PHDI}) + (0.147 * \text{East Texas PHDI}) + (0.057 * \text{Edwards Plateau PHDI}) + (0.132 * \text{South Central PHDI}) + (0.045 * \text{Upper Coast PHDI})$
 - ii. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:
 - iii. Permittee may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.

Subsistence Flow Special Conditions and 50% Rule

- E. Permittee shall not divert water if the average adjusted streamflow at USGS Gage. No. 08106500 - Little River near Cameron, TX is less than or equal to the applicable subsistence flow. The "average adjusted streamflow" at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The "adjusted streamflow" at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Permittee. Unless informed otherwise by the Brazos Watermaster, Permittee may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Permittee under this water right equals adjusted streamflow.
- F. If average adjusted streamflow at USGS Gage. No. 08106500 - Little River near Cameron, TX is greater than the applicable subsistence flow but less than the applicable base flow, Permittee shall not divert in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Permittee is not required to adjust its diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

- G. If average adjusted streamflow at USGS Gage. No. 08106500 - Little River near Cameron, TX is greater than the applicable base flow for the applicable hydrologic condition, Permittee shall not divert in excess of the rate that would

reduce average streamflow at the gage and the applicable base flow; provided, however, Permittee is not required to adjust its diversion rate more frequently than once every 24 hours.

- H. Permittee shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available to the Brazos Watermaster upon request.
- I. This temporary water use permit is junior to all existing water rights in the Brazos River Basin.
- J. Upon diversion and use of the water authorized herein, this temporary water use permit shall expire and be of no further force and effect.
- K. This temporary water use permit shall expire and become null and void three years from the date of issuance with no further Commission action. Permittee also waives the right to notice and hearing on cancellation of this water right.
- L. No diversion of water shall be made when such water is required to satisfy domestic and livestock demands downstream, or when necessary to satisfy senior and superior water rights and instream needs.
- M. Permittee shall install and maintain a measuring device which accounts for, within 5% accuracy, the quantity of water diverted from the point authorized above in Paragraph 2. DIVERSION and maintain measurement records.
- N. Permittee shall allow representatives of the Brazos Watermaster reasonable access to the property to inspect the measuring device and records.
- O. Permittee shall contact the Brazos Watermaster prior to diversion of water authorized by this permit.
- P. The issuance of this temporary water use permit does not grant to the permittee the right to use private or public property for diversion of water authorized by this permit. This includes property belonging to but not limited to any individual, partnership, corporation or public entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to make any diversion authorized by this permit.

This temporary water use permit does not vest in its holder a permanent right and shall in no event be construed as a commitment of the Commission to approve or disapprove any other application or request by the permittee.

This temporary permit is subject to the requirements and orders of the Brazos Watermaster.

Permittee agrees to be bound by the terms, conditions, and provisions contained herein, and such agreement is a condition precedent to the granting of this temporary water use permit.

All other matters requested in the application which are not specifically granted by this temporary water use permit are denied.

This temporary water use permit is issued subject to the Rules of the Texas Commission on Environmental Quality and to its right of continuing supervision.

For The Commission

DATE ISSUED:

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team

Date: June 6, 2024

Through ~~K~~ *TA* Kathy Alexander, Ph.D., Policy and Technical Analyst
Water Availability Division

TG Trent Gay, Team Leader
Surface Water Availability Team

From: Andrew Maria, Hydrologist
Surface Water Availability Team

Subject: Thomas S. Erickson
WRTP 13932
CN606145936
South Fork San Gabriel River, Brazos River Basin
Williamson County

HYDROLOGY REVIEW ADDENDUM

Staff completed its Hydrology Review Memorandum on April 18, 2024. The denial letter and notice of recommendation of denial was sent to Thomas Erickson (Applicant) on May 6, 2024.

At the applicant's request, Staff reviewed the current conditions of the Brazos Basin as a result of recent precipitation events and believes that conditions warrant a revision to its recommendation.

The application was declared administratively complete on December 8, 2023.

Hydrology Review

Pursuant to 30 Texas Administrative Code (TAC) §298 Subchapter G, Resource Protection Staff recommended that the application be subject to instream flow requirements. Specific instream flow requirements are included in the Resource Protection Memo dated January 18, 2024.

Staff reviewed current conditions in the Brazos River basin to determine whether surplus water is available for this request. Staff notes the most recent Drought Monitor (June 4, 2024) indicates that the portion of Williamson County where the application is located is not experiencing any drought conditions. Staff notes the current drought conditions are an improvement from the April 16, 2024 report when the portion of Williamson County where the application is located was experiencing severe drought conditions.

TCEQ's environmental flow standards for the Brazos Basin in 30 TAC §298 Subchapter G (Brazos River and its Associated Bay and Estuary System) include a hydrologic condition (§298.470 Calculation of Hydrologic Conditions). The hydrologic condition is based on the Palmer Hydrologic Drought Index (PHDI) and the PHDI Index as defined in §298.455 (6) and (7). Based on §298.455(4), the application is located in the Lower Basin. The Climate Divisions included in the Lower Basin are the North Central (Climate Division 3), East Texas (Climate Division 4), Edwards Plateau (Climate Division 6), South Central (Climate Division 7), and Upper Coast (Climate Division 8). The values for the PHDI Index for the Lower Basin used to determine the hydrologic condition are calculated as follows (§298.470(b)):

$$(0.619 * \text{North Central PHDI}) + (0.147 * \text{East Texas PHDI}) + (0.057 * \text{Edwards Plateau PHDI}) + (0.132 * \text{South Central PHDI}) + (0.045 * \text{Upper Coast PHDI})$$

The determination of the hydrologic condition for a particular season shall be determined once per season. The PHDI value present on the last day of the month of the preceding season, as reported by the National Weather Service, and calculated for the geographic area as described in subsection (b) of §298.470, will determine the hydrologic condition for the following season. The values for the PHDI are available at <https://www.ncei.noaa.gov/access/monitoring/climate-at-a-glance/>. Under the adopted rules, PHDI values are based on the last day of the month before the start of a new season; however, final approved PHDI values for a month are typically available from the National Centers for Environmental Information (NCEI) near the middle of the following month. Therefore, in order to determine the hydrologic condition for a season, the latest published monthly value can be used on an interim basis until the final value for the month preceding the season is available. When the NCEI publishes the final value for the month preceding the season, the hydrologic condition applicable for the season can be updated if required.

The diversion requested in the application is for a short period of time (three years). This temporary permit will be junior to all existing water rights, and subject to suspension if water is needed for those water rights. Staff's opinion is that existing water rights will not be affected by this short-term temporary permit.

In addition, the application is subject to the requirements and orders of the Brazos Watermaster. The Watermaster actively manages water rights on a daily basis and protects senior water rights in times of shortage. Therefore, existing water rights should not be affected by the application.

Conclusion

Staff can support granting the application provided the following special conditions are included in the permit:

1. Permittee shall determine the hydrologic condition once per season. The Palmer Hydrologic Drought Index (PHDI) value present on the last day of the month of the preceding season, as reported by the National Weather Service shall be used to determine the hydrologic condition for the following season as set out in Paragraphs a.(a) – (c) below.
 - a. Permittee shall determine the PHDI Index for a season based on the following formula: $(0.619 * \text{North Central PHDI}) + (0.147 * \text{East Texas PHDI}) + (0.057 * \text{Edwards Plateau PHDI}) + (0.132 * \text{South Central PHDI}) + (0.045 * \text{Upper Coast PHDI})$
 - b. The PHDI Index and corresponding hydrologic conditions that govern diversions under this permit are:
 - c. Permittee may utilize an interim PHDI value to determine the hydrologic condition until the value for the month preceding the start of the season is published. The interim PHDI value shall be based on the latest published monthly PHDI value that is available on the last day of the month of the preceding season. When a value for the month preceding the season is published, Permittee shall update the hydrologic condition determined based on the interim value if the final value results in a change to the calculated hydrologic condition. Any updated hydrologic condition shall then be applicable to diversions under this permit.
2. Permittee shall maintain records of the calculated hydrologic condition for the season and the streamflow values at the time of the diversion and make those records available to the Brazos Watermaster upon request.

Note that the application is subject to the requirements and orders of the Brazos Watermaster.


Andrew Maria

Andrew Maria, Hydrologist

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Jeremy Walker-Lee, Project Manager **Date:** January 18, 2024
Water Rights Permitting Team

Through: Leslie Patterson, Team Leader 
Resource Protection Team

From: Richard Schmoyer, Aquatic Scientist
Resource Protection Team

Subject: Thomas S. Erickson
WRTP 13932
CN606145936
South Fork San Gabriel River, Brazos River Basin
Williamson 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

Thomas S. Erickson (Applicant) requests a temporary water use permit to divert a maximum of 9 acre-feet of water within a three-year period from a point on the South Fork San Gabriel River, Brazos River Basin at a maximum diversion rate of 0.22 cfs (100 gpm), for agricultural purposes in Williamson County.

ENVIRONMENTAL ANALYSIS

On February 12, 2014, the TCEQ adopted environmental flow standards for the Brazos River and its associated bay and estuary system (Title 30 Texas Administrative Code (TAC) Chapter 298 Subchapter G). These environmental flow standards are considered adequate to support a sound ecological environment (Title 30 TAC § 298.460).

The Applicant is requesting the use of surplus water, which would be subject to the adopted standards. This review is conducted in accordance with §11.147(e-3) of the TWC and Title 30 TAC Chapter 298 Subchapter G (Brazos River and its associated bay and estuary system). In Title 30 TAC § 298.480(14), environmental flow standards were established at United States Geological Survey (USGS) Gage No. 08106500 – Little River near Cameron, TX, and the applicable environmental flow standards are shown in Table 1.

Table 1. Environmental Flow Standards at USGS Gage No. 08106500 – Little River near Cameron, TX

Season	Subsistence	Hydrologic Conditions	Base
Winter	32 cfs	Dry	110 cfs
		Average	190 cfs
		Wet	460 cfs
Spring	32 cfs	Dry	140 cfs
		Average	310 cfs
		Wet	760 cfs
Summer	32 cfs	Dry	97 cfs
		Average	160 cfs
		Wet	330 cfs

cfs = cubic feet per second

Base flow standards vary depending on the season and current hydrologic conditions. Seasons are defined in Title 30 TAC § 298.455 as follows: Winter (November through February), Spring (March through June), and Summer (July through October). Hydrologic conditions will be addressed in the water availability analysis for this application.

No special conditions for high flow pulses are required because the proposed maximum diversion rate, 0.22 cfs, is less than 20% of the applicable pulse trigger level requirements of an applicable high flow pulse, as described in Title 30 TAC § 298.485.

Resource Protection staff recommend that diversion of water under this proposed temporary permit should be limited to comply with the applicable environmental flow standards.

RECOMMENDATIONS

Resource Protection staff recommend the following Special Conditions be included in the proposed temporary permit, if granted:

1. Permittee 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 diversion structure(s).

2. Diversions shall be restricted based on the following streamflows at USGS Gage No. 08106500 – Little River near Cameron, TX, as set forth in Special Conditions 3-6 below.

Season	Subsistence	Hydrologic Conditions	Base
Winter	32 cfs	Dry	110 cfs
		Average	190 cfs
		Wet	460 cfs
Spring	32 cfs	Dry	140 cfs
		Average	310 cfs
		Wet	760 cfs
Summer	32 cfs	Dry	97 cfs
		Average	160 cfs
		Wet	330 cfs

cfs=cubic feet per second

3. Seasons are defined as follows: Winter (November through February), Spring (March through June), and Summer (July through October).

Subsistence Flow Special Conditions and 50% Rule

4. Permittee shall not divert water if the average adjusted streamflow at USGS Gage. No. 08106500 – Little River near Cameron, TX is less than or equal to the applicable subsistence flow. The “average adjusted streamflow” at the gage is the average of adjusted streamflows measured at the gage for the previous 24 hours. The “adjusted streamflow” at the gage at any time is the measured streamflow that would occur at the gage at that time in the absence of any diversions by Permittee. Unless informed otherwise by the Brazos Watermaster, Permittee may assume that under all conditions, measured streamflow plus the rate at which water is being diverted at that time by Permittee under this water right equals adjusted streamflow.
5. If average adjusted streamflow at USGS Gage. No. 08106500 – Little River near Cameron, TX is greater than the applicable subsistence flow but less

than the applicable base flow, Permittee shall not divert in excess of the rate that would reduce average streamflow at the gage to the applicable subsistence flow plus 50% of the difference between average adjusted streamflow at the gage and the applicable subsistence flow; provided, however, Permittee is not required to adjust its diversion rate more frequently than once every 24 hours.

Base Flow Special Condition

6. If average adjusted streamflow at USGS Gage. No. 08106500 – Little River near Cameron, TX is greater than the applicable base flow for the applicable hydrologic condition, Permittee shall not divert in excess of the rate that would reduce average streamflow at the gage and the applicable base flow; provided, however, Permittee is not required to adjust its diversion rate more frequently than once every 24 hours.

Richard Schmoyer

Richard Schmoyer, Aquatic Scientist
Resource Protection Team

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: Jeremy Walker-Lee (TCEQ)
Date: 07/11/2024	Application: 13932
<i>Information for File follows:</i> Mr. Erickson called requesting a status update for Application No. 13932. PM informed Mr. Erickson that staff is currently reviewing the permit and we will be in touch as soon as that review finishes.	
Signed <i>Jeremy Walker-Lee</i>	

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: Jeremy Walker-Lee (TCEQ)
Date: 05/24/2024	Application: 13932
<p><i>Information for File follows:</i></p> <p>PM returned Mr. Erickson phone call about his permit. Mr. Erickson inquired about a recent denial letter received from staff regarding his current inhouse temporary permit. PM informed Mr. Erickson that due to recent changes in the place of use, tech staff is rereviewing the application with the possibility of going forward with the issuance.</p> <p>Mr. Erickson made PM aware of Liberty Hill releasing waste water into the San Gabriel upstream of him to justify there being water available. PM told Mr. Erickson that he will be sure to inform his team leader of the information provided.</p> <p>PM told Mr. Erickson that he will be reach out to Mr. Erickson as soon as the technical review has finished.</p>	
<div style="display: flex; align-items: center;"><div style="margin-right: 10px;">Signed</div><div style="font-family: cursive; font-size: 1.2em;">Jeremy Walker-Lee</div></div>	

Jon Niermann, *Chairman*
Bobby Janecka, *Commissioner*
Catarina R. Gonzales, *Commissioner*
Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 06, 2024

Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL AND CERTIFIED MAIL

RE: Thomas Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced Application No. 13932 for a Temporary Water Use Permit.

The Executive Director's staff has determined they cannot recommend the Commission grant the permit because there is no surplus water available for a temporary permit in the amount requested in the application due to current conditions and the needs of senior water rights in the Brazos River Basin. Therefore, Staff is recommending the Commission deny the permit pursuant to Texas Water Code (TWC) § 11.131. Copies of the technical memoranda are attached for your reference.

Mr. Thomas Erickson (Applicant) has three options to choose from: 1) withdraw the application; 2) submit information regarding the availability of surplus state water; or 3) indicate that Applicant wishes to proceed to a contested case hearing on the matter.

Applicant may withdraw the application at this time by submitting a written request to withdraw the application to the Water Rights Permitting Team (Mail Code 160) by June 05, 2024. Any unused portion of the fees submitted with the application will be refunded and a copy of the application will be returned.

In the alternative, Applicant may choose to continue with processing of the application. However, as noted above, the Executive Director has determined that surplus water is not available for the temporary permit. If Applicant would like to continue processing the application, then Applicant must provide reliable information regarding the availability of state water on a short-term temporary basis for the commission to consider. The information should be received by the Water Rights Permitting Team (Mail Code 160) by June 05, 2024, or the application will be returned without prejudice pursuant to 30 Texas Administrative Code (TAC) § 281.19.

Finally, Applicant may choose to request a contested case hearing on the matter. If the Commissioners decide to refer the matter for a contested case hearing, the hearing would be held before a State Office of Administrative Hearings (SOAH) administrative law judge. A contested case hearing is similar to a district court trial. At the SOAH hearing, Applicant would have the burden of putting forth evidence to prove that the application should be approved by

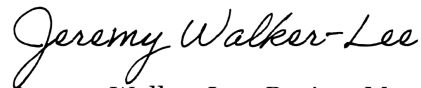
Mr. Thomas Erickson
Application No. 13932
May 06, 2024
Page 2 of 2

the Commission. However, the Executive Director will recommend that the application be denied in accordance with TWC § 11.134(b)(2)-(3)(B).

If the Applicant would like to request a contested case hearing you must first provide written approval of, or comments on, the enclosed draft public notice for Application No. 13932. This information must be received by the Water Rights Permitting Team (Mail Code 160), or via email at jeremy.walker-lee@tceq.texas.gov, by June 05, 2024 or the application will be returned without prejudice pursuant to 30 TAC § 281.19.

If you have any questions concerning this matter, please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,



Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Enclosures

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION FOR A TEMPORARY WATER USE PERMIT

APPLICATION NO. 13932

Thomas Erickson (Applicant) seeks a temporary water use permit to divert and use not to exceed 9 acre-feet of water, within a period of three years, from South Fork San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. Thomas Erickson, 1411 Orchard Drive, Leander, TX 78641-1368, Applicant, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Temporary Water Use Permit pursuant to Texas Water Code § 11.138 and TCEQ Rules Title 30 Texas Administrative Code (TAC) § 295.1, et seq. Mailed notice to downstream water right holders of record in the Brazos River Basin is required pursuant to Title 30 TAC § 295.154(a).

Applicant seeks a temporary water use permit to divert and use not to exceed 9 acre-feet of water, within a period of three years, from South Fork San Gabriel River, tributary of the San Gabriel River, Brazos River Basin for agricultural purposes in Williamson County.

Water will be diverted at a maximum diversion rate of 0.223 cfs (100 gpm), from a point located at Latitude 30.615641° N, Longitude 97.842915° W in Williamson County in ZIP Code 78641.

The application was received on August 28, 2023, and fees were received June 01, 2023 and November 27, 2023. Additional information was received November 21, 2023 and December 06, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 8, 2023.

The Executive Director has completed technical review of the application and based on the results of the water availability analysis, there is insufficient water for the requested appropriation in the Brazos River Basin. Staff therefore recommends that the application be denied. The application and technical memoranda 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 Chief Clerk, at the address provided in the information section below, by _____. 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 _____. 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 WRTP 13932 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

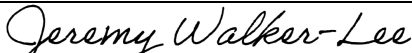
For additional information, individual members of the general public may contact the Public Education Program at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.texas.gov. Si desea información en Español, puede llamar al 1-800-687-4040 o por el internet al <http://www.tceq.texas.gov>.

Issued:

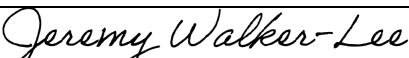
Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: Jeremy Walker-Lee
Date: 3/27/2024	Application: 13932
<p><i>Information for File follows:</i></p> <p>Applicant was calling to check the status of the application currently and for an estimation for when it will be issued. PM informed Mr. Erickson that the permitting language is still being reviewed by our tech team. Mr. Erickson was also informed that he will be contacted when the permit is ready for his review.</p>	
Signed <i>Jeremy Walker-Lee</i>	

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: Jeremy Walker-Lee
Date: 2/13/2024	Application: 13932
<p><i>Information for File follows:</i></p> <p>Returning a call to Thomas Erickson for WRTP 13932. Applicant was calling to check the status of the application currently and for an estimation for when it will be issued. PM informed Mr. Erickson that the permitting language is currently being reviewed by our tech team. PM also informed Mr. Erickson that the permitting process can take up to 300 days which includes a notice period for the downstream water rights holders. Mr. Erickson was also informed that he will be contacted when the permit is ready for his review.</p>	
<div style="display: flex; justify-content: space-between; align-items: center;">Signed<div style="text-align: right;"></div></div>	

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: TCEQ Staff
Date: 1/9/2024	Application: 13932
<i>Information for File follows:</i> Returning a call to Thomas Erickson for WRTP 13932. Applicant was calling to check the status of the application currently and for an estimation for when it will be issued.	
Signed 	

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

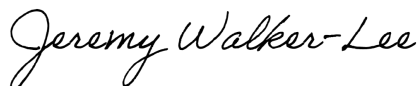
FROM: Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team

DATE: December 8, 2023

SUBJECT: Thomas S. Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Partial fees were received on June 1, 2023. The application was received on August 28, 2023. Additional information and fees were received on November 21, November 27, and December 6, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 8, 2023. Mailed notice to downstream water right holders of record in the Brazos River Basin is required pursuant to Title 30 Texas Administrative Code § 295.154(a).

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



Jeremy Walker-Lee, 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*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 8, 2023

Mr. Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas S. Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

This acknowledges receipt, on November 21, November 27, and December 6, 2023, of additional information and fees in the amount of \$90.60 (Receipt Nos. M405158A & M405158B, copies attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on December 8, 2023. 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 Jeremy.walker-lee@tceq.texas.gov or by phone at 512-239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachments

Jeremy Walker-Lee

From: Tom Erickson <[REDACTED]>
Sent: Wednesday, December 6, 2023 3:55 PM
To: Jeremy Walker-Lee
Subject: FW: Please sign Consent letter
Attachments: Consent.pdf

Jeremy,
Please see the attached. Thanks!

Regards,
Tom Erickson
512 947-8855

From: [Valerie Erickson](#)
Sent: Wednesday, December 6, 2023 3:45 PM
To: [Tom Erickson](#)
Subject: Re: Please sign Consent letter

On Wed, Dec 6, 2023 at 2:54 PM Tom Erickson <[REDACTED]> wrote:

Regards,

Tom Erickson

512 947-8855

I Valerie Erickson consent to application for temporary water permit WRTP 13932 CN606145936,
RN111800066 Application No. 13932 for a Temporary Water Use Permit Texas Water Code § 11.138,
Requiring Limited Mailed Notice South Fork San Gabriel River, Brazos River Basin Williamson County

Valerie Erickson

Valerie L. Erickson

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: Jeremy Walker-Lee
Date: 12/6/2023	Application: WRTP 13932
<p><i>Information for File follows:</i></p> <p>PM gave applicant a call to inform applicant that deeds submitted possessed two grantors, one being Valerie L Erickson and Thomas Erickson himself. PM informed Mr. Erickson that further consent was needed from the additional grantor to proceed forward with the application. Mr. Erickson informed PM that he will have his wife provided consent in a signed PDF.</p>	
Signed <i>Jeremy Walker-Lee</i> <i>12/06/2023</i>	



27-NOV-23 03:25 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>
TEMP/EMERG WTR USE	EMG	M405158A	5213		BS00106337	27-NOV-23	-\$6.00
PRMT ISSUE	EMG		112723/ADT	N	D4800904		
	TEMPORARY/EMERGENCY WTR	ERICKSON,	L PMT	CK			
	USE PERMIT ISSUE	TOM/VALERIE	VHERNAND				
						Total (Fee Code):	-\$6.00

RECEIVED
DEC 01 2023
Water Availability Division

RECEIVED
DEC 01 2023
Water Availability Division



TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

27-NOV-23 03:25 PM

<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>
NOTICE FEES-EMG- TEMP/EMERG USE	PTGE PTGE NOTICE FEES EMG-TEMP/EMERG USE PMT	M405158B ERICKSON, TOM/VALERIE	5213 112723/ADT L PMT VHERNAND	N CK	BS00106337 D4800904	27-NOV-23	-\$84.60
Total (Fee Code):							-\$84.60

RECEIVED
DEC 01 2023
Water Availability Division

RECEIVED
DEC 01 2023
Water Availability Division

Jeremy Walker-Lee

From: Tom Erickson <[REDACTED]>
Sent: Monday, November 27, 2023 1:02 PM
To: Melissa Lopez; Jeremy Walker-Lee
Cc: Rhonda Davis; Sheryl Ruyle; Veronica Torrez; Gisel Perez Osorio
Subject: RE: Need Additional Information
Attachments: Thomas_Erickson_13932_Follow-Up_RFI_11.21.2023.pdf

Melissa,
I'm working with Jeremy on a temp water permit. That was the balance owed to get the permit put in place

Regards,
Tom Erickson
512 947-8855

From: [Melissa Lopez](#)
Sent: Monday, November 27, 2023 12:07 PM
To: [REDACTED]
Cc: [Rhonda Davis](#); [Sheryl Ruyle](#); [Veronica Torrez](#); [Gisel Perez Osorio](#)
Subject: Need Additional Information

Hi, we received a check for \$90.60(check #5213). We need more information as to what it's paying for. Please provide an application or any paperwork you may have for this.

If we do not receive this information, we will have to return this check.



Melissa Lopez

Cashier's Office
OAS/FA/Revenue Operations
Ph: 512-239-5983
Melissa.Lopez@tceq.texas.gov

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2023

Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

This acknowledges receipt, on August 29, 2023, of the referenced application and fees in the amount of \$104.25 (Receipt No. M317087, copy attached).

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

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

1. Confirm the application is requesting to divert 9 acre-feet of water within a period of 3 years from a point on the South Fork San Gabriel River, Brazos River Basin. *Yes*
2. Confirm the latitude and longitude coordinates of the requested diversion point. Coordinates need to be provided in decimal degrees to at least six decimal places. Staff has calculated the coordinates to be Latitude 30.615641° N, Longitude 97.842915° W. *Yes*
3. Provide a USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked. *Attached*
4. 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). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response. *Attach*
5. Provide the Zip Code and County for the proposed diversion point location. *78641 Williamson County*

6. Provide a recorded copy of the deed(s) for the property where the proposed land to be irrigated is located. The deed should include the legal description of the land (metes and bounds). Please note that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5). *Attached*
7. Provide recorded copies of legal documents establishing ownership of the proposed diversion point, or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant Title 30 TAC § 295.10. A permit, if granted, will contain a special condition that would authorize any diversion point that is specified in a contract where ownership or consent has been provided. The permit condition would also require that these contracts be submitted to the TCEQ. *Attached*
8. Remit fees in the amount of \$90.60, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Temporary Water Use Permit < 10 acre-feet)	\$ 100.00
Recording Fee	\$ 1.25
Use Fee (\$1 per Acre-Foot)	\$ 9.00*
Notice Fee (\$ 0.94 x 90 WR holders)	\$ 84.60
TOTAL FEES	\$ 194.85
FEES RECEIVED	\$ 104.25
BALANCE DUE	\$ 90.60

* Please note that the use fee is based on a request for three acre-feet of water per year over a three year period or 9 acre-feet per year total. If the applicant is requesting a different amount of water, then the use fee will be \$1 per acre-foot.

Please provide the requested information and fees by November 20, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,

Jeremy Walker-Lee

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment

 An official website of the United States government [Here's how you know](#)

USGS Call Center

The USGS Store Call Center has limited staff today-you may experience longer than usual wait times.

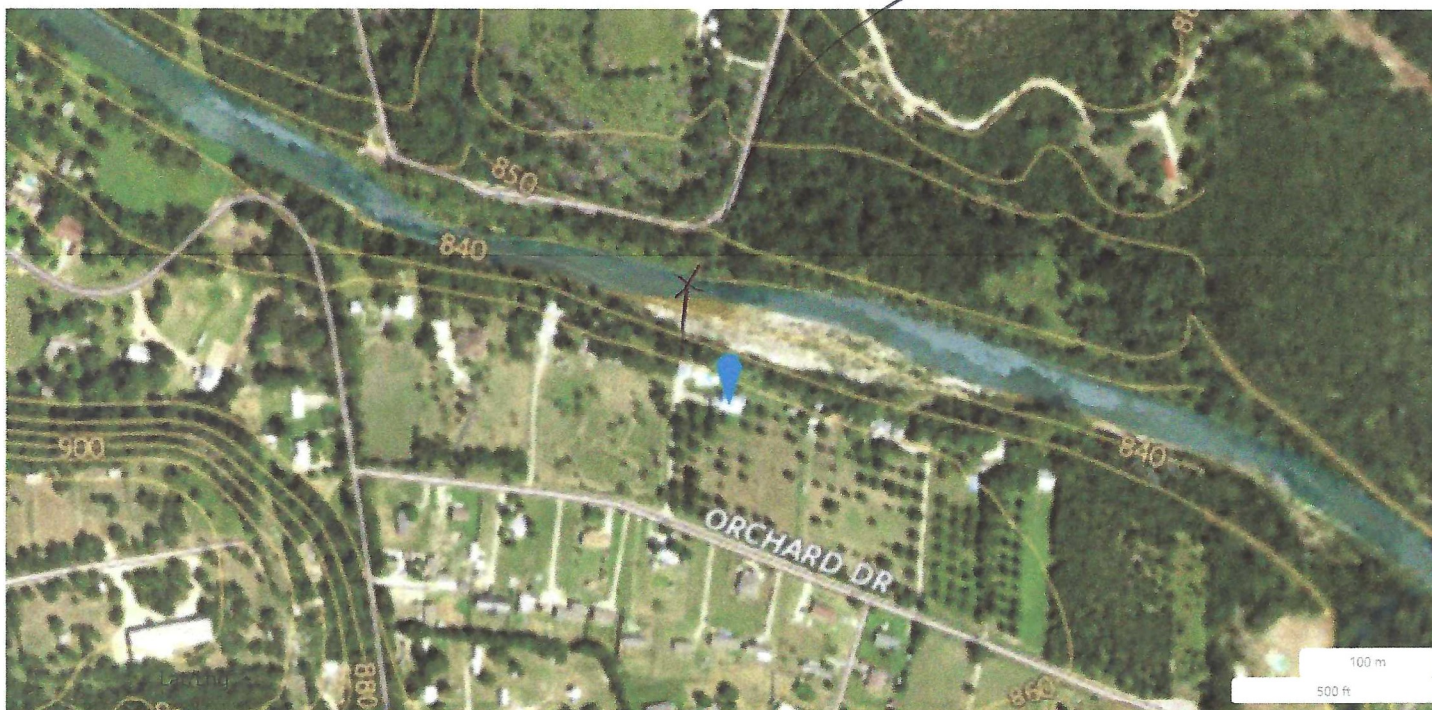
USGS Store

Map Locator

1411 Orchard Dr, Leander, Texas, 78641

Clear

To use the map locator to find map products use the search bar or drop a pin by double clicking on the map view.



Map location pins dropped or searched for by address/place provide products within a 15 mile radius of specified location.

If you have any questions or issues please [click here](#) to email usgsstore@usgs.gov.

RECREATIONAL PASSES

2023 Annual Pass

Annual Senior Pass

Lifetime Senior Pass

Access Pass

MAPS

All Products

US Topo

7.5 & 15 Minute Topographic Maps

30 x 60 Minute Topographic Maps

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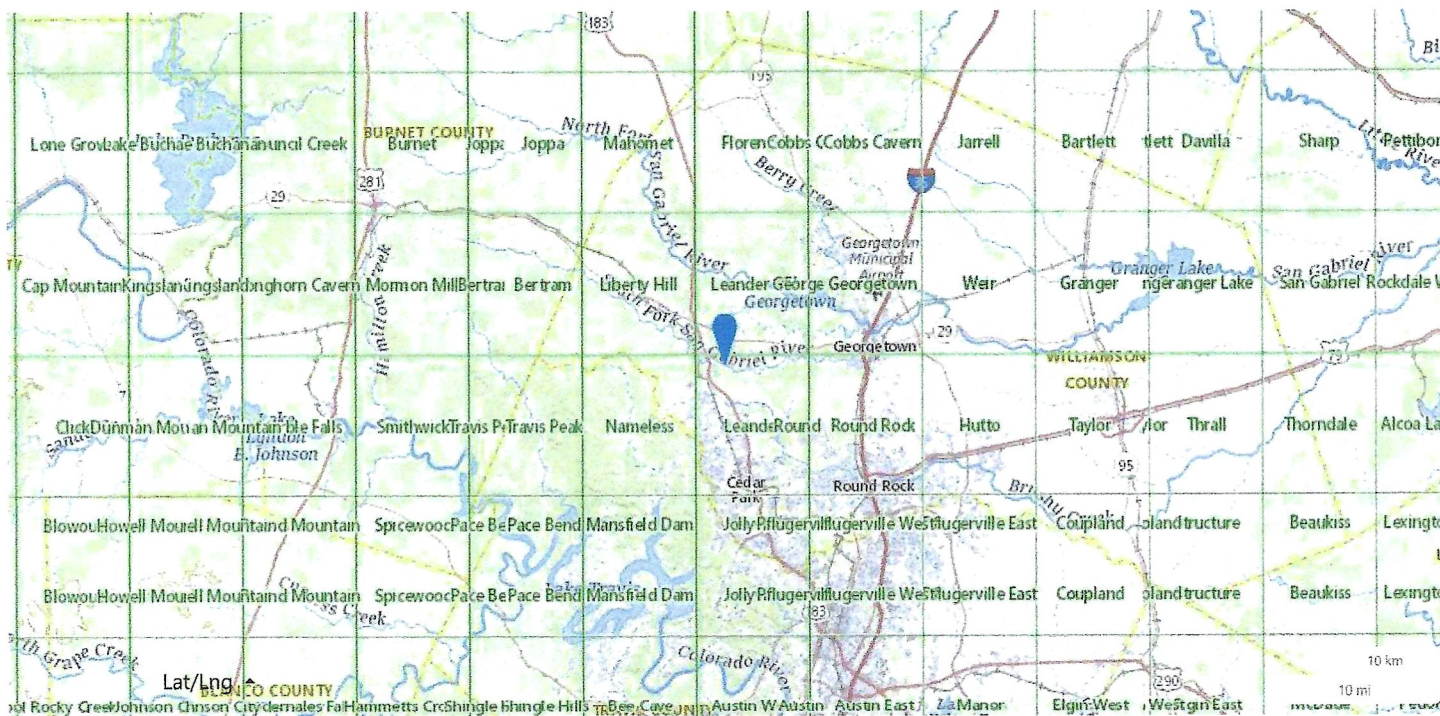
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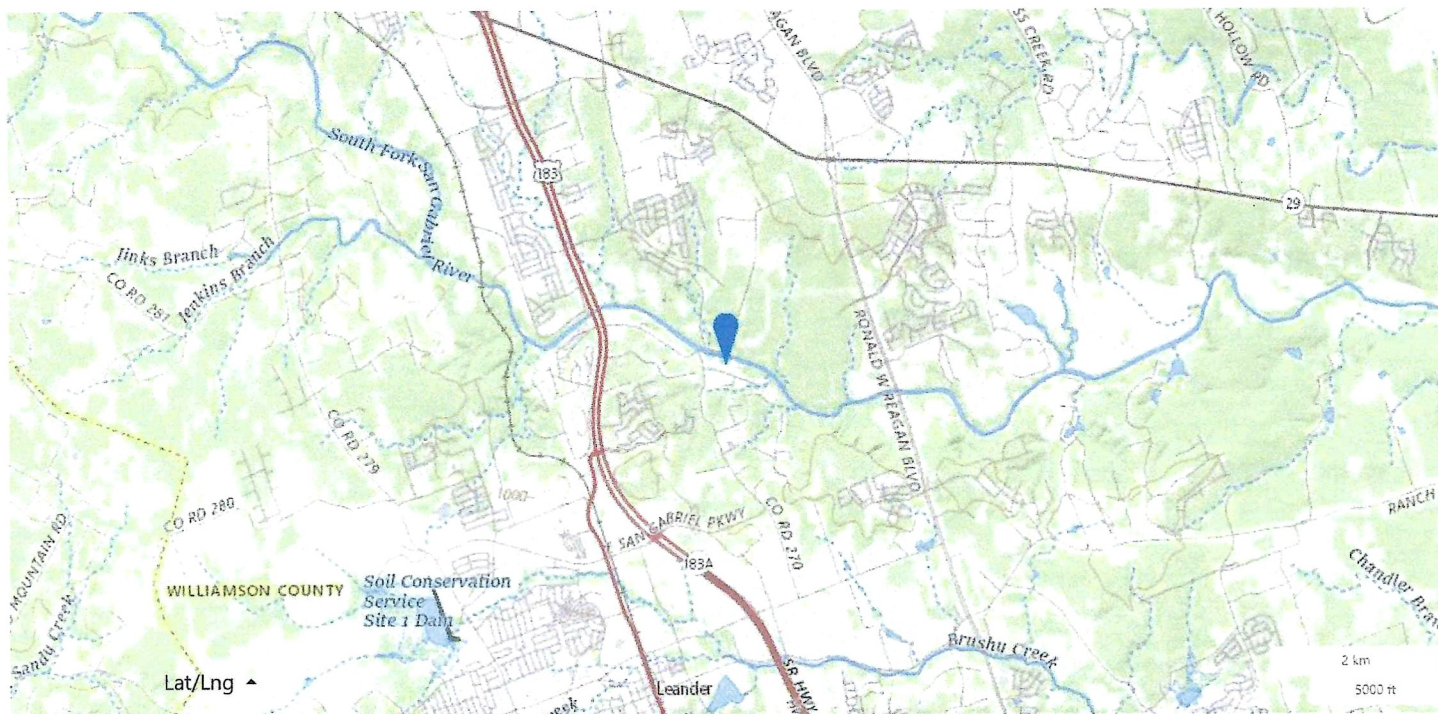
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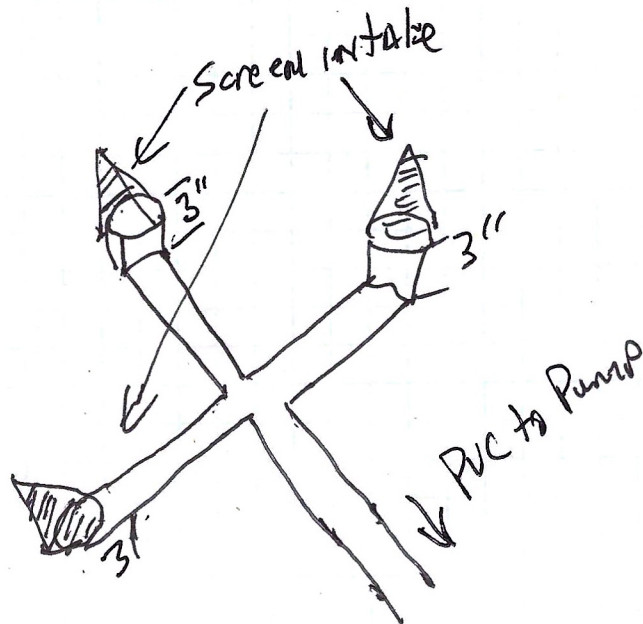
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For TCEQ WRTR 13932 Application # 13932
Encl 04 141 Orchard Dr. Leander TX 78641



15-ITC-2124413 -ARB/CEM

WARRANTY DEED WITH VENDOR'S LIEN

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.

June 11, 2021

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON

THAT REGGIE L. SEAGRAVES III, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by THOMAS S. ERICKSON and VALERIE L. ERICKSON, hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of one certain Promissory Note in the principal sum of (\$373,188.00) THREE HUNDRED SEVENTY-THREE THOUSAND ONE HUNDRED EIGHTY-EIGHT DOLLARS AND 00/100, payable to the order of Intercontinental Capital Group, Inc. hereinafter called "Mortgagee," bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to MICHAEL BURNS, ATTORNEY AT LAW, P.O. BOX 992, ALLEN, TX 75013, Trustee; and


WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as evidenced by the above-described note, said Vendor's Lien and Deed of Trust lien against said property securing the payment of said Note are hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

LOT 44, SOUTH SAN GABRIEL RANCHES, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET B, SLIDE 86, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS.

Loan Number: 2104406601

Warranty Deed With Vendor's Lien

Initials: 



EXECUTED this 11 day of June 2021


REGGIE L. SEAGRAVES III

6/11/21

(Seller)(Date)

(Seller)(Date)

(Seller)(Date)

(Seller)(Date)

Loan Number: 2104406601

Warranty Deed With Vendor's Lien



**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

2021089095

Pages: 5 Fee: \$33.00
06/16/2021 10:23 AM



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas



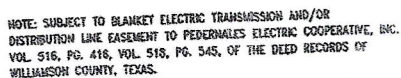
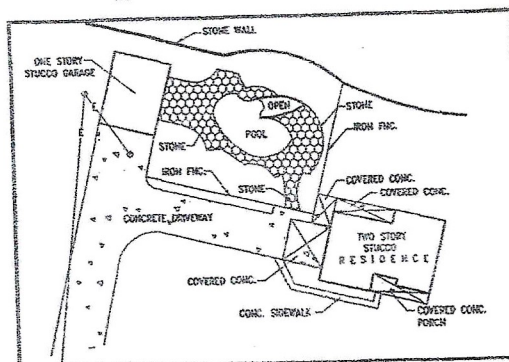
Basis2 Receipt Report by Endorsement Number

AUG-11-23 12:32 PM

<u>Acct. #:</u> EMG	<u>Account Name:</u> TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE								
<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
SOUTH SAN GABRIEL	M317087		ERICKSON, TOM/VALERIE	CK	5257		BS00103323	01-JUN-23	\$104.25

IN 100 YEAR FLOOD PLAIN ACCORDING TO N.F.I.P. MAP NO.

REV. 6/16/93 ZONE: AE



that this survey was made on the ground of the property described hereon (and/or by metes and bounds on attached sheet) and is correct and that there are no visible encroachments, except as shown hereon; and I do certify that, except as noted hereon, there are no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines, there is no visible evidence of utility lines or rights-of-way on the ground, and the subject property has access to and from a dedicated roadway.

According to the map or plat recorded in Cabinet B Slide 86-87 of the Plat
records of WILLIAMSON County, Texas.

Owner: BARRICK
Address: 1411 ORCHARD DRIVE, LEANDER, TEXAS.

GF No. 112274DML

COOKSTON & ASSOC.
SURVEYING & MAPPING
15606 Spring Hill Lane Suite-110, Pflugerville, Tx. 78660
Office: (512) 252-9737 - FAX: (512) 252-9533



Donald M. Cookston
Registered Professional Land Surveyor, No. 4733

SCALE: 1" = 100'

LEGEND

□	CORNER FENCE POST
○	WORM HOLE FOUND
○	WORM HOLE SET
⊙	PIPE FOUND
△	NAIL FOUND
△	NAIL SET
N	"N" FOUND IN CONC.
—	WOOD FENCE
—	WIRE FENCE
—	CHAIN LINK FENCE
AWC	PUBLIC UTILITY ESENT.
OK	DRAINAGE ESENT.
FL	BUILDING LINE
⊙	POWER POLE
—	OVERHEAD ELEC. LINE
—	CONV. DRY
---	TRANS. DIST. RECORD CALL

T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)

Date: 8/1/20 GF No. _____
 Name of Affiant(s): Reggie Seagraves
 Address of Affiant: 1411 Orchard Dr, Leander TX 78641
 Description of Property: 1411 Orchard Dr, Leander
 County Williamson, Texas TX

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of Texas, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.");

2. We are familiar with the property and the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since May 9 2013 there have been no:
 a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
 b. changes in the location of boundary fences or boundary walls;
 c. construction projects on immediately adjoining property(ies) which encroach on the Property;
 d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

EXCEPT for the following (If None, Insert "None" Below): _____

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

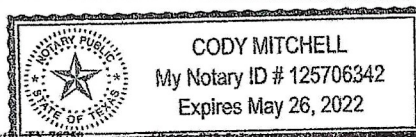
6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

[Signature]

SWORN AND SUBSCRIBED this 4 day of August, 2020

[Signature]
 Notary Public

(TXR-1907) 02-01-2010



Jeremy Walker-Lee

From: Jeremy Walker-Lee
Sent: Tuesday, November 21, 2023 2:19 PM
To: Tom Erickson
Cc: Chris Kozlowski; Humberto Galvan
Subject: RE: Thomas Erickson WRTP No. 13932

Mr. Erickson,

Thank you for your submission. You will be hearing from us soon.

Regards,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

From: Tom Erickson <[REDACTED]>
Sent: Tuesday, November 21, 2023 2:15 PM
To: Jeremy Walker-Lee <Jeremy.Walker-Lee@tceq.texas.gov>
Cc: Chris Kozlowski <chris.kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>
Subject: RE: Thomas Erickson WRTP No. 13932

Jeremy,
I put the check for \$90.60 in the mail you should it get it this week. Thanks!

Regards,
Tom Erickson
512 947-8855

From: [Tom Erickson](#)
Sent: Tuesday, November 21, 2023 12:21 PM
To: [Jeremy Walker-Lee](#)
Cc: [Chris Kozlowski](#); [Humberto Galvan](#)
Subject: RE: Thomas Erickson WRTP No. 13932

Jeremy,
I sent you this earlier to get your feedback to on this items. If it looks okay I can send you this in the mail or provide a credit Card. Let me know. Thanks!

Regards,
Tom Erickson
512 947-8855

From: [Jeremy Walker-Lee](#)
Sent: Tuesday, November 21, 2023 12:05 PM
To: [REDACTED]

Cc: [Chris Kozlowski](#); [Humberto Galvan](#)

Subject: RE: Thomas Erickson WRTP No. 13932

Good Afternoon Mr. Erickson,

Please see the attached follow up to the previous request for information letter for Thomas Erickson WRTP 13932 dated 10/20/2023. Please provide a response by 12/20/23.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

From: Jeremy Walker-Lee

Sent: Friday, October 20, 2023 2:28 PM

To: [REDACTED]

Cc: Chris Kozlowski <Chris.Kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>

Subject: Thomas Erickson WRTP No. 13932

Good Afternoon Mr. Erickson,

Please see the attached request for information letter for Thomas Erickson WRTP 13932 and provide a response by 11/20/23.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2023

Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

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

1. Confirm the application is requesting to divert 9 acre-feet of water within a period of 3 years from a point on the South Fork San Gabriel River, Brazos River Basin. *Yes*
2. Confirm the latitude and longitude coordinates of the requested diversion point. Coordinates need to be provided in decimal degrees to at least six decimal places. Staff has calculated the coordinates to be Latitude 30.615641° N, Longitude 97.842915° W. *Yes*
3. Provide a USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked. *Attached*
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* Please note that the use fee is based on a request for three acre-feet of water per year over a three year period or 9 acre-feet per year total. If the applicant is requesting a different amount of water, then the use fee will be \$1 per acre-foot.

Please provide the requested information and fees by November 20, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,

Jeremy Walker-Lee

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment

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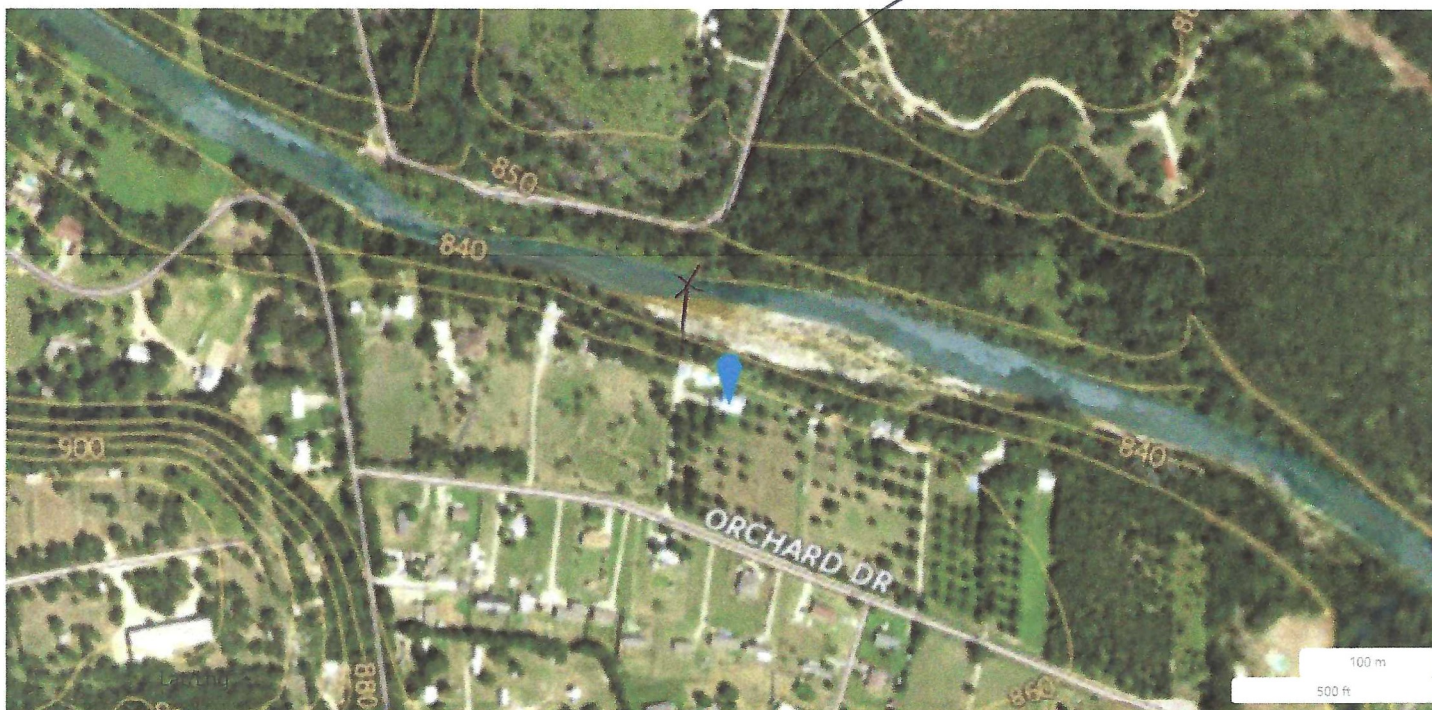
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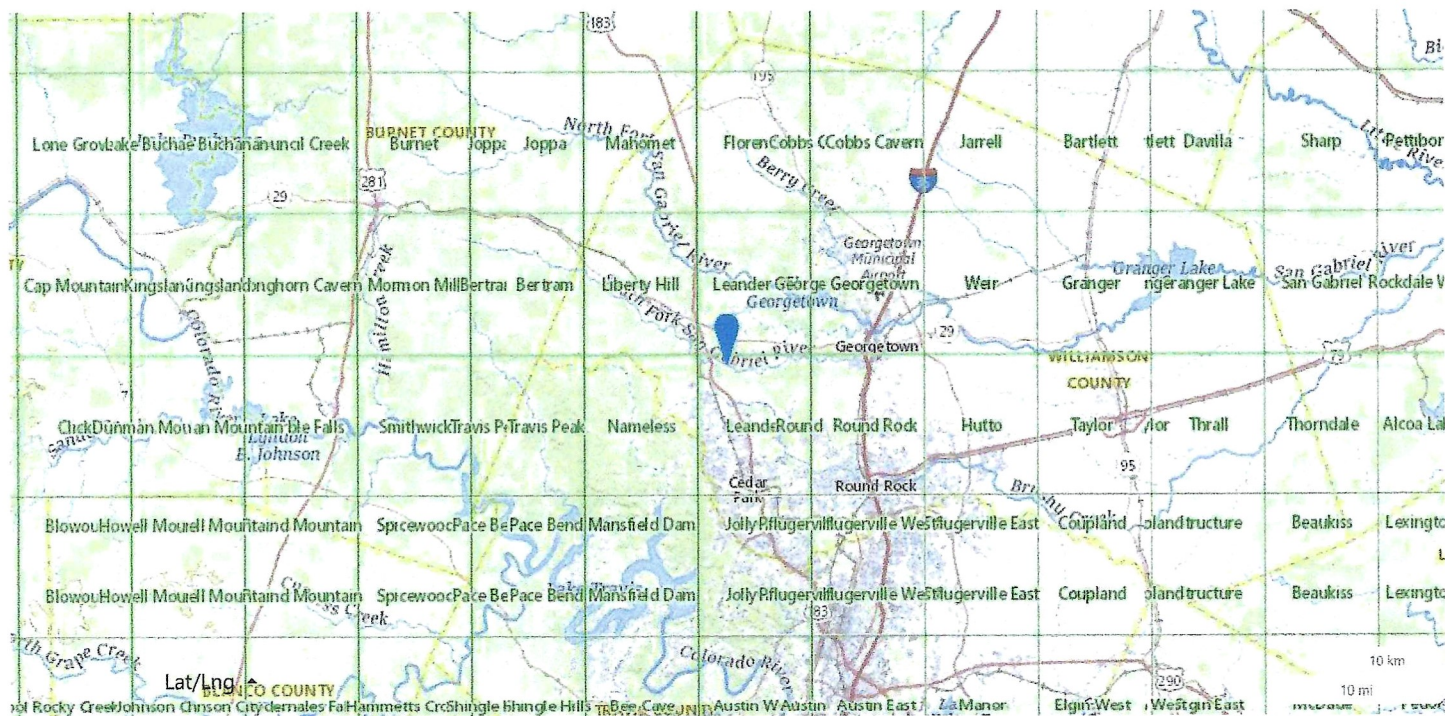
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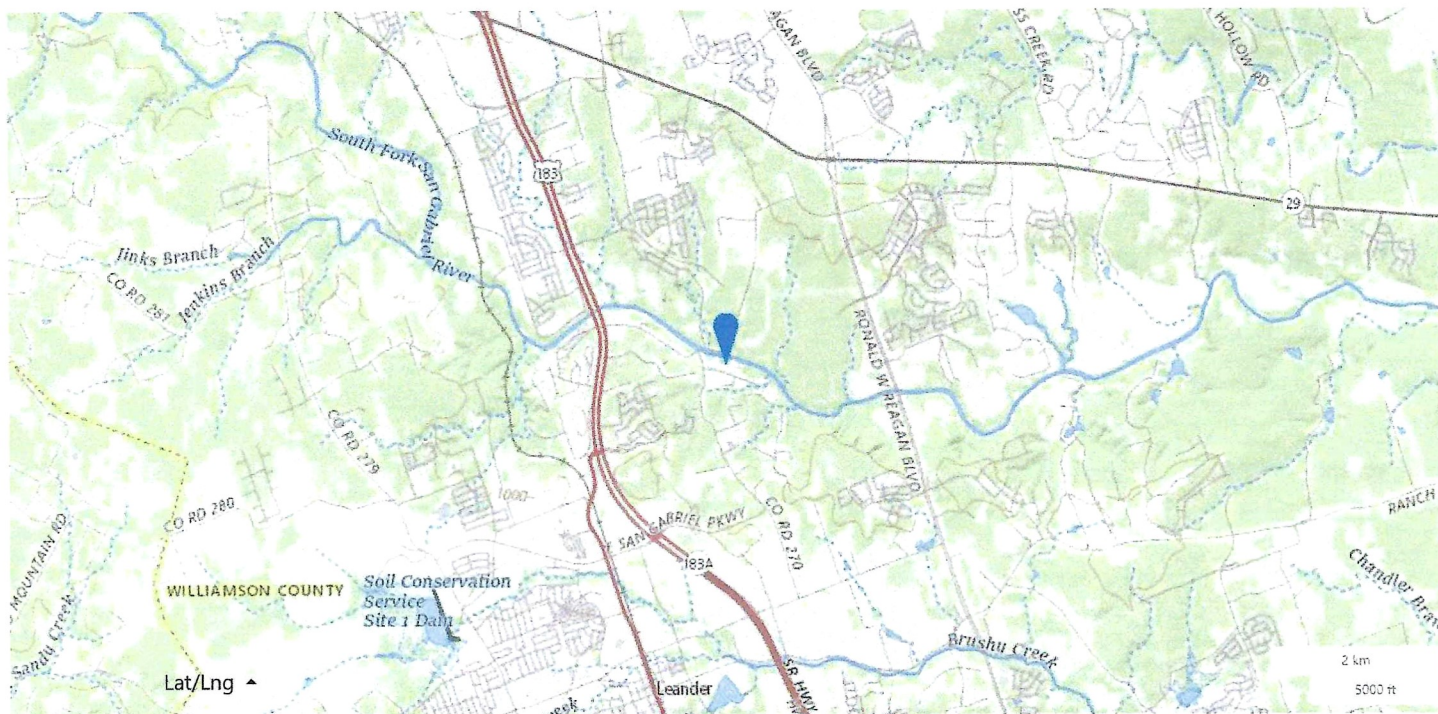
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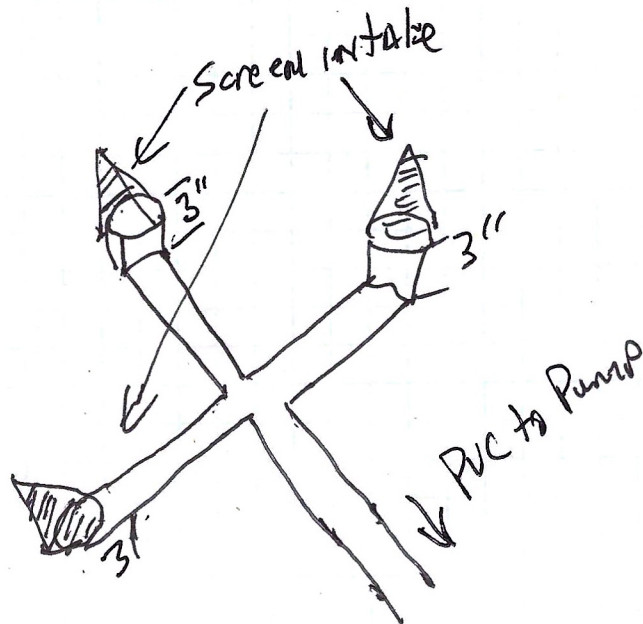
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For TCEQ WRTR 13932 Application # 13932
Encl 04 1411 Orchard Dr. Leander TX 78641



15-ITC-2124413 -ARB/CEM

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June 11, 2021

THE STATE OF TEXAS

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COUNTY OF WILLIAMSON

THAT REGGIE L. SEAGRAVES III, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by THOMAS S. ERICKSON and VALERIE L. ERICKSON, hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of one certain Promissory Note in the principal sum of (\$373,188.00) THREE HUNDRED SEVENTY-THREE THOUSAND ONE HUNDRED EIGHTY-EIGHT DOLLARS AND 00/100, payable to the order of Intercontinental Capital Group, Inc. hereinafter called "Mortgagee," bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to MICHAEL BURNS, ATTORNEY AT LAW, P.O. BOX 992, ALLEN, TX 75013, Trustee; and

WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as evidenced by the above-described note, said Vendor's Lien and Deed of Trust lien against said property securing the payment of said Note are hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

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LOT 44, SOUTH SAN GABRIEL RANCHES, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET B, SLIDE 86, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS.

Loan Number: 2104406601

Warranty Deed With Vendor's Lien

Initials: *JS*



EXECUTED this 11 day of June 2021


REGGIE L. SEAGRAVES III

6/11/21

(Seller)(Date)

(Seller)(Date)

(Seller)(Date)

(Seller)(Date)

Loan Number: 2104406601

Warranty Deed With Vendor's Lien



**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

2021089095

Pages: 5 Fee: \$33.00
06/16/2021 10:23 AM



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas



Basis2 Receipt Report by Endorsement Number

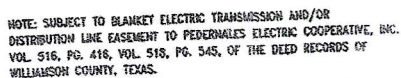
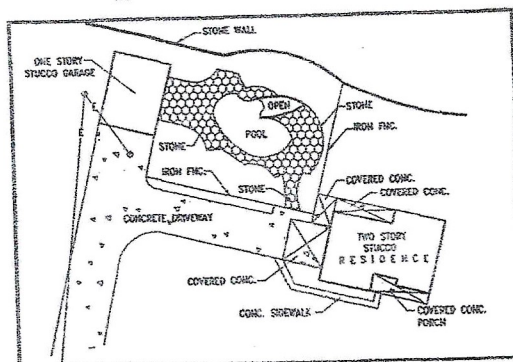
AUG-11-23 12:32 PM

<u>Acct. #:</u> EMG	<u>Account Name:</u> TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE								
<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
SOUTH SAN GABRIEL	M317087		ERICKSON, TOM/VALERIE	CK	5257		BS00103323	01-JUN-23	\$104.25

IN 100 YEAR FLOOD PLAIN ACCORDING TO N.F.I.P. MAP NO.

REV. 6/16/93

ZONE: AE



I, Donald M. Cookston, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to

that this survey was made on the ground of the property described hereon (and/or by metes and bounds on attached sheet) and is correct and that there are no visible encroachments, except as shown hereon; and I do certify that, except as noted hereon, there are no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines, there is no visible evidence of utility lines or rights-of-way on the ground, and the subject property has access to and from a dedicated roadway.

Lot(s) 44 Block SOUTH SAN GABRIEL RANCHES

Lot(s) _____ Block _____
According to the map or plat recorded in Cabinet B Slide 86-87 of the Plat
records of WILLIAMSON County, Texas.

Witness my hand and seal this 16TH day of JUNE, 1998

Owner: BARRICK
Address: 1411 ORCHARD DRIVE, LEANDER, TEXAS.

GF No. 112274DML

COOKSTON & ASSOC.
SURVEYING & MAPPING
15606 Spring Hill Lane Suite-110, Pflugerville, Tx. 78660
Office: (512) 252-9737 - FAX: (512) 252-9533



Donald M. Cookston
Registered Professional Land Surveyor, No. 4733

SCALE: 1" = 100'

LEGEND

□	CORNER FENCE POST
●	IRON ROD FOUND
○	IRON ROD SET
⊙	PIPE FOUND
▲	NAIL FOUND
△	NAIL SET
N	"N" FOUND IN CONC.
—	WOOD FENCE
—	WIRE FENCE
—	CHAIN LINK FENCE
—	PUBLIC UTILITY EMRY.
A/E	DRUMMAGE EMRY.
D/E	BUILDING EMRY.
P	POWER POLE
—	OVERHEAD ELEC. LINE
—	DOWN GUY
—	RECORD SECOND CALL

T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)

Date: 8/1/20 GF No. _____
 Name of Affiant(s): Reggie Seagraves
 Address of Affiant: 1411 Orchard Dr, Leander TX 78641
 Description of Property: 1411 Orchard Dr, Leander
 County Williamson, Texas TX

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of Texas, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.");

2. We are familiar with the property and the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since May 9 2013 there have been no:
 a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
 b. changes in the location of boundary fences or boundary walls;
 c. construction projects on immediately adjoining property(ies) which encroach on the Property;
 d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

EXCEPT for the following (If None, Insert "None" Below): _____

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

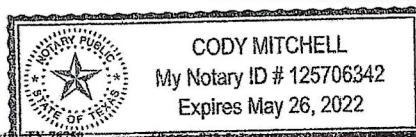
6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

[Signature]

SWORN AND SUBSCRIBED this 4 day of August, 2020

[Signature]
 Notary Public

(TXR-1907) 02-01-2010



Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2023

Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

This acknowledges receipt, on August 29, 2023, of the referenced application and fees in the amount of \$104.25 (Receipt No. M317087, copy attached).

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

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

1. Confirm the application is requesting to divert 9 acre-feet of water within a period of 3 years from a point on the South Fork San Gabriel River, Brazos River Basin. *Yes*
2. Confirm the latitude and longitude coordinates of the requested diversion point. Coordinates need to be provided in decimal degrees to at least six decimal places. Staff has calculated the coordinates to be Latitude 30.615641° N, Longitude 97.842915° W. *Yes*
3. Provide a USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked. *Attached*
4. 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). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response. *Attach*
5. Provide the Zip Code and County for the proposed diversion point location. *78641 Williamson County*

6. Provide a recorded copy of the deed(s) for the property where the proposed land to be irrigated is located. The deed should include the legal description of the land (metes and bounds). Please note that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5). *Attached*
7. Provide recorded copies of legal documents establishing ownership of the proposed diversion point, or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant Title 30 TAC § 295.10. A permit, if granted, will contain a special condition that would authorize any diversion point that is specified in a contract where ownership or consent has been provided. The permit condition would also require that these contracts be submitted to the TCEQ. *Attached*
8. Remit fees in the amount of \$90.60, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Temporary Water Use Permit < 10 acre-feet)	\$ 100.00
Recording Fee	\$ 1.25
Use Fee (\$1 per Acre-Foot)	\$ 9.00*
Notice Fee (\$ 0.94 x 90 WR holders)	\$ 84.60
TOTAL FEES	\$ 194.85
FEES RECEIVED	\$ 104.25
BALANCE DUE	\$ 90.60

* Please note that the use fee is based on a request for three acre-feet of water per year over a three year period or 9 acre-feet per year total. If the applicant is requesting a different amount of water, then the use fee will be \$1 per acre-foot.

Please provide the requested information and fees by November 20, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,

Jeremy Walker-Lee

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment

 An official website of the United States government [Here's how you know](#)

USGS Call Center

The USGS Store Call Center has limited staff today-you may experience longer than usual wait times.

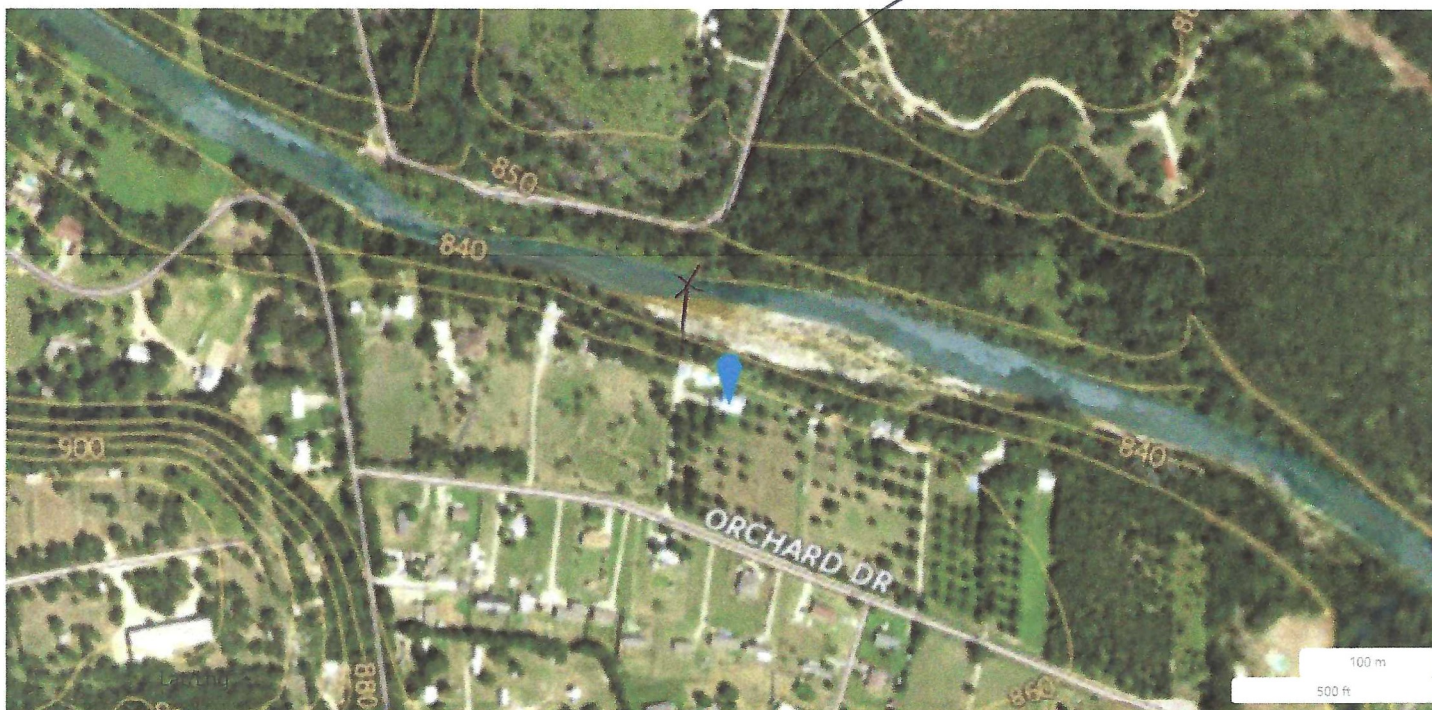
USGS Store

Map Locator

1411 Orchard Dr, Leander, Texas, 78641

Clear

To use the map locator to find map products use the search bar or drop a pin by double clicking on the map view.



Map location pins dropped or searched for by address/place provide products within a 15 mile radius of specified location.

If you have any questions or issues please [click here](#) to email usgsstore@usgs.gov.

RECREATIONAL PASSES

2023 Annual Pass

Annual Senior Pass

Lifetime Senior Pass

Access Pass

MAPS

All Products

US Topo

7.5 & 15 Minute Topographic Maps

30 x 60 Minute Topographic Maps

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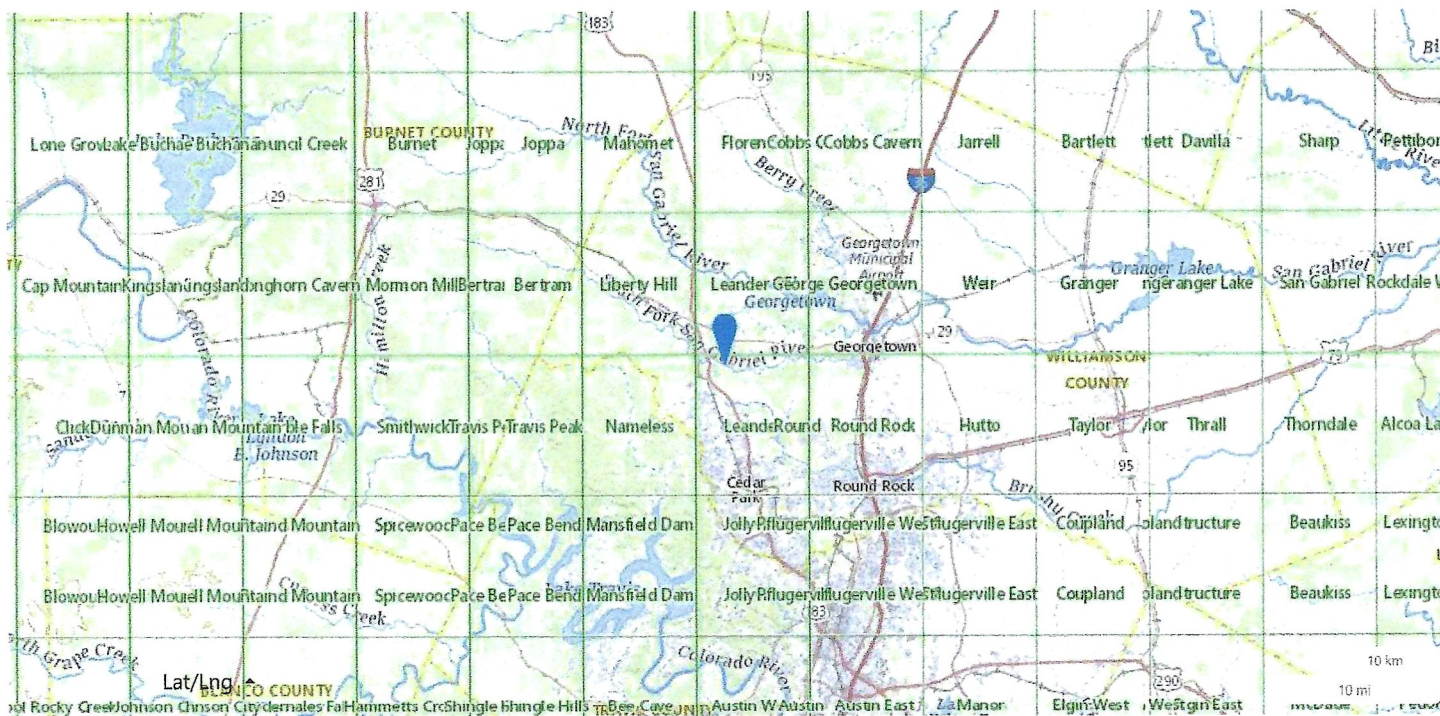
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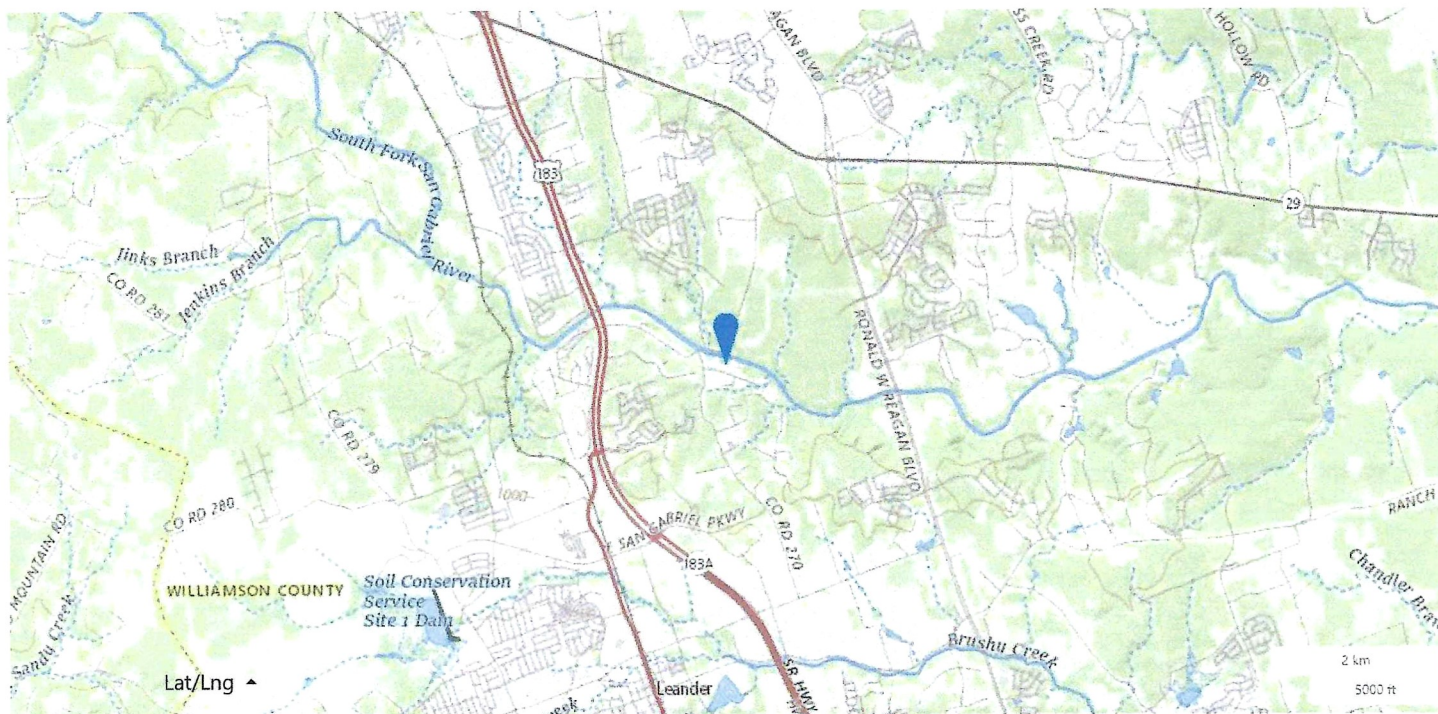
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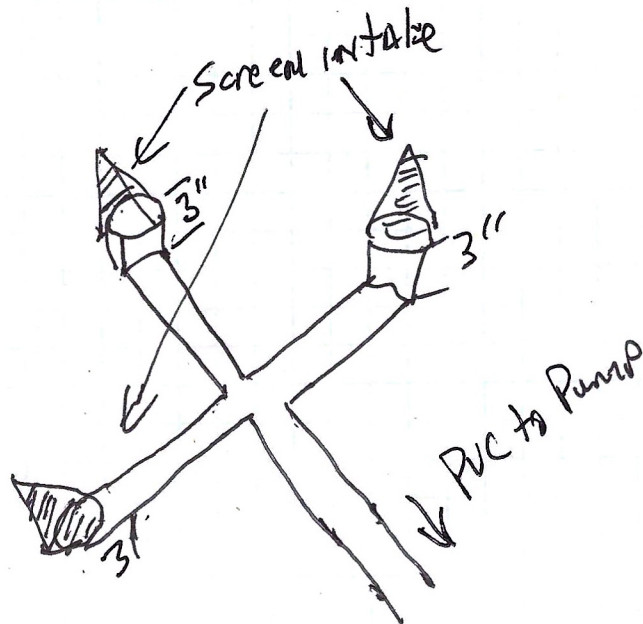
All Products

US Topo

7.5 & 15 Minute Topographic Maps

30 x 60 Minute Topographic Maps

For TCEQ WRTR 13932 Application # 13932
Encl 04 1411 Orchard Dr. Leander TX 78641



15-ITC-2124413 -ARB/CEM

WARRANTY DEED WITH VENDOR'S LIEN

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.

June 11, 2021

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON

THAT REGGIE L. SEAGRAVES III, hereinafter called "Grantor" (whether one or more), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor paid by THOMAS S. ERICKSON and VALERIE L. ERICKSON, hereinafter called "Grantee" (whether one or more), the receipt of which is hereby acknowledged and confessed, and the further consideration of the execution and delivery by Grantee of one certain Promissory Note in the principal sum of (\$373,188.00) THREE HUNDRED SEVENTY-THREE THOUSAND ONE HUNDRED EIGHTY-EIGHT DOLLARS AND 00/100, payable to the order of Intercontinental Capital Group, Inc. hereinafter called "Mortgagee," bearing interest at the rate therein provided; said Note containing the usual reasonable attorney's fee clause and various acceleration of maturity clauses in case of default, and being secured by Vendor's Lien and superior title retained herein in favor of said Mortgagee, and being also secured by a Deed of Trust of even date herewith from Grantee to MICHAEL BURNS, ATTORNEY AT LAW, P.O. BOX 992, ALLEN, TX 75013, Trustee; and


WHEREAS, Mortgagee has, at the special instance and request of Grantee, paid to Grantor a portion of the purchase price of the property hereinafter described, as evidenced by the above-described note, said Vendor's Lien and Deed of Trust lien against said property securing the payment of said Note are hereby assigned, transferred and delivered to Mortgagee, Grantor hereby conveying to said Mortgagee the said superior title to said property, subrogating said Mortgagee to all the rights and remedies of Grantor in the premises by virtue of said liens; and

Grantor has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto said Grantee, the following described property, to-wit:

LOT 44, SOUTH SAN GABRIEL RANCHES, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET B, SLIDE 86, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS.

Loan Number: 2104406601

Warranty Deed With Vendor's Lien

Initials: 



EXECUTED this 11 day of June 2021


REGGIE L. SEAGRAVES III

6/11/21

(Seller)(Date)

(Seller)(Date)

(Seller)(Date)

(Seller)(Date)

Loan Number: 2104406601

Warranty Deed With Vendor's Lien



**ELECTRONICALLY RECORDED
OFFICIAL PUBLIC RECORDS**

2021089095

Pages: 5 Fee: \$33.00
06/16/2021 10:23 AM



Nancy E. Rister

Nancy E. Rister, County Clerk
Williamson County, Texas



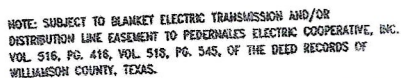
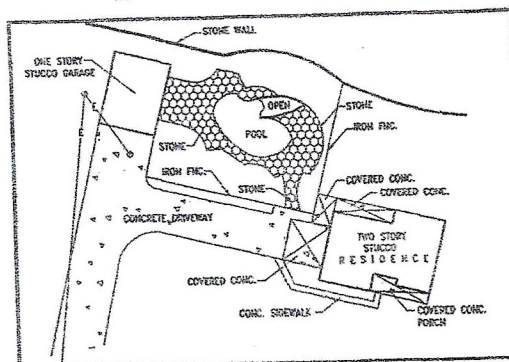
Basis2 Receipt Report by Endorsement Number

AUG-11-23 12:32 PM

<u>Acct. #:</u> EMG	<u>Account Name:</u> TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE								
<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
SOUTH SAN GABRIEL	M317087		ERICKSON, TOM/VALERIE	CK	5257		BS00103323	01-JUN-23	\$104.25

IN 100 YEAR FLOOD PLAIN ACCORDING TO N.F.I.P. MAP NO.

REV. 6/16/93 ZONE: AE



that this survey was made on the ground of the property described hereon (and/or by metes and bounds on attached sheet) and is correct and that there are no visible encroachments, except as shown hereon; and I do certify that, except as noted hereon, there are no overlapping of improvements, there are no discrepancies or conflicts in the boundary lines, there is no visible evidence of utility lines or rights-of-way on the ground, and the subject property has access to and from a dedicated roadway.

According to the map or plat recorded in Cabinet B Slide 86-87 of the Plat
records of WILLIAMSON County, Texas.

Owner: BARRICK
Address: 1411 ORCHARD DRIVE, LEANDER, TEXAS.

GF No. 112274DML

COOKSTON & ASSOC.
SURVEYING & MAPPING
15606 Spring Hill Lane Suite-110, Pflugerville, Tx. 78660
Office: (512) 252-9737 - FAX: (512) 252-9533



Donald M. Cookston
Registered Professional Land Surveyor, No. 4733

SCALE: 1" = 100'

LEGEND

□	CORNER FENCE POST
○	WORM HOLE FOUND
○	WORM HOLE SET
⊙	PIPE FOUND
△	NAIL FOUND
△	NAIL SET
N	"N" FOUND IN CONC.
—	WOOD FENCE
—	WIRE FENCE
—	CHAIN LINK FENCE
AWC	PUBLIC UTILITY ESENT.
OK	DRAINAGE ESENT.
FL	BUILDING LINE
⊙	POWER POLE
—	OVERHEAD ELEC. LINE
—	CONV. DRY
---	TRANS. DIST. RECORD CALL

T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)

Date: 8/1/20 GF No. _____
 Name of Affiant(s): Reggie Seagraves
 Address of Affiant: 1411 Orchard Dr, Leander TX 78641
 Description of Property: 1411 Orchard Dr, Leander
 County Williamson, Texas TX

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of Texas, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.");

2. We are familiar with the property and the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since May 9 2013 there have been no:
 a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
 b. changes in the location of boundary fences or boundary walls;
 c. construction projects on immediately adjoining property(ies) which encroach on the Property;
 d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

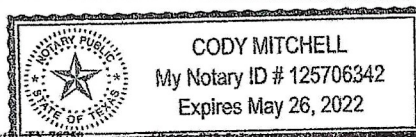
EXCEPT for the following (If None, Insert "None" Below): _____

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

[Signature]

SWORN AND SUBSCRIBED this 4 day of August, 2020
[Signature]
 Notary Public



(TXR-1907) 02-01-2010

Jeremy Walker-Lee

From: Jeremy Walker-Lee
Sent: Tuesday, November 21, 2023 12:06 PM
To: [REDACTED]
Cc: Chris Kozlowski; Humberto Galvan
Subject: RE: Thomas Erickson WRTP No. 13932
Attachments: Thomas_Erickson_13932_Follow-Up_RFI_11.21.2023.pdf

Good Afternoon Mr. Erickson,

Please see the attached follow up to the previous request for information letter for Thomas Erickson WRTP 13932 dated 10/20/2023. Please provide a response by 12/20/23.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

From: Jeremy Walker-Lee
Sent: Friday, October 20, 2023 2:28 PM
To: [REDACTED]
Cc: Chris Kozlowski <Chris.Kozlowski@tceq.texas.gov>; Humberto Galvan <Humberto.Galvan@tceq.texas.gov>
Subject: Thomas Erickson WRTP No. 13932

Good Afternoon Mr. Erickson,

Please see the attached request for information letter for Thomas Erickson WRTP 13932 and provide a response by 11/20/23.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 21, 2023

Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

This is a follow-up to our previous letter dated 10/20/2023 (copy enclosed) and phone call or email on 11/21/2023 requesting additional information for the referenced application. To date, a response has not been received.

Please submit the information requested by 12/20/2023 or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

If you have any questions concerning this matter please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy Walker-Lee".

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



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October 20, 2023

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A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

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

1. Confirm the application is requesting to divert 9 acre-feet of water within a period of 3 years from a point on the South Fork San Gabriel River, Brazos River Basin.
2. Confirm the latitude and longitude coordinates of the requested diversion point. Coordinates need to be provided in decimal degrees to at least six decimal places. Staff has calculated the coordinates to be Latitude 30.615641° N, Longitude 97.842915° W.
3. Provide a USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked.
4. 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). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.
5. Provide the Zip Code and County for the proposed diversion point location.

6. Provide a recorded copy of the deed(s) for the property where the proposed land to be irrigated is located. The deed should include the legal description of the land (metes and bounds). Please note that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5).
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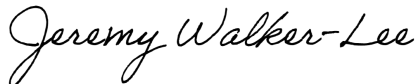
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* Please note that the use fee is based on a request for three acre-feet of water per year over a three year period or 9 acre-feet per year total. If the applicant is requesting a different amount of water, then the use fee will be \$1 per acre-foot.

Please provide the requested information and fees by November 20, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,



Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



Basis2 Receipt Report by Endorsement Number

AUG-11-23 12:32 PM

<u>Acct. #:</u> EMG	<u>Account Name:</u> TEMPORARY/EMERGENCY WTR USE PERMIT ISSUE								
<u>Paid For</u>	<u>Endors. #</u>	<u>Ref #2</u>	<u>Paid In By</u>	<u>PayTyp</u>	<u>Chk #</u>	<u>Card#</u>	<u>Bank Slip</u>	<u>Tran.Date</u>	<u>Receipt Amnt.</u>
SOUTH SAN GABRIEL	M317087		ERICKSON, TOM/VALERIE	CK	5257		BS00103323	01-JUN-23	\$104.25

Texas Commission on Environmental Quality
TELEPHONE MEMO TO THE FILE

Call to: Thomas Erickson	Call from: Jeremy Walker-Lee
Date: 10/31/2023	Project No: 13932
<p><i>Information for File follows:</i></p> <p>Returned Mr. Ericksons call about the recent RFI that was sent to him. Mr. Erickson was seeking clarification about an instream question. PM informed applicant on how to fill out W.S. 5.0 or the technical report. PM also indicated the location of the USGS 7.5' topographic map. Fees were also discussed.</p>	
Signed <i>Jeremy Walker-Lee</i>	

Jeremy Walker-Lee

From: Jeremy Walker-Lee
Sent: Friday, October 20, 2023 2:28 PM
To: [REDACTED]
Cc: Chris Kozlowski; Humberto Galvan
Subject: Thomas Erickson WRTP No. 13932
Attachments: Thomas_Erickson_13932_RFI_Sent_10.20.2023pdf.pdf

Good Afternoon Mr. Erickson,

Please see the attached request for information letter for Thomas Erickson WRTP 13932 and provide a response by 11/20/23.

Thanks,

Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section
512-239-0637

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2023

Thomas Erickson
1411 Orchard Drive
Leander, TX 78641-1368

VIA E-MAIL

RE: Thomas Erickson
WRTP 13932
CN606145936, RN111800066
Application No. 13932 for a Temporary Water Use Permit
Texas Water Code § 11.138, Requiring Limited Mailed Notice
South Fork San Gabriel River, Brazos River Basin
Williamson County

Dear Mr. Erickson:

This acknowledges receipt, on August 29, 2023, of the referenced application and fees in the amount of \$104.25 (Receipt No. M317087, copy attached).

A temporary permit may only be issued if there is surplus water available for use on a short-term (temporary or ephemeral) basis in the source supply. During low flow conditions, which occur during a drought or periods of limited rainfall, all water in the basin will be required for existing senior water rights and there is no presumption of any surplus flows.

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

1. Confirm the application is requesting to divert 9 acre-feet of water within a period of 3 years from a point on the South Fork San Gabriel River, Brazos River Basin.
2. Confirm the latitude and longitude coordinates of the requested diversion point. Coordinates need to be provided in decimal degrees to at least six decimal places. Staff has calculated the coordinates to be Latitude 30.615641° N, Longitude 97.842915° W.
3. Provide a USGS 7.5-minute topographic map (or equivalent) with the location of the diversion point clearly marked.
4. 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). Refer to pages 28-29 from the *Instructions for Completing the Water Right Permitting Application* (Form TCEQ-10214A-inst) for assistance in developing your response.
5. Provide the Zip Code and County for the proposed diversion point location.

6. Provide a recorded copy of the deed(s) for the property where the proposed land to be irrigated is located. The deed should include the legal description of the land (metes and bounds). Please note that the application must be in the name(s) of all landowners as shown on the deeds; otherwise, proper consent of the application must be provided pursuant to Title 30 Texas Administrative Code (TAC) § 295.32(a)(5).
7. Provide recorded copies of legal documents establishing ownership of the proposed diversion point, or a copy of a duly acknowledged written easement, consent, or license from the landowner(s) whose land is associated with the proposed diversion point, pursuant Title 30 TAC § 295.10. A permit, if granted, will contain a special condition that would authorize any diversion point that is specified in a contract where ownership or consent has been provided. The permit condition would also require that these contracts be submitted to the TCEQ.
8. Remit fees in the amount of \$90.60, as described below. Please make the check payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Temporary Water Use Permit < 10 acre-feet)	\$ 100.00
Recording Fee	\$ 1.25
Use Fee (\$1 per Acre-Foot)	\$ 9.00*
Notice Fee (\$ 0.94 x 90 WR holders)	\$ 84.60
<u>TOTAL FEES</u>	<u>\$ 194.85</u>
<u>FEES RECEIVED</u>	<u>\$ 104.25</u>
BALANCE DUE	\$ 90.60

* Please note that the use fee is based on a request for three acre-feet of water per year over a three year period or 9 acre-feet per year total. If the applicant is requesting a different amount of water, then the use fee will be \$1 per acre-foot.

Please provide the requested information and fees by November 20, 2023, or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at jeremy.walker-lee@tceq.texas.gov or by telephone at (512) 239-0637.

Sincerely,



Jeremy Walker-Lee, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



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SOUTH SAN GABRIEL	M317087		ERICKSON, TOM/VALERIE	CK	5257		BS00103323	01-JUN-23	\$104.25



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SOUTH SAN GABRIEL	M317087		ERICKSON, TOM/VALERIE	CK	5257		BS00103323	01-JUN-23	\$104.25

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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

Telephone (512) 239-4600, FAX (512) 239-4770

APPLICATION FOR A TEMPORARY WATER USE PERMIT FOR MORE THAN 10 ACRE-FEET OF WATER, AND/OR FOR A DIVERSION PERIOD LONGER THAN ONE CALENDAR YEAR

This form is for an application for a temporary permit to divert water under Section 11.138, Texas Water Code. Any permit granted from this application may be suspended at any time by the applicable TCEQ Office if it is determined that surplus water is no longer available.

Notice: This form will not be processed until 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.

1. Data on Applicant and Project: Social Security or Federal ID No. [REDACTED]
- A. Name: Thomas Erickson
- B. Mailing Address: 1411 Orchard Dr. Leander TX 78641
- C. Telephone Number: (512) 947-8866 Fax Number: _____ E-mail Address: [REDACTED]
- D. Applicant owes fees or penalties? ☐ Yes ☒ No
- If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:
Already Sent Check
- E. Describe Use of Water Irrigation
- F. Description of Project (TDH Project No. if applicable) 1411 Orchard Dr. Leander TX 78641
- G. Highway Designation No. _____ County Williamson

2. Type of Diversion (check one):

☐ From Stream ☐ From Reservoir

3. Rate of Diversion:

A. Maximum 100 gpm
(capacity of pump)

4. Amount and Source of Water:

3/yr. acre-feet of water within a period of 3 (specify term period not to exceed a three year term). The water is to be obtained from South San Gabriel, tributary of _____, tributary of _____, Basin.

5. Location of Diversion Point: Provide Latitude and Longitude in decimal degrees to at least six decimal places, and indicate the method used to calculate the diversion point location.

At Latitude 30.6157 °N, Longitude -97.84.29 °W, ((at) or (near) the stream crossing of), (at a reservoir in the vicinity of) _____ (R-O-W) (Highway), located in Zip Code _____, located _____ miles in a _____ direction from _____ (County Seat), _____ County, and _____ miles in a _____ direction from _____, a nearby town shown on County road map. Note: Distance in straight line miles.

Enclose a USGS 7.5 minute topographic map with the diversion point and/or the return water discharge points labeled. Owner's written consent is required for water used from any private reservoir, or private access to diversion point.

6. Access to Diversion Point (check one):

- ☐ Public right-of-way
☐ Private property
(A letter of permission from landowner is attached)
☐ Other (Explain)

7. Fees Enclosed:

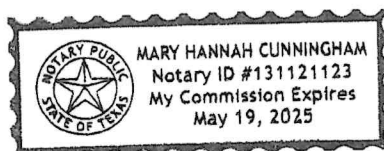
	10 ac-ft or less	greater than 10 ac-ft
Filing	\$ 100.00	\$ 250.00
Recording.....	\$ 1.25	\$ 1.25
Use (\$1.00 per ac-ft or fraction thereof)	\$ _____	\$ _____
(Note: 1 ac-ft = 325,851 gals. Total	\$ _____	\$ _____
1 ac-ft = 7758.35 bbls.)		

Upon completion of any project for which a temporary water permit is granted, the Permittee is required by law to report the amount of water used. This document must be properly signed and duly notarized before it can be accepted or considered by the Texas Commission on Environmental Quality.

Name (sign)

Name (print)

Subscribed and sworn to me as being true and correct before me this 28th day of August, 2023



Notary Public, State of Texas

