

# TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader  
Water Rights Permitting Team

FROM: Bert Galvan, Work Leader  
Water Rights Permitting Team

DATE: July 16, 2021

SUBJECT: Gatesville Country Club  
WRPERM 13639, CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code §§ 11.121 and 11.042 Requiring Mailed and Published Notice  
Unnamed tributary of the Leon River, Brazos River Basin  
Coryell County

The application was received on October 31, 2019. Additional information and fees were received on June 3, June 16, July 5, July 31, September 25, October 22, 2020, April 30, May 6, May 24, and July 1, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on July 16, 2021. Notice is required to be published and mailed to the water right holders of record in the Brazos River Basin pursuant to Title 30 Texas Administrative Code (TAC) § 295.151; and notice to the of Public Interest Council and the Texas Parks and Wildlife Department is required pursuant to 30 TAC §§ 295.161(b) & (c); and notice to the Middle Trinity Groundwater Conservation District pursuant to 30 TAC § 295.153(3).

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



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Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

OCC Mailed Notice Required

YES

NO

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 16, 2021

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

**VIA-EMAIL**

RE: Gatesville Country Club  
WRPERM 13639, CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code §§ 11.121 and 11.042 Requiring Mailed and Published Notice  
Unnamed tributary of the Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt of additional information on May 6, May 24, and July 1, 2021.

The application was declared administratively complete and filed with the Office of the Chief Clerk on July 16, 2021. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning this matter please contact me via email at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

A handwritten signature in black ink, appearing to read "Bert Galvan".

Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

**From:** [Humberto Galvan](#)  
**To:** [Humberto Galvan](#)  
**Subject:** FW: Permit Application Approved  
**Date:** Friday, July 9, 2021 9:05:04 AM

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**From:** Berry Mansell [REDACTED]  
**Sent:** Thursday, July 1, 2021 3:00 PM  
**To:** Brooke McGregor <[brooke.mcgregor@tceq.texas.gov](mailto:brooke.mcgregor@tceq.texas.gov)>  
**Subject:** Fwd: Permit Application Approved

----- Forwarded message -----

**From:** **Debbie Montgomery** [REDACTED] >  
**Date:** Thu, Jul 1, 2021, 2:52 PM  
**Subject:** Permit Application Approved  
**To:** <[REDACTED]>

Your permit application was approved at the MTGCD July Board Meeting today:

**Gatesville Country Club**

1212 Golf Course Rd  
Gatesville, TX 76528

**Well Site:** GPM: 70 Acres: 104.88 Use:  
Irrigation  
1212 Golf Course Rd (existing well, increasing from 15 to 70 GPM)  
Gatesville, TX 76528

*Debbie Montgomery*  
Middle Trinity GCD  
930 Wolfe Nursery Rd  
Stephenville, TX 76401

254-965-6705  
254-965-6745 fax  
[REDACTED]



Brooke,

Please use this letter as formal response to the Country Club application.

1. Worksheet 2.0 Impoundment/ Dam information.

A. I confirm the surface area and the capacity for each of the six reservoirs at the normal operating level to be what the staff has calculated to be 5.86 surface area and 12.41 Capacity Acre feet.

B. I confirm the ability to pass all state water flows through the six resistors.

2. Work Sheet 3.0 Diversion point

I confirm that the only diversion will be from reservoir one

3. Worksheet 4.0 Discharge Information

I confirm that the total amount of groundwater in acre feet that will be needed to compensate for evaporation from the six reservoirs as indicated in the table. 26.61 and 5.96.

4. Worksheet 4.1 Discharge point Information

A. The pump will have to be upgraded to meet the necessary water to adequately compensate for all the evaporated losses

Item Number five: I verify the place of use is the 82.11 acre tract of land at the A Arocha Survey

Thank you

Berry Mansell

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 14, 2021

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

VIA-EMAIL

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This is a follow-up to our previous letter dated March 30, 2021 requesting additional information for the reference application. As of May 14, 2021, a full response has not been received.

Staff acknowledges receipt, on April 30, 2021, of the applicant's request for an extension of time to respond to the Texas Commission on Environmental Quality request for information letter, dated March 30, 2021 and receipt of a partial response on May 6, 2021.

Additional information is required before the application can be declared administratively complete.

1. *Worksheet 2.0 Impoundment / Dam Information:*

- a. Confirm the surface area (in acres) and the capacity (in acre-feet) for each of the six reservoirs at the normal maximum operating level. Staff has calculated the surface area and capacity to be:

Reservoir No.	Surface Area (acres)	Capacity (acre-feet)
1	4.74	10.89
2	0.13	0.13
3	0.65	1.04
4	0.13	0.13
5	0.07	0.07
6	0.14	0.14
Total	5.86	12.41

- b. Confirm that the applicant has the ability to pass all state water inflows through the six reservoirs.

2. Worksheet 3.0 *Diversion Point Information:*

Confirm that the only diversion will be directly from the perimeter of Reservoir 1, located on an unnamed tributary of the Leon River. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map.

3. Worksheet 4.0 *Discharge Information:*

Confirm the total amount of groundwater in acre-feet that will be needed to compensate for evaporation from the six reservoirs as indicated in the table below. Staff calculated the maximum monthly and annual evaporative losses for the reservoirs to be 5.96 acre-feet and 26.61 acre-feet, respectively.

Reservoir	Surface Area (acres)	Maximum annual evaporative losses (acre-feet)	Maximum monthly evaporative losses (acre-feet)
1	4.74	21.52	4.83
2	0.13	0.59	0.13
3	0.65	2.95	0.66
4	0.13	0.59	0.13
5	0.07	0.32	0.07
6	0.14	0.64	0.14
Total	5.86	26.61	5.96

4. Worksheet 4.1 *Discharge Point Information:*

a. Provide the pump capacity and volume of groundwater to be conveyed to the reservoirs. Staff notes that the RFI response on October 23, 2020 indicates that, based on the well registration (submitted on October 23, 2020), the well can produce 15 gpm, which equates to 24.2 acre-feet per year. The amount of discharged groundwater must be adequate to compensate for all evaporative losses from the reservoirs plus any diversions so that no state water is used.

5. Verify the place of use is the 82.11-acre tract of land out of the A. Arocha Survey and recorded in the public records of Coryell County in Volume 437, pages 1-7. Staff notes a copy of this deed was provided by the applicant on October 23, 2020.

An extension is granted until June 14, 2021 to respond, and after that date the application will be returned pursuant to Title 30 Texas Administrative Code § 281.18. No further extensions will be granted associated with this request for information.

If you have any questions concerning this matter, please contact Bert Galvan via email at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,



Brooke McGregor, Manager  
Water Rights Permitting and Availability Section  
Water Availability Division

**From:** [Berry Mansell](#)  
**To:** [Humberto Galvan](#)  
**Subject:** Re: Gatesville Country Club App No. 13639 RFI#2 Sent  
**Date:** Thursday, May 6, 2021 11:28:42 AM  
**Attachments:** [Impoundment information.pdf](#)

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Berry Mansell  
Owner  
8435 FM 182  
Gatesville, Tx. 76528  
Cell 254-226-4506

On Thu, May 6, 2021 at 11:19 AM Berry Mansell <[REDACTED]> wrote:

Bert,

Spoke with Brooke and also MTGWD about the capacity of the well increased to 70 GPM. This would supply enough water for both irrigation and evaporation loss. This shouldn't be an obstacle due to the fact they allow 1.8 gallons per acre at 100 acres, so theoretically - we could increase all the way to 186 GPM.

I will have the permit on the agenda for the June 3rd meeting.



Berry Mansell  
Owner  
8435 FM 182  
Gatesville, Tx. 76528  
Cell 254-226-4506

On Fri, Apr 30, 2021 at 3:59 PM Berry Mansell <[REDACTED]> wrote:

Yes please, thank you.

On Fri, Apr 30, 2021, 3:33 PM Humberto Galvan <[Humberto.Galvan@tceq.texas.gov](mailto:Humberto.Galvan@tceq.texas.gov)> wrote:

Mr. Mansell,

We didn't receive a response to our letter, do you need additional time to complete your response. Please let me know if you would like an extension of time.

Best regards,

Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013

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**From:** Humberto Galvan

**Sent:** Tuesday, March 30, 2021 1:32 PM

**To:** Berry Mansell [REDACTED] >

**Subject:** Gatesville Country Club App No. 13639 RFI#2 Sent

Mr. Mansell,

Please see the attached letter in regards to the Gatesville Country Club application No. 13639.

Regards,



Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013



## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name Mike Heeler Title Secretary  
 Organization Gatesville Country Club

(Signature of Owner)

(Date)

Owner's Address \_\_\_\_\_

City Gatesville State Tx Zip Code 76528

Phone Number ( ) \_\_\_\_\_ Emergency Contact Phone ( ) \_\_\_\_\_

Fax Number ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Owner Code (Please check one):  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built 1980 Year Modified N/A

Dam and Reservoir Use (Please check one):  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm N/A

Project Engineer N/A Texas P.E. License Number \_\_\_\_\_

Engineering Firm Address N/A

City Gatesville State Texas Zip Code 76528

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_

### SECTION 2: GENERAL INFORMATION

Name of Dam N/A

Other Name(s) of Dam N/A

Reservoir Name N/A

Location City of Gatesville Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

County Coryell Stream Name \_\_\_\_\_

River Basin Leon River Topographic Map No. \_\_\_\_\_

Distance & Direction from Nearest City or Town In city limits

Last Inspection Date \_\_\_\_\_ Inspected by (name of company or agency) \_\_\_\_\_

TX Number \_\_\_\_\_ Water Rights Number \_\_\_\_\_

Date of Emergency Action Plan (EAP), if one exists \_\_\_\_\_

Describe the current operating condition of dam good

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.*

### SECTION 3: INFORMATION ON DAM

#### Classification

Size Classification:  Large  Medium  Small  
Hazard Classification:  High  Significant  Low  
Number of People at Risk None Study Year 2020

Type of Dam:  Concrete  Gravity  Earthfill  Rockfill  Masonry  Other (specify) \_\_\_\_\_

#### Dam Structure (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height 10 ft (natural surface of ground to bottom of emergency spillway at longitudinal centerline)  
Embankment Height 8 ft (natural surface of ground to crest of dam at centerline)  
Structural Height 12 ft (bottom of cutoff trench to crest of dam at centerline)  
Length of Dam 42 ft Crest Width \_\_\_\_\_ ft  
Normal Pool Elevation \_\_\_\_\_ ft-MSL Principal Spillway Elevation \_\_\_\_\_ ft-MSL  
Emergency Spillway Elevation \_\_\_\_\_ ft-MSL Top of Dam Elevation \_\_\_\_\_ ft-MSL  
Embankment Volume \_\_\_\_\_ cu yd  
Maximum Impoundment Capacity 36 ac-ft (at top of dam)  
Normal Reservoir Capacity 33 ac-ft (at normal or conservation pool)  
Reservoir Surface Area \_\_\_\_\_ acres (at normal or conservation pool)

#### Outlet

Outlet Diameter: 4  in  ft (check one)  
Type: Natural

#### Principal Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): 4 ft Capacity: 3 cfs

#### Emergency Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): 7 ft Capacity: 3 cfs  
Total Spillway Capacity: 6 cfs (crest of the dam)

### SECTION 4: HYDROLOGIC INFORMATION

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
PMF Study Year \_\_\_\_\_  
Drainage Area: \_\_\_\_\_ acres, or \_\_\_\_\_ sq mi  
Curve Number (AMC III condition) \_\_\_\_\_  
Time of Concentration \_\_\_\_\_ hr  
Peak Discharge \_\_\_\_\_ cfs  
Peak Stage \_\_\_\_\_ ft-MSL  
Storm Duration Causing Peak Stage \_\_\_\_\_ hr

**From:** [Berry Mansell](#)  
**To:** [Humberto Galvan](#)  
**Subject:** Re: Gatesville Country Club App No. 13639 RFI#2 Sent  
**Date:** Thursday, May 6, 2021 11:19:43 AM  
**Attachments:** [Golf course well permit.pdf](#)

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Bert,

Spoke with Brooke and also MTGWD about the capacity of the well increased to 70 GPM. This would supply enough water for both irrigation and evaporation loss. This shouldn't be an obstacle due to the fact they allow 1.8 gallons per acre at 100 acres, so theoretically -we could increase all the way to 186 GPM.

I will have the permit on the agenda for the June 3rd meeting.



Berry Mansell  
Owner  
8435 FM 182  
Gatesville, Tx. 76528  
Cell 254-226-4506

On Fri, Apr 30, 2021 at 3:59 PM Berry Mansell <[REDACTED]> wrote:  
Yes please, thank you.

On Fri, Apr 30, 2021, 3:33 PM Humberto Galvan <[Humberto.Galvan@tceq.texas.gov](mailto:Humberto.Galvan@tceq.texas.gov)>  
wrote:

Mr. Mansell,

We didn't receive a response to our letter, do you need additional time to complete your response. Please let me know if you would like an extension of time.

Best regards,

Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013

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**From:** Humberto Galvan  
**Sent:** Tuesday, March 30, 2021 1:32 PM  
**To:** Berry Mansell <[REDACTED]>  
**Subject:** Gatesville Country Club App No. 13639 RFI#2 Sent

Mr. Mansell,

Please see the attached letter in regards to the Gatesville Country Club application No. 13639.

Regards,

Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013

# MIDDLE TRINITY GROUNDWATER CONSERVATION DISTRICT

930 N. Wolfe Nursery Rd  
Stephenville, TX 76401

Phone: 254-965-6705 Fax: 254-965-6745  
Toll Free: 877-965-6705

Email: [REDACTED]  
www.middletrinitygcd.org

## OPERATING PERMIT APPLICATION

Registration No. 1157CO Operating Permit Issue Date \_\_\_\_\_

AMENDED PERMIT  
SIGNIFICANT CHANGE

- Water Production
- Size of Pump/Casing
- Distance/Spacing

AMENDED PERMIT  
NO SIGNIFICANT CHANGE

PERMIT RENEWAL  
 NEW WELL PERMIT

- Fee Included
- Registration Included

*Instructions: Fill out this form for each well. Submit this permit application and well registration application along with a refundable deposit of \$200.00 for each well to the district office at the address above.*

Date of Application: 05/06/2021 Anticipated Water Production Date: 06/04/2021  
*Well is not valid for producing water until approved by MTGCD board of directors at our monthly permit hearing.*

I. PERMITEE: Gatesville Country Club

### II. WELL LOCATION: (PLEASE ATTACH MAP IF POSSIBLE)

Physical Location 1212 Golf Course Rd City Gatesville Zip 76528

Subdivision (if applicable) \_\_\_\_\_

Longitude -97 43 28 Latitude 31 24 57

Alternative Longitude \_\_\_\_\_ Latitude \_\_\_\_\_

Total Number of Contiguous Acres  Other Known Wells on Acreage

*\*Please note that well drillers must drill within 30 feet of submitted Latitude and Longitude\**

### III. WELL INFORMATION

- Single Family Use, Livestock Watering
- Multi-Family
- Irrigation
- Public Water Supply, Commercial, Industrial

Estimated Rate of Water Withdrawal:  GPM Acre Feet Calculation \_\_\_\_\_, annual average \_\_\_\_\_ GPM  
*district office to complete upon receipt of application*

Water Conservation Plan attached?  YES  NO

Declaration to comply with the State of Texas and MTGCD well capping and plugging rules and report closure to district. Rule 11.5

PERMITTEE SIGNATURE \_\_\_\_\_

ERATH

COMANCHE

CORYELL

BOSQUE

Is the applicant a retail public utility as defined by Section 13.002 of the Texas Water Code?  YES  NO

If the answer was yes to the question above, the proposed well must be located at least 500-feet from all property lines on the property.

Drought Contingency Plan attached?  YES  NO

If applicant is a wholesale or retail public water supplier, or an irrigation district, a copy of its drought contingency plan must be attached to this application.

Will the groundwater withdrawn from the well be resold, leased, or otherwise transferred to others?  YES  NO

If Yes, please complete the following information:

**Location:** \_\_\_\_\_

**Purpose:** \_\_\_\_\_

If the answer was yes to the question above, please attach to this application a copy of the legal documents establishing the right for the groundwater to be sold, leased, or otherwise transferred, including but not limited to any contract for the sale, lease, or transfer of groundwater.

**REFUND DEPOSIT TO:** \_\_\_\_\_ **ADDRESS:** \_\_\_\_\_  
*(if other than permittee)*

*IN ACCORDANCE WITH DISTRICT RULE 5.11(E), THE INFORMATION PROVIDED BY THE PERMITEE/APPLICANT IN THE SPACES BELOW WILL BE INCORPORATED INTO THE PERMIT IF A PERMIT IS ISSUED. THE PERMIT WILL BE GRANTED ON THE BASIS OF, AND CONTINGENT UPON, THE ACCURACY OF THE INFORMATION SUPPLIED IN THIS APPLICATION. A FINDING THAT FALSE INFORMATION HAS BEEN SUPPLIED IS GROUNDS FOR IMMEDIATE REVOCATION OF THE PERMIT. IN ADDITION, THE INFORMATION GIVEN IN THIS PERMIT APPLICATION WILL BE SUPPLEMENTED BY THE INFORMATION PROVIDED BY THE PERMIT APPLICANT IN THE WELL REGISTRATION APPLICATION THAT IS SUBMITTED TO THE DISTRICT FOR THE PROPOSED WELL.*

*RULE 5.13 OF THE DISTRICT’S RULES ESTABLISHES THAT A SUBSTANTIAL CHANGE TO A PERMIT MAY BE MADE ONLY AFTER APPLICATION TO AND APPROVAL BY THE DISTRICT. A SUBSTANTIAL CHANGE TO A PERMIT INCLUDES A CHANGE THAT WOULD SUBSTANTIALLY ALTER THE SIZE OR CAPACITY OF A WELL, AN INCREASE IN THE ANNUAL QUANTITY OF GROUNDWATER AUTHORIZED TO BE WITHDRAWN, A CHANGE IN TYPE OF USE OR LOCATION OF USE OF THE WATER PRODUCED, A CHANGE OF LOCATION OF GROUNDWATER WITHDRAWAL EXCEPT AS PROVIDED IN SECTION 6 OF THE DISTRICT’S RULES FOR REPLACEMENT WELLS, OR THE ADDITION OF A NEW WELL TO BE INCLUDED IN AN ALREADY PERMITTED AGGREGATE SYSTEM.*

*THIS PERMIT CONFERS ONLY THE RIGHT TO OPERATE UNDER THE TERMS AND CONDITIONS OF THE PERMIT, AND ITS TERMS MAY BE MODIFIED OR AMENDED PURSUANT TO THE DISTRICT RULES OR CHAPTER 36 OF THE TEXAS WATER CODE, AS THEY EXIST OR MAY BE AMENDED, AND THE DIRECTIVES OF THE TEXAS LEGISLATURE, OR IF NECESSARY TO ACHIEVE THE GOALS AND OBJECTIVES OF THE DISTRICT MANAGEMENT PLAN. THE ISSUANCE OF THIS PERMIT DOES NOT GRANT TO THE PERMITEE THE RIGHT TO USE PRIVATE PROPERTY, OR PUBLIC PROPERTY, FOR THE PRODUCTION OR CONVEYANCE OF WATER. NEITHER DOES THIS PERMIT AUTHORIZE THE INVASION OF ANY PERSONAL RIGHTS NOR THE VIOLATION OF FEDERAL, STATE, OR LOCAL LAWS, OR ANY REGULATIONS.*

**CERTIFICATION:**

I hereby certify that the information in this permit application and included well registration application is true and accurate to the best of my knowledge and belief. Permittee agrees to comply with the District's Rules, plans established pursuant to the District's Rules and the terms of the permit.

Berry Mansell		05/06/2021
PRINT NAME	SIGNATURE OF PERMITTEE	DATE

STATE OF TEXAS            §§

COUNTY OF \_\_\_\_\_ §

Before me, the undersigned notary public, on this day personally appeared \_\_\_\_\_, who being by me duly sworn upon his oath deposed and said that he has read the above and foregoing application and that every statement contained therein is within his/her personal knowledge and true and correct.

\_\_\_\_\_  
Signature of Permit Applicant

SUBSCRIBED and SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20 to certify which witness my hand and official seal of office.

\_\_\_\_\_  
Notary Public, State of Texas  
My Commission Expires: \_\_\_\_\_

(notary stamp above)

Meets MTGCD Policy and Procedure Requirements. Permit Issued _____ OP # _____
(approval stamp here)



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

Call to: Berry Mansell	Call from: Brooke McGregor
Date: 05/06/2021	Applicant: Gatesville Country Club

*Information for File follows:*

I spoke to Mr. Mansell regarding the groundwater well Gatesville intends to use as their alternate source. He explained he had spoken with the groundwater districts and believes increasing the pump capacity for their well should not be an issue. Mr. Mansell stated the well operation permit should be issued sometime in the first week of June and he will provide it to TCEQ by June 7, 2021.

Signed *J. Brooke McGregor*

**From:** [Berry Mansell](#)  
**To:** [Humberto Galvan](#)  
**Subject:** Re: Gatesville Country Club App No. 13639 RFI#2 Sent  
**Date:** Friday, April 30, 2021 3:59:31 PM

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Yes please, thank you.

On Fri, Apr 30, 2021, 3:33 PM Humberto Galvan <[Humberto.Galvan@tceq.texas.gov](mailto:Humberto.Galvan@tceq.texas.gov)> wrote:

Mr. Mansell,

We didn't receive a response to our letter, do you need additional time to complete your response. Please let me know if you would like an extension of time.

Best regards,

Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013

---

**From:** Humberto Galvan  
**Sent:** Tuesday, March 30, 2021 1:32 PM  
**To:** Berry Mansell <[REDACTED]>  
**Subject:** Gatesville Country Club App No. 13639 RFI#2 Sent

Mr. Mansell,

Please see the attached letter in regards to the Gatesville Country Club application No. 13639.

Regards,

Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 30, 2021

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

VIA-EMAIL

RE: Gatesville Country Club  
WRPERM 13639, CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code §§ 11.121 and 11.042 Requiring Mailed and Published Notice  
Unnamed tributary of the Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt of additional information on June 16, July 5, July 31, and October 23, 2020 and fees on September 25, 2020 in the amount of \$ 1,245.34 (Receipt Nos. M100869A & B, copies attached).

Additional information is required before the application can be declared administratively complete.

1. *Worksheet 2.0 Impoundment / Dam Information:*

- a. Confirm the surface area (in acres) and the capacity (in acre-feet) for each of the six reservoirs at the normal maximum operating level. Staff has calculated the surface area and capacity to be:

Reservoir No.	Surface Area (acres)	Capacity (acre-feet)
1	4.74	10.89
2	0.13	0.13
3	0.65	1.04
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5	0.07	0.07
6	0.14	0.14
Total	5.86	12.41

- b. Confirm that the applicant has the ability to pass all state water inflows through the six reservoirs.

2. *Worksheet 3.0 Diversion Point Information:*

Confirm that the only diversion will be directly from the perimeter of Reservoir 1, located on an unnamed tributary of the Leon River. Staff has calculated coordinates for

a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map.

3. Worksheet 4.0 *Discharge Information*:

Confirm the total amount of groundwater in acre-feet that will be needed to compensate for evaporation from the six reservoirs as indicated in the table below. Staff calculated the maximum monthly and annual evaporative losses for the reservoirs to be 5.96 acre-feet and 26.61 acre-feet, respectively.

Reservoir	Surface Area (acres)	Maximum annual evaporative losses (acre-feet)	Maximum monthly evaporative losses (acre-feet)
1	4.74	21.52	4.83
2	0.13	0.59	0.13
3	0.65	2.95	0.66
4	0.13	0.59	0.13
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6	0.14	0.64	0.14
Total	5.86	26.61	5.96

4. Worksheet 4.1 *Discharge Point Information*:

- a. Provide the pump capacity and volume of groundwater to be conveyed to the reservoirs. Staff notes that the RFI response on October 23, 2020 indicates that, based on the well registration (submitted on October 23, 2020), the well can produce 15 gpm, which equates to 24.2 acre-feet per year. The amount of discharged groundwater must be adequate to compensate for all evaporative losses from the reservoirs plus any diversions so that no state water is used.
5. Provide a completed *Information Sheet: Existing Dam* (TCEQ -20344, copy attached).
  6. Verify the place of use is the 82.11-acre tract of land out of the A. Arocha Survey and recorded in the public records of Coryell County in Volume 437, pages 1-7. Staff notes a copy of this deed was provided by the applicant on October 23, 2020.

Please provide the requested information by April 29, 2021 or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

Note, additional information may be required in order to complete technical review of the application.

If you have any questions concerning this matter, please contact me via email at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

*H Galvan*

Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Attachments



## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

\_\_\_\_\_  
*(Signature of Owner)*

\_\_\_\_\_  
*(Date)*

Owner's Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number ( ) \_\_\_\_\_ Emergency Contact Phone ( ) \_\_\_\_\_

Fax Number ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Owner Code *(Please check one)*:  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built \_\_\_\_\_ Year Modified \_\_\_\_\_

Dam and Reservoir Use *(Please check one)*:  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm \_\_\_\_\_

Project Engineer \_\_\_\_\_ Texas P.E. License Number \_\_\_\_\_

Engineering Firm Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_

### SECTION 2: GENERAL INFORMATION

Name of Dam \_\_\_\_\_

Other Name(s) of Dam \_\_\_\_\_

Reservoir Name \_\_\_\_\_

Location \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

County \_\_\_\_\_ Stream Name \_\_\_\_\_

River Basin \_\_\_\_\_ Topographic Map No. \_\_\_\_\_

Distance & Direction from Nearest City or Town \_\_\_\_\_

Last Inspection Date \_\_\_\_\_ Inspected by (name of company or agency) \_\_\_\_\_

TX Number \_\_\_\_\_ Water Rights Number \_\_\_\_\_

Date of Emergency Action Plan (EAP), if one exists \_\_\_\_\_

Describe the current operating condition of dam \_\_\_\_\_

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.*

**SECTION 3: INFORMATION ON DAM**

**Classification**

Size Classification:  Large       Medium       Small  
Hazard Classification:  High       Significant       Low  
Number of People at Risk \_\_\_\_\_ Study Year \_\_\_\_\_

**Type of Dam:**  Concrete    Gravity    Earthfill    Rockfill    Masonry    Other (specify) \_\_\_\_\_

**Dam Structure** (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height \_\_\_\_\_ ft (*natural surface of ground to bottom of emergency spillway at longitudinal centerline*)  
Embankment Height \_\_\_\_\_ ft (*natural surface of ground to crest of dam at centerline*)  
Structural Height \_\_\_\_\_ ft (*bottom of cutoff trench to crest of dam at centerline*)  
Length of Dam \_\_\_\_\_ ft      Crest Width \_\_\_\_\_ ft  
Normal Pool Elevation \_\_\_\_\_ ft-MSL      Principal Spillway Elevation \_\_\_\_\_ ft-MSL  
Emergency Spillway Elevation \_\_\_\_\_ ft-MSL      Top of Dam Elevation \_\_\_\_\_ ft-MSL  
Embankment Volume \_\_\_\_\_ cu yd  
Maximum Impoundment Capacity \_\_\_\_\_ ac-ft (*at top of dam*)  
Normal Reservoir Capacity \_\_\_\_\_ ac-ft (*at normal or conservation pool*)  
Reservoir Surface Area \_\_\_\_\_ acres (*at normal or conservation pool*)

**Outlet**

Outlet Diameter: \_\_\_\_\_  in    ft (*check one*)  
Type: \_\_\_\_\_

**Principal Spillway**

Type:  Natural    Riprap    Concrete    CMP    RCP    Other  
Width (Diam.): \_\_\_\_\_ ft      Capacity: \_\_\_\_\_ cfs

**Emergency Spillway**

Type:  Natural    Riprap    Concrete    CMP    RCP    Other  
Width (Diam.): \_\_\_\_\_ ft      Capacity: \_\_\_\_\_ cfs  
Total Spillway Capacity: \_\_\_\_\_ cfs (*crest of the dam*)

**SECTION 4: HYDROLOGIC INFORMATION**

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
PMF Study Year \_\_\_\_\_  
Drainage Area: \_\_\_\_\_ acres, or \_\_\_\_\_ sq mi  
Curve Number (AMC III condition) \_\_\_\_\_  
Time of Concentration \_\_\_\_\_ hr  
Peak Discharge \_\_\_\_\_ cfs  
Peak Stage \_\_\_\_\_ ft-MSL  
Storm Duration Causing Peak Stage \_\_\_\_\_ hr

# App\_13639\_Gatesville Country Club



0 0.02 0.04 0.06 0.08  
Miles



This map was generated by the Water Availability Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Water Availability Division at 512-239-4691.







25-SEP-20 04:38 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>
NOTICE FEES-WUP- WATER USE PERM	PTGU PTGU NOTICE FEES WUP WATER USE PERMITS	M100869B 13639 GATESVILLE COUNTRY CLUB	4855 092520 RHDAVIS	 N CK	BS00082888 D1800292	25-SEP-20	-997.34
				Total (Fee Code):			-\$997.34



25-SEP-20 04:38 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M100869A	4855		BS00082888	25-SEP-20	-\$248.00
	WUP	13639	092520	N	D1800292		
	WATER USE PERMITS	GATESVILLE	RHDAVIS	CK			
		COUNTRY					
		CLUB					
						Total (Fee Code):	-\$248.00
						Grand Total:	-\$5,949.84



Bert,

1. We confirm that the application is requesting to authorize six on – channel reservoirs and to authorize the bed and banks of an unnamed tributary of the Leon river to convey groundwater to maintain reservoirs and for subsequent diversion for agriculture purposes.
2. (A). We confirm that the water source for the bed and banks authorization is a well drawing from the middle trinity.  
(B). Total amount of groundwater to be conveyed each year is up to ninety-acre feet.  
(C). Total capacity of the six reservoirs is approximately eleven and a half acre feet.
3. Included are the other five 2.0 worksheets for the other on channel reservoirs.
4. (A) We confirm that the diversion point is directly from the perimeter of reservoir six.
5. (A) We t confirm that the ground water will be discharged from reservoir one  
(B) The total amount needed to compensate for evaporation from the six reservoirs is five-acre feet.  
(C). We confirm that any groundwater discharged into reservoir will be diverted within seven days.  
(D) We have included a copy of the permit from the Middle Trinity Groundwater Conservation District.
6. (A) We confirm that the total amount to be discharged will be adequate to compensate for the total amount of water in acre feet to be used annually, including any evaporation losses from the six reservoirs.  
(B) Working on worksheet 4.1
7. (A) We have installed screens on inlet side of discharge pump to avoid impingement and entrainment of aquatic organisms. The application only requests to discharge and subsequently divert groundwater.  
(B) The amount of water diverted will not exceed the amount of water discharged, less losses, therefore there are no changes to downstream instream flows or freshwater inflows.
8. Included is the information on the existing dam (TQEQ form – 20344)
9. Included are the deeds from the county clerk’s office.
10. Included is a copy of the Gatesville country club authorizing me to sign on their behalf.

Berry Mansell  
Plant Superintendent  
22240 Owl Creek Rd.  
Gatesville Texas 76528  
Office 254-986-8281  
Cell 254-226-4506

**RECEIVED**  
OCT 22 2020  
Water Availability Division

GATESVILLE COUNTRY CLUB  
1308 GOLF COURSE RD  
P.O. BOX 638  
GATESVILLE, TX 76528  
(254)865-6917

Member United States Golf Association

September 23, 2020

To Whom it May Concern:

The Gatesville Country Club authorizes Mr. Berry Mansell to act on The Gatesville Country Club's behalf. Mr. Mansell has the authority to sign on behalf of said club in filing for and obtaining our Water Use Permit.

Sincerely



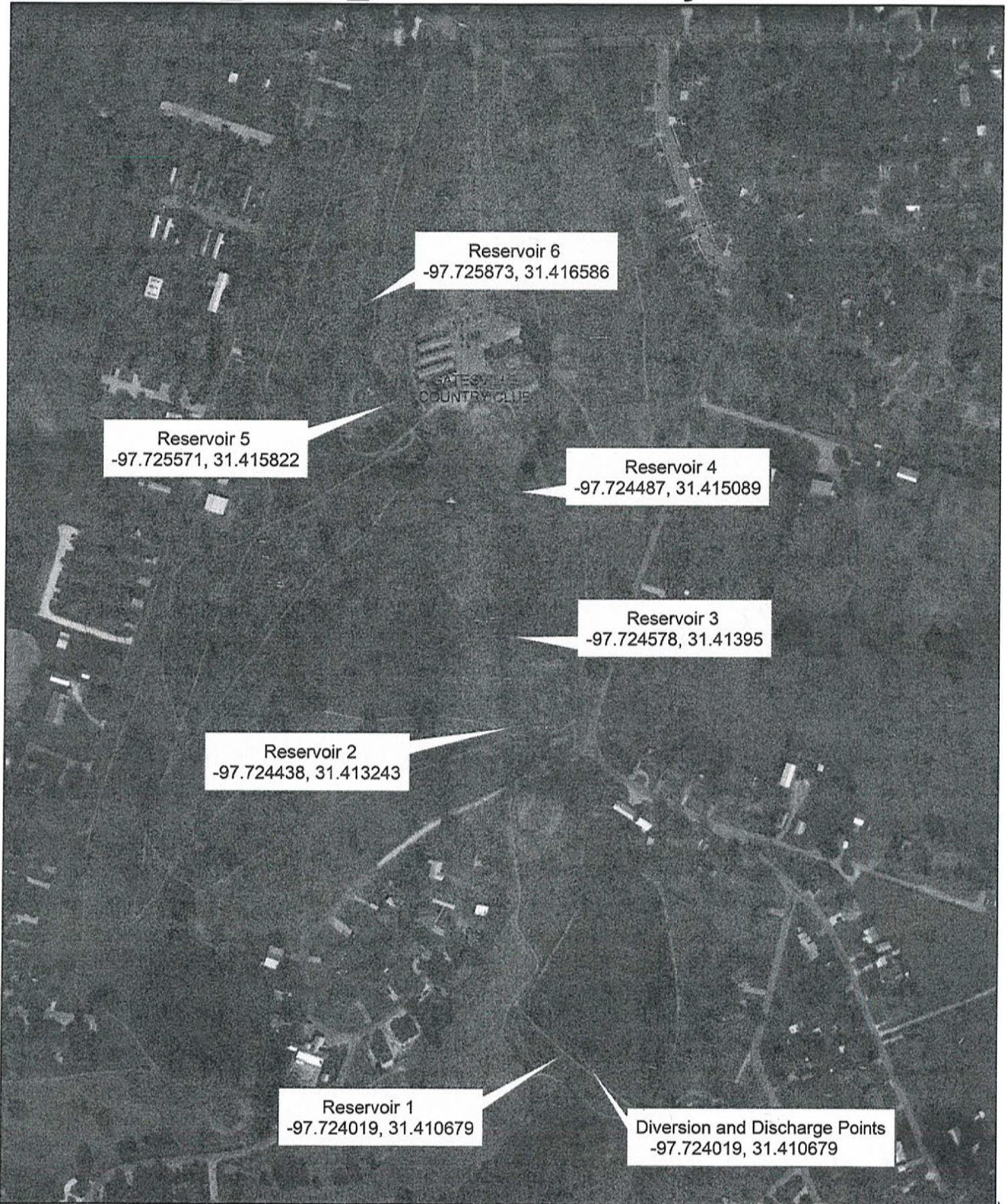
Bobby Joe Carothers  
President  
Gatesville Country Club

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OCT 22 2020

Water Availability Division

# App\_13639\_Gatesville Country Club



0 0.02 0.04 0.06 0.08  
Miles



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12

# APPLICATION FOR WELL REGISTRATION

## Middle Trinity Groundwater Conservation District

Erath County (home Office)

930 N. Wolfe Nursery RD

Stephenville, TX 76401

254/965-6705 toll free 877-965-6705

Comanche County

Bosque County

Coryell County

Fax: 254/965-6745

Email: [REDACTED]

website: [www.middletrinitygcd.org](http://www.middletrinitygcd.org)

District Use Only

Reg. No.

1157 C

Permit No.

# RECEIVED

OCT 22 2020

District's registration  
Water Availability Division

### RULE 5.1 REGISTRATION:

All water wells, existing and new, must be registered with the District and are required to comply with the District's registration requirements in these rules.

### RULE 5.2 GENERAL REGISTRATION POLICIES AND PROCEDURES:

- (a) No person or entity shall drill, modify, complete, change type of use, plug, abandon, or substantially alter the size of a well within the District without first registering the well with the District, except as set forth under Rule 6.1, even though the well may be exempt from the requirement of a permit under District Rule 5.3.
- (b) The District staff will review the application for registration and make a preliminary determination on whether the well meets the exclusions or exemptions provided in Rule 5.3. Providing the preliminary determination is that the well is excluded or exempt, the registrant may begin drilling immediately upon receiving the approved registration.
- (c) If the preliminary determination is that the well is not exempt, the District staff will inform the registrant of any further applications and information required to permit the well under these rules.
- (d) If the preliminary determination is that the well is not exempt, no person may drill, equip, complete, or substantially alter the well without first obtaining the appropriate permit or amendment thereto from the District.
- (e) A violation of this rule occurs on the first day the drilling, equipping, completion, or alteration without the appropriate registration or permit begins and continues each day thereafter until the appropriate registration or permit is issued.

Application Date: 5-16-11 E-mail address: \_\_\_\_\_

Primary Phone: 254-865-0917

### Part I - Well Owner and Driller Information:

Well Owner: Gatesville Country Club Alt. Phone: \_\_\_\_\_

Mailing Address: 1212 Golf Course Rd Fax: \_\_\_\_\_

City: Gatesville State: TX ZIP: 76528

Physical Address (if different than above): \_\_\_\_\_

Registrant (if other than owner): \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Fax: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Physical Address (if different than above): \_\_\_\_\_

*If Registrant is other than the owner of the property where the existing or proposed well is or will be located, include documentation establishing the applicable authority to operate the existing well or to construct and operate a well for the proposed use.*

Drilling Company (if known): Smith Phone: \_\_\_\_\_

Contact: \_\_\_\_\_ License #: \_\_\_\_\_ Fax: \_\_\_\_\_

City: Waco State: TX ZIP: \_\_\_\_\_

**Part II - Well Location:**

Well Site Address: 1212 Golf Course rd

City: Cokesville State: TX ZIP: 76528

Latitude: 31 24 57.204 Longitude: -97 43 28.3224

**Legal Description:**

Survey Name (if known): UNKNOWN Survey No. (if known): \_\_\_\_\_ Abstract No (if known): \_\_\_\_\_

Attach a map adequate to locate the well and provide: \_\_\_\_\_ feet from the \_\_\_\_\_ property line and (N, S, E, W, etc.)  
\_\_\_\_\_ feet from the \_\_\_\_\_ property line and (Use perpendicular lines)

Alternate Well Location (for new wells):

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Will the groundwater withdrawn from the well be used on a different property than the property where the well is located?  
 No \_\_\_\_\_ If yes, explain: \_\_\_\_\_

Please identify the total number of acres of land contiguous in ownership with the land where the well(s) is/are located:  
APPROX 90-110

Will the groundwater produced be transported out of Bosque, Comanche, Coryell or Erath Counties?  No \_\_\_\_\_ If yes, explain: \_\_\_\_\_

**Part III - Purpose for Water Use:**

Mark (x) all appropriate spaces regarding the purpose of existing use of the well or the proposed use for new wells:

- Public Water Supply                       Domestic
- Commercial                                       Solely one single-family house (includes lawn irrigation)  
If not built, when will construction begin? \_\_\_\_\_
- Industrial                                           Multi-family
- Irrigation (Agricultural) (other than lawn watering)
- Livestock Watering
- Hydrocarbon production (explain): \_\_\_\_\_
- Other (explain): \_\_\_\_\_

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Water Availability Division

State the estimated amount of water used or to be used for each identified purpose (other than domestic and livestock):

Public Water Supply \_\_\_\_\_  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
Irrigation (Agricultural) \_\_\_\_\_  
Hydrocarbon Production \_\_\_\_\_  
Other \_\_\_\_\_

**Part IV - Well Information:**

Water well closure plan attached? \_\_\_\_\_ Yes \_\_\_\_\_ No. If no, sign below as a declaration that the applicant will comply with state and MTGCD well capping and plugging rules and report closure to the District:

\_\_\_\_\_  
(Owners signature)

Method of Withdrawal (submersible pump, windmill, etc.): Submersible

Estimated maximum pumping capacity of well: 15 gpm

Estimated depth of well: 600'

Size of well: 4" (diameter of the well casing)

Approx 2" (inside diameter of the pump [discharge] column pipe.)

Size of well pump: Approx 2 hp

For existing wells, in Erath or Comanche Counties please state if any water was produced prior to May 11, 2004:  
YES \_\_\_\_\_ NO \_\_\_\_\_

For existing wells in Bosque County please state if any water was produced prior to November 15, 2009:  
YES \_\_\_\_\_ NO \_\_\_\_\_

For existing wells in Coryell County please state if any water was produced prior to June 15, 2010  
YES X NO \_\_\_\_\_

**Part V - Certification:**

Applicant agrees that water produced/withdrawn from the existing/proposed well will be put to beneficial use at all times:  
\_\_\_\_\_ No X Yes

Applicant agrees to abide by the Rules of the District: \_\_\_\_\_ No X Yes.

I hereby certify that the information given herewith is true and accurate to the best of my knowledge and belief.

MIKE HEALTEZ Mike Healtez 5-16-2011  
Print Name FOR COUNTRY CLUBS Signature Date

<b>DISTRICT USE ONLY</b>	
Drilling approved _____	No. _____
Permit required before drilling _____	Date _____



**District ID** 4558  
**Well Owner** Gatesville Country Club  
**Well Operator**  
**Land Owner**  
**TWDB SWN**  
**State Grid Cell** 40-35-7  
**Well Name**  
**Exempt** Yes  
**Monitored** No  
**Well Type**  
**Well Status** Active  
**Driller** Smith  
**PumpInstaller**  
**Plugger**  
**Aquifer** Trinity  
**County** Coryell  
**Primary Use** Golf Course Irrigation  
**Latitude (dd)** 31.415890  
**Longitude (dd)** -97.724534  
**Elevation (ft)**  
**Elevation Source**  
**Coordinate Source** Owner  
**Well Address** 1212 Golf Course Rd, Gatesville, TX, 76528  
**Parcel ID**  
**Property Area (ac)** 100.00  
**Distance to Nearest Property Line (ft)**  
**Well Depth (ft)** 600.00  
**Casing Diameter (in)** 4.00  
**Pump Depth (ft)**  
**Production Rate (gpm)**  
**Production Rate Equipped (gpm)**  
**MeterId**  
**Pump Size (hp)** 2.00  
**Application Date** 5/16/2011  
**Drilling Start Date**  
**Drilling Completion Date**  
**Legacy ID** 1157CO  
**Application Type**  
**Max. Capacity (gpm)**  
**Casing Height (ft)**  
**State Well Report**  
**PumpType** Submersible  
**Completion Static Level (ft)**  
**Pump Capacity (gpm)** 15.00  
**Plugging Date**

STATE OF TEXAS  
COUNTY OF CORYELL

I KNOW ALL MEN BY THESE PRESENTS  
I

14263

WARRANTY DEED WITH VENDOR'S LIEN

THAT Garnett S. Grant, Marshall Wayne Simmons, George W. Hardin, (dealing in non-homestead property) Henry D. Brim and wife, Lynda Brim, and Richard D. Gellasch and wife, Phyllis Gellasch of the County of Coryell and State of Texas for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by grantee, The Gatesville Country Club of one certain promissory note of even date herewith, in the principal sum of \$ 37,247.79 payable to the order of grantors, which amount is the current balance remaining due and payable on the original indebtedness of \$90,000.00 described in a Contract for Deed dated April, 1984, such balance payable in installments and bearing interest as therein provided, containing the usual clauses providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith.

HAVE GRANTED, SOLD AND CONVEYED, and by these presents do hereby GRANT, SELL AND CONVEY all right, title, and interest unto:

The Gatesville Country Club

whose address is: P.O. Box 638, Gatesville, subject to all restrictions, reservations, and easements shown of record, in and to the following described real property in Coryell County, Texas, to-wit:

ALL OF THE REAL PROPERTY DESCRIBED AND INCORPORATED HEREIN IN EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, and grantee's heirs and assigns forever; and grantor does hereby bind grantor and grantor's heirs, executors, administrators, successors and

assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, and grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. As referenced in this deed to grantor or grantee, whenever the context so indicates, the masculine, feminine or neuter gender and the singular and plural shall include the other.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

EXECUTED this 13th day of Dec., 1985.

Garnett S. Grant  
Garnett S. Grant

Marshall Wayne Simmons  
Marshall Wayne Simmons

George W. Hardin  
George W. Hardin

Henry D. Brim  
Henry D. Brim

2-3-96

Richard D. Gellaseh  
Richard D. Gellaseh

Lynnda Brim  
Lynnda Brim

Phyllis Gellaseh  
Phyllis Gellaseh

STATE OF TEXAS  
COUNTY OF CORYELL



THIS instrument was acknowledged before me on the 13th day of Dec., 1985, by Garnett S. Grant.

My commission expires: 10/13/89

Willie H. [Signature]  
Notary Public, State of Texas

STATE OF TEXAS  
COUNTY OF CORYELL

THIS instrument was acknowledged before me on the 4th day of March, 1986, by Henry D. Brim and wife, Lynnda Brim.

My commission expires: 4-11-89

Treva Young  
Notary Public, State of Texas  
OFFICIAL SEAL  
TREVA YOUNG  
NOTARY PUBLIC

STATE OF TEXAS  
COUNTY OF CORYELL

THIS instrument was acknowledged before me on the 17<sup>th</sup> day  
of April, 1986, by Richard D. Gellasch and wife, Phyllis  
Gellasch.

My commission expires:

Treva Young  
Notary Public, State of Texas



STATE OF TEXAS  
COUNTY OF Coryell

THIS instrument was acknowledged before me on the 15<sup>th</sup> day  
of August, 1986, by George W. Hardin.

My commission expires:

Treva Young  
Notary Public, State of Texas



STATE OF TEXAS  
COUNTY OF Winters

THIS instrument was acknowledged before me on the 17<sup>th</sup> day  
of August, 1986, by Marshall Wayne Simmons.

My commission expires:  
6-9-89

Fred S. Clark  
Notary Public, State of Texas



## TRACT ONE:

All that certain tract of land in Coryell County, Texas, described as 82.11 out of the A. Arocha Survey, and being 1.21 acres of land described in a deed from O. W. Lowrey, et ux to L.T.C. Inc., Recorded in Vol. 273, page 712, Deed Records of Coryell County, Texas; and being 53.6 less 4.38 acres, described in a deed from O. W. Lowrey to L.T.C. Inc., of Record in Vol. 280, page 178, Deed Records of Coryell County, Texas; and being 19.987 acres described in a deed from Abner G. Patterson, Jr. to L.T.C. Inc. said deed of Record in Vol. 273, page 710, Deed Records of Coryell County, Texas; and being 7.79 acres described in a deed from Ted W. Brumbalow to L.T.C. Inc. said deed of Record in Vol. 272, page 509, Deed Records of Coryell County, Texas; and being 2.2 acres described in a deed from Ted W. Brumbalow to L.T.C. Inc., said deed being of record in Vol. 276, page 814, Deed Records of Coryell County, Texas, and being the same property described in a Special Warranty Deed from the Small Business Administration to Thomas J. Kennedy et. al, as shown of record in Vol. 331 page 529, a part of such land is now known as LAKEWOOD GREENS, a subdivision out of the A. Arocha Survey, and shown by Plat of Record in Vol. 3, page 53 of the Plat Records of Coryell County, Texas, and more particularly described as follows:

BEGINNING at the Northeast corner of the aforementioned 53.6 acre tract, this also being the most northerly corner of the 19.987 acre tract;

THENCE with the East line of the said 19.987 acre tract as follows, to-wit: S 5 deg. 06' 10" E 967.0 feet, an iron post; S 8 deg. 19' 00" E 133.7 feet, an iron rod; S 33 deg. 24' 30" W 252.3 feet, an iron rod; S 53 deg. 51' 30" W 517.4 feet, an iron rod; and S 75 deg. 12' 20" W 658.3 feet to an iron pipe for the Southeast corner of the said 19.987 acre tract and the most Easterly Southeast corner of this;

THENCE N 23 deg. 08' 10" W 363.9 feet with the Southwest line of the said 19.987 acre tract, an iron pipe in the East line of the aforementioned 53.6 acre tract for an ell corner of this;

THENCE with the East line of the said 53.6 acre tract as follows; S 54 deg. 34' 10" W 188.8 feet, a 12" shin oak, and S 56 deg. 00' 10" W 553.7 feet to a 40" burr oak on the left bank of the Leon River for the most Southerly Southeast corner of this;

THENCE up the said river N 45 deg. 58' 30" W 277.9 feet the Southeast corner of the aforementioned 7.79 acre tract and N 58 deg. 28' 50" W 199.5 feet to a 6" elm for the Southwest corner of the aforementioned 2.2 acre tract;

THENCE 12 deg. 20' 30" W 824.9 feet, an iron pipe and N 6 deg. 51' 40" W 42.1 feet to a post for the Northwest corner of the said 2.2 acre tract;

THENCE S 86 deg. 01' 50" E 98.8 feet to an iron pipe for the Northeast corner of the said 2.2 acre tract and a corner of the said 7.79 acre tract;

THENCE N 70 deg. 04' 40" E 143.2 feet, a post and N 6 deg. 25' 30" E 207.5 feet to an iron pipe for the Northwest corner of the said 7.79 acre tract;

THENCE S 70 deg. 21' 20" E 424.7 feet, an iron pipe and S 77 deg. 38' 30" E 31.9 feet to an iron pipe for the Northeast corner of the said 7.79 acre tract and an ell corner of this, said corner being in the West line of the said 53.6 acre tract;

VOL. 100 PART 00

THENCE with the West line of the said 53.6 acre tract, as fenced and evidenced on the ground, N 31 deg. 05' 30" E 13.8 feet, and N 20 deg. 24' 10" E 1429.6 feet to the Northwest corner of the aforementioned 1.21 acre tract conveyed by Lowrey;

THENCE S 71 deg. 00' 00" E 174.7 feet to the Northeast corner of the said 1.21 acre tract;

THENCE S 20 deg. 21' 20" W 827.5 feet to an iron rod for an ell corner of this, this being the Southwest corner of that certain 4.38 acre tract conveyed by O. W. Lowrey to Gatesville Country Club;

THENCE S 70 deg. 33' 40" E 211.5 feet with the South line of the said 4.38 acre tract, the Southeast corner thereof for an ell corner of this;

THENCE N 49 deg. 35' 10" E 614.9 feet to an iron rod in the North line of the said 53.6 acre tract for the Northeast corner of the said 4.38 acre tract and a corner of this;

THENCE S 71 deg. 02' 30" E 693.5 feet with the North line of the said 53.6 acre tract to the place of beginning, containing 82.11 acres of land.

**SAVE AND EXCEPT:**

A. Lots 6,7,8,9,10,11 Block One; All of Block Two; and All of Block Three of LAKEWOOD GREENS, a subdivision out of the A. Arocha Survey, Coryell County, Texas as shown by Plat in Vol. 3, page 53 of the Plat Records of Coryell County, Texas.

B. A 0.44 acre tract that lays north of and adjacent to Lot 1, Block 3 of the above described "Lakewood Greens" Subdivision and more particularly described as follows:

BEGINNING at a point in the east line of Lakewood Drive for the southwest corner this. Said beginning being the northwest corner of said Lot 1 and also being N 71 deg. 02' 50" W, 124 ft.; S 64 deg. 08' 45" W, 98.47 ft.; S 40 deg. 33' 58" W, 155.66 ft.; and S 16 deg. 59' 45" W, 115.38 ft. from the northeast corner of the above described 82.11 acre tract.

THENCE with the north line of said Lot 1, S 73 deg. 00' 15" E, 130.0 ft. to the southeast corner this and the northeast corner of said Lot 1.

THENCE N, 16 deg. 59' 45" E, 15.0 ft.; N 02 deg. 29' 45" E, 100.0 ft.; and N 15 deg. 06' 23" W, 133.98 ft. to corner in the east line of said Lakewood Drive. Said corner being a point in a curve whose radius is 193.63 ft.

THENCE with said curve to the left on a baseline chord of S 34 deg. 04' 00" W, 115.0 ft. to the end of said curve.

THENCE continuing along Lakewood Drive S 16 deg. 59' 45" W, 115.38 ft. to the place of beginning and containing 0.44 acre of land.

C. A 3.96 acre tract described follows:

BEGINNING at a point in the west line of said 82.11 acre tract. Said beginning being S 20 deg. 34' 10" W, 298.8 ft. from the most northerly northwest corner of said 82.11 acre tract. Said beginning being a point in the east line of a gravel road.

THENCE leaving said road as follows: S 69 deg. 35' 50" E, 50.0 ft.; S 20 deg. 24' 10" W, 951.98 ft.; S 43 deg. 05' 19" E, 109.43 ft.; S 69 deg. 05' 59" E, 97.20 ft.; S 08 deg. 37' 39" E, 138.92 ft.; S 80 deg. 30' 21" W, 185.0 ft.; and N 83 deg. 25' 13" W, 579.01 ft. to a point in the west line of said 82.11 acre tract, a fenceline.

THENCE with the lines of said 82.11 acre tract, a fenceline, as follows: N 06 deg. 25' 30" E, 205.27 ft.; S 70 deg. 21' 20" E, 424.7 ft.; S 77 deg. 38' 30" E, 31.9 ft.; N 31 deg. 05' 30" E, 13.8 ft.; and N 20 deg. 24' 10" E, 1130.8 ft. to the place of beginning and containing 3.96 acres.

D. A 17.66 acre tract described as follows:

BEGINNING at a point in the west line of said 82.11 acre tract for the northwest corner this. Said beginning being S 06 deg. 51' 40" E, 42.1 ft. and S 12 deg. 20' 30" E, 209.0 ft. from the most westerly northwest corner of said 82.11 acre tract.

THENCE with the west line of said 82.11 acre tract, a fenceline, S 12 deg. 20' 30" E, 615.9 ft. to corner on the north bank of the Leon River.

THENCE with said river S 58 deg. 28' 30" E, 199.5 ft. and S 45 deg. 58' 30" E, 277.9 ft.

THENCE leaving said river and following the lines of said 82.11 acre tract N 56 deg. 00' 10" E, 553.7 ft. and N 54 deg. 34' 10" E, 188.8 ft.

THENCE leaving the lines of said 82.11 acre tract as follows: N 27 deg. 44' 50" E, 283.93 ft.; N 15 deg. 47' 13" W, 126.84 ft.; N 66 deg. 01' 20" E, 380.23 ft.; and N 23 deg. 17' 19" E, 115.0 ft. to corner in the south line of "Lakewood Greens". Said corner being N 69 deg. 30' 01" E, 69.26 ft. from the southwest corner of Lot 11, Block 1 of said "Lakewood Greens".

THENCE with the lines of said "Lakewood Greens" S 69 deg. 30' 01" W, 79.75 ft.; S 82 deg. 20' 01" W, 153.33 ft.; and N 13 deg. 57' 59" W, 100.0 ft.

THENCE leaving the lines of "Lakewood Greens" as follows: S 08 deg. 15' 49" W, 205.37 ft.; S 82 deg. 07' 16" W, 138.36 ft.; S 87 deg. 21' 44" W, 223.58 ft.; S 80 deg. 21' 41" W, 262.10 ft.; N 84 deg. 08' 19" W, 192.04 ft.; and N 83 deg. 56' 19" W, 517.73 ft. to the place of beginning and containing 17.66 acres of land.

E. A 50 ft. roadway easement described as follows:

BEGINNING at a point in the north line of the above described 17.66 acre tract. Said beginning being S 83 deg. 56' 19" E, 517.73 ft. and S 84 deg. 08' 19" E, 192.04 ft. from the northwest corner of said 17.66 acre tract.

THENCE N 09 deg. 38' 19" W, 312.70 ft. to corner in the south line of the above described 3.96 acre tract.

THENCE with the south line of said 3.96 acre tract S 83 deg. 25' 13" E, 52.07 ft.

THENCE leaving said 3.96 acre tract S 09 deg. 38' 19" E, 298.16 ft. to corner in the north line of said 17.66 acre tract.

THENCE with the north line of said 17.66 acre tract S 80 deg. 21' 41" W, 50.0 ft. to the place of beginning and containing 0.35 acre of land.

Leaving a balance of 48.687 acres of land.

TRACT TWO: An Easement Only

In addition to the property described in Tract One, A 15 ft. utility easement for purposes of installation, maintenance, ingress, and egress of irrigation lines and equipment over and across the 17.66-acre tract described under the save and except portion of this deed as Tract D.

Filed for Record October 28, 1986 at 4:30 O'Clock P. M.

Recorded October 29, 1986 at 10:30 O'Clock A. M.

Tribble Shepherd  
County Clerk, Coryell County, Texas

By *Ella Hollingsworth* Deputy  
(Ella Hollingsworth)



RECEIVED

OCT 22 2020

TECHNICAL INFORMATION REPORT  
WATER RIGHTS PERMITTING

Water Availability Division

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

**Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4691 to schedule a meeting.** Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N  (If yes, date : Tuesday August 27, 2019 ).

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

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

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N  (If yes, indicate the Certificate or Permit number: \_\_\_\_\_)

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

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

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

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

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

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

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

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

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

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

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

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

*If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N

*If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N

*If yes, submit:*

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 1.2 - Notice: “Marshall Criteria”**

d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? Y / N

*If yes, submit: Worksheet 3.0 - Diversion Point Information Worksheet (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)*

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

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

f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N *If yes, call the Water Availability Division at (512) 239-4691 to discuss.*

***Additionally, all amendments require:***

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Worksheets and information:*

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

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

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

Recreational and agriculture use that is consistent with all state and regional water plans.

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- b. Did the Applicant perform its own Water Availability Analysis? Y / N N  
*If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.*

- C. Does the application include required Maps? (Instructions Page. 15) Y / N Y

# WORKSHEET 1.0

## Quantity, Purpose and Place of Use

### 1. New Authorizations (Instructions, Page. 16)

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

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

<sup>90</sup> \_\_\_\_\_ Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

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

1. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of 100 acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of 100 acres in Coryell County, TX.

ii) Location of land to be irrigated: In the A Arocha Original Survey No. 14263, Abstract No. 8.

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

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

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

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

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

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

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

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

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

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
  - i) Applicant proposes to irrigate a total of \_\_\_\_\_ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of \_\_\_\_\_ acres in \_\_\_\_\_ County, TX.
  - ii) Location of land to be irrigated: In the \_\_\_\_\_ Original Survey No. \_\_\_\_\_, Abstract No. \_\_\_\_\_.  
***A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.***

***Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.***
- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

# WORKSHEET 1.1

## INTERBASIN TRANSFERS, TWC § 11.085

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

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

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

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

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

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

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

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

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

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

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



## WORKSHEET 1.2

### NOTICE. “THE MARSHALL CRITERIA”

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

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

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

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

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

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

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

**WORKSHEET 2.0**  
**Impoundment/Dam Information**

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Water Availability Division

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

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

**1. Storage Information (Instructions, Page. 21)**

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 8.
- c. The impoundment is on-channel  or off-channel  (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? **Y / N**
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? **Y / N**
- d. Is the impoundment structure already constructed? **Y / N** 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? **Y / N** 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? **Y / N**
      - b. If No, has the structure been issued a notice of violation by TCEQ? **Y / N**
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? **Y / N** 
      - a. If yes, provide the Site No.          and watershed project name                                 ;
      - b. Authorization to close "ports" in the service spillway requested? **Y / N**
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? **Y / N**   
Provide the date and the name of the Staff Person
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. **Y / N**
      - b. Plans (with engineer's seal) for the structure required. **Y / N**
      - c. Engineer's signed and sealed hazard classification required. **Y / N**
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. **Y / N**

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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 2.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
Applicant has calculated the drainage area. Y/N N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
*(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).*

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

a. On Watercourse (if on-channel) (USGS name): ending tributary of the Leon River

b. Zip Code: 76528

c. In the A Arocha Original Survey No. 14263, Abstract No. 8, Coryell County, Texas.

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

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

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

Latitude 31.411245°N, Longitude -97.723590°W.

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

di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth

dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

## WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

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

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

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

b. Maximum Rate of Diversion for **this new point** \_\_\_\_\_ cfs (cubic feet per second) or <sup>300</sup> \_\_\_\_\_ gpm (gallons per minute)

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

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

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

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

Check one		Write: Existing or Proposed
	Directly from stream	
X	From an on-channel reservoir	Existing
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

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

Applicant has calculated the drainage area. Y / N N

If yes, the drainage area is \_\_\_\_\_ sq. miles.

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

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

- a. On watercourse (USGS name): Ending tributary of the Leon River
- b. Zip Code: 76528
- c. Location of point: In the A Arocha Original Survey No. 14263, Abstract No. 8, Coryell County, Texas.

***A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.***

- d. Point is at:  
Latitude 31.411245°N, Longitude -97.723590°W.  
***Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

## WORKSHEET 4.0 DISCHARGE INFORMATION

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

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

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

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

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

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

## WORKSHEET 4.1 DISCHARGE POINT INFORMATION

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

**For water discharged at this location provide:**

- a. The amount of water that will be discharged at this point is 80 acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of \_\_\_\_\_ cfs or 300 gpm.
- c. Name of Watercourse as shown on Official USGS maps: Ending tributary of the Leon River
- d. Zip Code: 76528
- f. Location of point: In the A Arocha Original Survey No. 14263, Abstract No. 8, Coryell County, Texas.
- g. Point is at:  
Latitude 31.411245 °N, Longitude -97.723590 °W.  
***\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth

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



## WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: \_\_\_\_\_

Other, specify: \_\_\_\_\_

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: \_\_\_\_\_

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

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

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

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

For all bed and banks applications:

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

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

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

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

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

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L	453		1	Grab	10/1/19
Chloride, mg/L	<b>237</b>		<b>1</b>	<b>Grab</b>	<b>10/1/19</b>
Total Dissolved Solids, mg/L	1392		1	Grab	9/12/19
pH, standard units	<b>8.0</b>		<b>1</b>	<b>Grab</b>	<b>9/11/19</b>
Temperature*, degrees Celsius	18.5		1	Grab	9/11/19

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

- b. If groundwater will be used, provide the depth of the well 600 and the name of the aquifer from which water is withdrawn Middle Trinity.

# WORKSHEET 6.0

## Water Conservation/Drought Contingency Plans

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

**Instructions, Page 31.**

*The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4691, or e-mail [wras@tceq.texas.gov](mailto:wras@tceq.texas.gov). The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.*

### 1. Water Conservation Plans

- a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):
1. Request for a new appropriation or use of State Water.
  2. Request to amend water right to increase appropriation of State Water.
  3. Request to amend water right to extend a term.
  4. Request to amend water right to change a place of use.  
*\*does not apply to a request to expand irrigation acreage to adjacent tracts.*
  5. Request to amend water right to change the purpose of use.  
*\*applicant need only address new uses.*
  6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water  
*\*including return flows, contract water, or other State Water.*
- b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:
1. \_\_\_ Municipal Use. See 30 TAC § 288.2. \*\*
  2. \_\_\_ Industrial or Mining Use. See 30 TAC § 288.3.
  3.  Agricultural Use, including irrigation. See 30 TAC § 288.4.
  4. \_\_\_ Wholesale Water Suppliers. See 30 TAC § 288.5. \*\*

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

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

appropriation; and evaluates any other feasible alternative to new water development. See 30 TAC § 288.7.  
Applicant has included this information in each applicable plan? Y / N

## 2. Drought Contingency Plans

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

# WORKSHEET 7.0

## ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4691 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

### 1. Is Accounting Plan Required

Accounting Plans are generally required:

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

### 2. Accounting Plan Requirements

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

## WORKSHEET 8.0 CALCULATION OF FEES

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

### 1. NEW APPROPRIATION

	Description	Amount (\$)
<b>Filing Fee</b>	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under <b>Amount (\$)</b> . <u>In Acre-Feet</u> a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	
<b>Recording Fee</b>		\$25.00
<b>Agriculture Use Fee</b>	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x $\frac{100}{\text{Number of acres that will be irrigated with State Water. **}}$	\$50.00
<b>Use Fee</b>	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x $\frac{90}{\text{Maximum annual diversion of State Water in acre-feet. **}}$	\$900.00
<b>Recreational Storage Fee</b>	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x $\frac{33}{\text{acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.}}$	\$33.00
<b>Storage Fee</b>	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x $\frac{\text{acre-feet of State Water to be stored at normal max operating level.}}$	
<b>Mailed Notice</b>	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4691.	
<b>TOTAL</b>		<b>\$</b>

### 2. AMENDMENT OR SEVER AND COMBINE

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

### 3. BED AND BANKS

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

#2

## WORKSHEET 2.0 Impoundment/Dam Information

RECEIVED  
OCT 22 2020  
Water Availability Division

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    1. Date of Construction: 1980
    2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N  Provide the date and the name of the Staff Person \_\_\_\_\_
    2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N



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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

- a. On Watercourse (if on-channel) (USGS name): ENDING TRIBUTARY OF THE LEON RIVER
- b. Zip Code: 765285
- c. In the <sup>A</sup> ARCHOA Original Survey No. 14263, Abstract No. <sup>B</sup> \_\_\_\_\_, CORYELL County, Texas.

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

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

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

Latitude -97.724487 °N, Longitude 31.415089 °W.

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

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

#3

# WORKSHEET 2.0 Impoundment/Dam Information

RECEIVED

OCT 22 2020

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

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

## 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N  Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

- a. On Watercourse (if on-channel) (USGS name): ENDING TRIBUTARY OF THE LEON RIVER
- b. Zip Code: 765285
- c. In the A ARCHOA Original Survey No. 14263, Abstract No. 8, CORYELL County, Texas.

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

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

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

Latitude -97.724578°N, Longitude 31.41395°W.

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

- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GOOGLE EARTH

- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

#4

## WORKSHEET 2.0 Impoundment/Dam Information

**RECEIVED**

OCT 22 2020

Water Availability Division

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N  Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
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## 2. Structure Location (Instructions, Page. 23)

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

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

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

Latitude -97.724438 °N, Longitude 31.413243 °W.

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

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

#5

## WORKSHEET 2.0 Impoundment/Dam Information

**RECEIVED**  
OCT 22 2020

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

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

Water Availability Division

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N  Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
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1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
Applicant has calculated the drainage area. Y/N  
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**\*\*If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.**

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

Latitude -97.725873 °N, Longitude 31.416586 °W.

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

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

#6

# WORKSHEET 2.0 Impoundment/Dam Information

RECEIVED

OCT 22 2020

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

## 1. Storage Information (Instructions, Page. 21)

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- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27
- c. The impoundment is on-channel  or off-channel  (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
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      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N  Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
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2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
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- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude -97.725571 °N, Longitude 31.415822 °W.

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

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

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 5, 2020

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

**VIA-EMAIL**

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This is a follow-up to our previous letter dated May 1, 2020 (copy attached) requesting additional information for the reference application. As of October 5, 2020, a full response has not been received.

Staff acknowledges, applicant requested an extension of time to response on June 3, 2020, and on July 1, 2020. The first extension was granted with a due date of Jul 1, 2020 and the second extension was granted with a due date of August 1, 2020.

Please submit the requested information by November 5, 2020 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 [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

*H Galvan*

Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Attachment

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 1, 2020

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

VIA-EMAIL

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt, on October 31, 2019, of the referenced application.

This area is considered to have limited to no water available for appropriation for either a term or perpetual right. All six reservoirs will need to be permitted and a sufficient alternate source of water will be required to compensate for evaporation loss from the reservoirs and support the requested diversions. TCEQ would be unable to recommend granting the application without an alternate source of water. Staff acknowledges that the application identifies groundwater from Middle Trinity Aquifer as an alternate source for the requested reservoirs and diversion and will consider this information during review of the application.

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

1. Confirm that the application is requesting to authorize six on-channel reservoirs (see attached map) and to authorize use of the bed and banks of an unnamed tributary of the Leon River to convey groundwater to maintain the reservoirs and for subsequent diversion for agricultural purposes.
2. Worksheet 1.0 *Quantity, Purpose and Place of Use*:
  - a. Confirm that the water source for the bed and banks authorization is a well drawing from the Middle Trinity Aquifer.
  - b. Provide the total amount of groundwater to be conveyed each year for diversion and to account for evaporation from the reservoirs.
  - c. Provide the total capacity in acre-feet of the six reservoirs.
3. Worksheet 2.0 *Impoundment/Dam Information*:

- a. Provide a completed Worksheet 2.0 for each of the six on-channel reservoirs within the property boundary, as indicated on the attached map.
4. Worksheet 3.0 *Diversion Point Information*:
    - a. Confirm that the diversion will be directly from the perimeter of Reservoir 1, which is located on an unnamed tributary of the Leon River. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map. If water will be diverted from more than one reservoir or the unnamed tributary of the Leon River within the property boundary, provide a completed Worksheet 3.0 for each point where water will be diverted from a watercourse or reservoir.
5. Worksheet 4.0 *Discharge Information*:
    - a. Confirm that groundwater will only be discharged into Reservoir 1.
    - b. Provide the total amount of groundwater in acre-feet that will be needed to compensate for evaporation from the six reservoirs.
    - c. Confirm that any groundwater discharged into Reservoir 1, above the amount needed to compensate for evaporation from the six reservoirs, will be diverted within seven days. If not, additional accounting measures and a technical meeting may be necessary.
    - d. Provide a copy of any permit from the Middle Trinity Groundwater Conservation District (if required) and/or documentation that a permit is not required for the groundwater well.
6. Worksheet 4.1 *Discharge Point Information*:
    - a. Confirm that the amount of groundwater to be discharged will be adequate to compensate for the total amount of water in acre-feet to be used annually, including any evaporation losses from the six reservoirs.
    - b. Confirm the location where groundwater will be discharged into Reservoir 1. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map. If groundwater will be discharged into more than one reservoir or into the unnamed tributary of the Leon River within the property boundary, provide a completed Worksheet 4.1 for each point where groundwater will be discharged into a watercourse or reservoir.
7. Worksheet 5.0 *Environmental Information*:
    - a. Complete Item 2(a) AND (b) on WORKSHEET 5.0; see page 31 of the application instructions for additional information.
8. Provide a completed existing dam information sheet (TCEQ form-20344, copy enclosed).
  9. Provide a copy of all the deeds for the land to be irrigated and inundated, with the

Mr. Berry Mansell  
Application No. 13639  
May 1, 2020  
Page 3 of 3

recording information including volume, page, and date recorded from the County Clerk. Please note that the application must be in the names(s) of the entities who own the land as shown on the deeds; -OR- a letter of consent must be obtained from all landowners not joining the application.

10. Provide written evidence that Mr. Berry Mansell has the authority to sign for Gatesville Country Club pursuant to Title 30 Texas Administrative Code (TAC) § 295.14 (5), which states:

If the applicant is a corporation, public district, county, municipality, or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

11. Remit fees in the amount of \$ 1,245.34 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (100 - 5,000 ac/ft)	\$	100.00
Recording Fee	\$	25.00
Notice Fee (Full Basin Notice)	\$	997.34
Use Fee (\$1.00 x 90 ac/ft)	\$	90.00
Storage Fee (\$1.00 x 33 ac/ft)	\$	33.00
<b>TOTAL FEES</b>	<b>\$</b>	<b>1,245.34</b>
<b>FEES RECEIVED</b>	<b>\$</b>	<b>00.00</b>
<b>BALANCE DUE</b>	<b>\$</b>	<b>1,245.34</b>

Please provide the requested information and fees by June 1, 2020 or the application may be returned pursuant to 30 TAC § 281.18.

Note that additional information may be required in order to complete technical review of the application.

Be aware that this Water Use Permit, if granted, may result in annual Water Use Assessment Fees (WUF). For more detailed information on these fees, see the enclosed Water Use Assessment Fee: The Annual Fee Associated with Water Rights Permits fact sheet or contact the Water Quality Monitoring & Assessment Section at (512) 239-3838.

If you have any questions concerning this matter, please contact me via email at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

*HGalvan*

Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Enclosures



## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

\_\_\_\_\_  
*(Signature of Owner)*

\_\_\_\_\_  
*(Date)*

Owner's Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number ( ) \_\_\_\_\_ Emergency Contact Phone ( ) \_\_\_\_\_

Fax Number ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Owner Code *(Please check one)*:  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built \_\_\_\_\_ Year Modified \_\_\_\_\_

Dam and Reservoir Use *(Please check one)*:  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm \_\_\_\_\_

Project Engineer \_\_\_\_\_ Texas P.E. License Number \_\_\_\_\_

Engineering Firm Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_

### SECTION 2: GENERAL INFORMATION

Name of Dam \_\_\_\_\_

Other Name(s) of Dam \_\_\_\_\_

Reservoir Name \_\_\_\_\_

Location \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

County \_\_\_\_\_ Stream Name \_\_\_\_\_

River Basin \_\_\_\_\_ Topographic Map No. \_\_\_\_\_

Distance & Direction from Nearest City or Town \_\_\_\_\_

Last Inspection Date \_\_\_\_\_ Inspected by (name of company or agency) \_\_\_\_\_

TX Number \_\_\_\_\_ Water Rights Number \_\_\_\_\_

Date of Emergency Action Plan (EAP), if one exists \_\_\_\_\_

Describe the current operating condition of dam \_\_\_\_\_

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.*

### SECTION 3: INFORMATION ON DAM

#### Classification

Size Classification:       Large               Medium               Small  
Hazard Classification:    High               Significant               Low  
Number of People at Risk \_\_\_\_\_ Study Year \_\_\_\_\_

**Type of Dam:**    Concrete    Gravity    Earthfill    Rockfill    Masonry    Other (specify) \_\_\_\_\_

**Dam Structure** (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height \_\_\_\_\_ ft (*natural surface of ground to bottom of emergency spillway at longitudinal centerline*)  
Embankment Height \_\_\_\_\_ ft (*natural surface of ground to crest of dam at centerline*)  
Structural Height \_\_\_\_\_ ft (*bottom of cutoff trench to crest of dam at centerline*)  
Length of Dam \_\_\_\_\_ ft                              Crest Width \_\_\_\_\_ ft  
Normal Pool Elevation \_\_\_\_\_ ft-MSL              Principal Spillway Elevation \_\_\_\_\_ ft-MSL  
Emergency Spillway Elevation \_\_\_\_\_ ft-MSL              Top of Dam Elevation \_\_\_\_\_ ft-MSL  
Embankment Volume \_\_\_\_\_ cu yd  
Maximum Impoundment Capacity \_\_\_\_\_ ac-ft (*at top of dam*)  
Normal Reservoir Capacity \_\_\_\_\_ ac-ft (*at normal or conservation pool*)  
Reservoir Surface Area \_\_\_\_\_ acres (*at normal or conservation pool*)

#### Outlet

Outlet Diameter: \_\_\_\_\_  in    ft (*check one*)  
Type: \_\_\_\_\_

#### Principal Spillway

Type:    Natural    Riprap    Concrete    CMP    RCP    Other  
Width (Diam.): \_\_\_\_\_ ft      Capacity: \_\_\_\_\_ cfs

#### Emergency Spillway

Type:    Natural    Riprap    Concrete    CMP    RCP    Other  
Width (Diam.): \_\_\_\_\_ ft      Capacity: \_\_\_\_\_ cfs  
Total Spillway Capacity: \_\_\_\_\_ cfs (*crest of the dam*)

### SECTION 4: HYDROLOGIC INFORMATION

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
PMF Study Year \_\_\_\_\_  
Drainage Area: \_\_\_\_\_ acres, or \_\_\_\_\_ sq mi  
Curve Number (AMC III condition) \_\_\_\_\_  
Time of Concentration \_\_\_\_\_ hr  
Peak Discharge \_\_\_\_\_ cfs  
Peak Stage \_\_\_\_\_ ft-MSL  
Storm Duration Causing Peak Stage \_\_\_\_\_ hr

# App\_13639\_Gatesville Country Club



0 0.02 0.04 0.06 0.08 Miles



This map was generated by the Water Availability Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Water Availability Division at 512-239-4691.







25-SEP-20 04:38 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>
NOTICE FEES-WUP- WATER USE PERM	PTGU PTGU NOTICE FEES WUP WATER USE PERMITS	M100869B 13639 GATESVILLE COUNTRY CLUB	4855 092520 RHDAVIS	 N CK	BS00082888 D1800292	25-SEP-20	-997.34
				Total (Fee Code):			-\$997.34



25-SEP-20 04:38 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M100869A	4855		BS00082888	25-SEP-20	-\$248.00
	WUP	13639	092520	N	D1800292		
	WATER USE PERMITS	GATESVILLE	RHDAVIS	CK			
		COUNTRY					
		CLUB					
						Total (Fee Code):	-\$248.00
						Grand Total:	-\$5,949.84

**From:** [Berry Mansell](#)  
**To:** [Humberto Galvan](#)  
**Subject:** Re: Gatesville Country Club App No. 13639  
**Date:** Friday, July 31, 2020 12:17:00 PM  
**Attachments:** [Country club deficiency"s \(2\).pdf](#)

---

Attached is most of the information you requested. Permit for well should be in today and I am getting the authorization to sign.

Thanks,



Berry Mansell  
Owner  
8435 FM 182  
Gatesville, Tx. 76528  
Cell 254-226-4506

On Thu, Jul 16, 2020 at 4:27 PM Humberto Galvan <[Humberto.Galvan@tceq.texas.gov](mailto:Humberto.Galvan@tceq.texas.gov)> wrote:

Mr. Mansell,

Attached is the extension letter you requested.

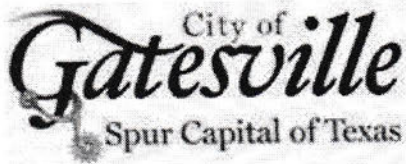
Thank you,

Bert Galvan, Work Leader

Water Rights Permitting Team

Water Rights Permitting and Availability Section

(512) 239-4013



1. I confirm that the application is requesting to authorize six on-channel reservoirs (see attached map) and to authorize use of the bed and banks of an unnamed tributary of the Leon River to convey groundwater to maintain the reservoirs and for subsequent diversion for agricultural purposes.
2. I confirm that the water source for the bed and banks authorization is a well drawing from the Middle Trinity Aquifer.
3. 90-acre feet is the amount of groundwater to be conveyed each year for diversion and to account for evaporation from the reservoirs.
4. The total capacity in acre-feet of the six reservoirs is 168-acre feet.
5. I confirm that the diversion will be directly from the perimeter of Reservoir 1, which is located on an unnamed tributary of the Leon River. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map.
6. The groundwater will only be discharged into Reservoir 6.
7. The total amount of groundwater in acre-feet that will be needed to compensate for evaporation from the six reservoirs is 10-acre feet.
8. I confirm that any groundwater discharged into Reservoir 1, above the amount needed to compensate for evaporation from the six reservoirs, will be diverted within seven days. If not, additional accounting measures and a technical meeting may be necessary.
9. Attached are the copy of the deeds for the land to be irrigated.
10. I confirm that the amount of groundwater to be discharged will be adequate to compensate for the total amount of water in acre-feet to be used annually, including any evaporation losses from the six reservoirs.
11. Attached are the copy of the deeds for the land to be irrigated.

STATE OF TEXAS  
COUNTY OF CORYELL

KNOW ALL MEN BY THESE PRESENTS

14263

WARRANTY DEED WITH VENDOR'S LIEN

THAT Garnett S. Grant, Marshall Wayne Simmons, George W. Hardin, (dealing in non-homestead property) Henry D. Brim and wife, Lynda Brim, and Richard D. Gellasch and wife, Phyllis Gellasch of the County of Coryell and State of Texas for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by grantee, The Gatesville Country Club of one certain promissory note of even date herewith, in the principal sum of \$ 37,247.79 payable to the order of grantors, which amount is the current balance remaining due and payable on the original indebtedness of \$90,000.00 described in a Contract for Deed dated April, 1984, such balance payable in installments and bearing interest as therein provided, containing the usual clauses providing for acceleration of maturity and for attorney's fees, the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith.

HAVE GRANTED, SOLD AND CONVEYED, and by these presents do hereby GRANT, SELL AND CONVEY all right, title, and interest unto:

The Gatesville Country Club

whose address is: P.O. Box 638, Gatesville, subject to all restrictions, reservations, and easements shown of record, in and to the following described real property in Coryell County, Texas, to-wit:

ALL OF THE REAL PROPERTY DESCRIBED AND INCORPORATED HEREIN IN EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, and grantee's heirs and assigns forever; and grantor does hereby bind grantor and grantor's heirs, executors, administrators, successors and

assigns to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, and grantee's heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. As referenced in this deed to grantor or grantee, whenever the context so indicates, the masculine, feminine or neuter gender and the singular and plural shall include the other.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described note and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

EXECUTED this 13<sup>th</sup> day of Dec., 1985.

Garnett S. Grant  
Garnett S. Grant

Marshall Wayne Simmons  
Marshall Wayne Simmons

George W. Hardin  
George W. Hardin

Henry D. Brim 2-3-96  
Henry D. Brim

Richard D. Gellaseh  
Richard D. Gellaseh

Lynda Brim  
Lynda Brim

Phyllis Gellaseh  
Phyllis Gellaseh

STATE OF TEXAS

COUNTY OF CORYELL



Instrument was acknowledged before me on the 13<sup>th</sup> day of Dec., 1985, by Garnett S. Grant.

My commission expires: 10/13/89

Willie H. [Signature]  
Notary Public, State of Texas

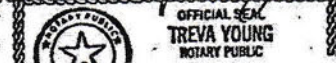
STATE OF TEXAS

COUNTY OF CORYELL

THIS instrument was acknowledged before me on the 4<sup>th</sup> day of March, 1986, by Henry D. Brim and wife, Lynda Brim.

My commission expires: 4-11-89

Treva Young  
Notary Public, State of Texas

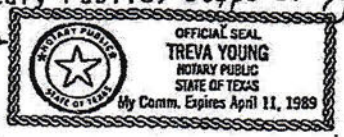


STATE OF TEXAS  
COUNTY OF CORYELL

THIS instrument was acknowledged before me on the 17<sup>th</sup> day  
of April, 1986, by Richard D. Gellasch and wife, Phyllis  
Gellasch.

My commission expires:  
\_\_\_\_\_

Treva Young  
Notary Public, State of Texas



STATE OF TEXAS  
COUNTY OF Coryell

THIS instrument was acknowledged before me on the 15<sup>th</sup> day  
of August, 1986, by George W. Hardin.

My commission expires:  
\_\_\_\_\_

Treva Young  
Notary Public, State of Texas

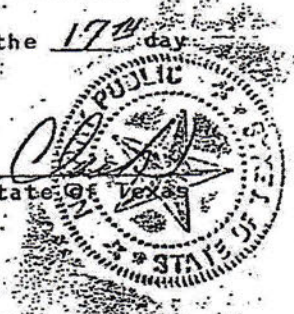


STATE OF TEXAS  
COUNTY OF Antoni

THIS instrument was acknowledged before me on the 17<sup>th</sup> day  
of August, 1986, by Marshall Wayne Simmons.

My commission expires:  
5-9-89

Fred S. Christ  
Notary Public, State of Texas



## TRACT ONE:

All that certain tract of land in Coryell County, Texas, described as 82.11 out of the A. Arocha Survey, and being 1.21 acres of land described in a deed from O. W. Lowrey, et ux to L.T.C. Inc., Recorded in Vol. 273, page 712, Deed Records of Coryell County, Texas; and being 53.6 less 4.38 acres, described in a deed from O. W. Lowrey to L.T.C. Inc., of Record in Vol. 280, page 178, Deed Records of Coryell County, Texas; and being 19.987 acres described in a deed from Abner G. Patterson, Jr. to L.T.C. Inc. said deed of Record in Vol. 273, page 710, Deed Records of Coryell County, Texas; and being 7.79 acres described in a deed from Ted W. Brumbalow to L.T.C. Inc. said deed of Record in Vol. 272, page 509, Deed Records of Coryell County, Texas; and being 2.2 acres described in a deed from Ted W. Brumbalow to L.T.C. Inc., said deed being of record in Vol. 276, page 814, Deed Records of Coryell County, Texas, and being the same property described in a Special Warranty Deed from the Small Business Administration to Thomas J. Kennedy et. al, as shown of record in Vol. 331 page 529, a part of such land is now known as LAKEWOOD GREENS, a subdivision out of the A. Arocha Survey, and shown by Plat of Record in Vol. 3, page 53 of the Plat Records of Coryell County, Texas, and more particularly described as follows:

BEGINNING at the Northeast corner of the aforementioned 53.6 acre tract, this also being the most northerly corner of the 19.987 acre tract;

THENCE with the East line of the said 19.987 acre tract as follows, to-wit: S 5 deg. 06' 10" E 967.0 feet, an iron post; S 8 deg. 19' 00" E 133.7 feet, an iron rod; S 33 deg. 24' 30" W 252.3 feet, an iron rod; S 53 deg. 51' 30" W 517.4 feet, an iron rod; and S 75 deg. 12' 20" W 658.3 feet to an iron pipe for the Southeast corner of the said 19.987 acre tract and the most Easterly Southeast corner of this;

THENCE N 23 deg. 08' 10" W 363.9 feet with the Southwest line of the said 19.987 acre tract, an iron pipe in the East line of the aforementioned 53.6 acre tract for an ell corner of this;

THENCE with the East line of the said 53.6 acre tract as follows; S 54 deg. 34' 10" W 188.8 feet, a 12" shin oak, and S 56 deg. 00' 10" W 553.7 feet to a 40" burr oak on the left bank of the Leon River for the most Southerly Southeast corner of this;

THENCE up the said river N 45 deg. 58' 30" W 277.9 feet the Southeast corner of the aforementioned 7.79 acre tract and N 58 deg. 28' 50" W 199.5 feet to a 6" elm for the Southwest corner of the aforementioned 2.2 acre tract;

THENCE 12 deg. 20' 30" W 824.9 feet, an iron pipe and N 6 deg. 51' 40" W 42.1 feet to a post for the Northwest corner of the said 2.2 acre tract;

THENCE S 86 deg. 01' 50" E 98.8 feet to an iron pipe for the Northeast corner of the said 2.2 acre tract and a corner of the said 7.79 acre tract;

THENCE N 70 deg. 04' 40" E 143.2 feet, a post and N 6 deg. 25' 30" E 207.5 feet to an iron pipe for the Northwest corner of the said 7.79 acre tract;

THENCE S 70 deg. 21' 20" E 424.7 feet, an iron pipe and S 77 deg. 38' 30" E 31.9 feet to an iron pipe for the Northeast corner of the said 7.79 acre tract and an ell corner of this, said corner being in the West line of the said 53.6 acre tract;



THENCE with the West line of the said 53.6 acre tract, as fenced and evidenced on the ground, N 31 deg. 05' 30" E 13.8 feet, and N 20 deg. 24' 10" E 1429.6 feet to the Northwest corner of the aforementioned 1.21 acre tract conveyed by Lowrey;

THENCE S 71 deg. 00' 00" E 174.7 feet to the Northeast corner of the said 1.21 acre tract;

THENCE S 20 deg. 21' 20" W 827.5 feet to an iron rod for an ell corner of this, this being the Southwest corner of that certain 4.38 acre tract conveyed by O. W. Lowrey to Gatesville Country Club;

THENCE S 70 deg. 33' 40" E 211.5 feet with the South line of the said 4.38 acre tract, the Southeast corner thereof for an ell corner of this;

THENCE N 49 deg. 35' 10" E 614.9 feet to an iron rod in the North line of the said 53.6 acre tract for the Northeast corner of the said 4.38 acre tract and a corner of this;

THENCE S 71 deg. 02' 30" E 693.5 feet with the North line of the said 53.6 acre tract to the place of beginning, containing 82.11 acres of land.

SAVE AND EXCEPT:

A. Lots 6,7,8,9,10,11 Block One; All of Block Two; and All of Block Three of LAKEWOOD GREENS, a subdivision out of the A. Arocha Survey, Coryell County, Texas as shown by Plat in Vol. 3, page 53 of the Plat Records of Coryell County, Texas.

B. A 0.44 acre tract that lays north of and adjacent to Lot 1, Block 3 of the above described "Lakewood Greens" Subdivision and more particularly described as follows:

BEGINNING at a point in the east line of Lakewood Drive for the southwest corner this. Said beginning being the northwest corner of said Lot 1 and also being N 71 deg. 02' 50" W, 124 ft.; S 64 deg. 08' 45" W, 98.47 ft.; S 40 deg. 33' 58" W, 155.66 ft.; and S 16 deg. 59' 45" W, 115.38 ft. from the northeast corner of the above described 82.11 acre tract.

THENCE with the north line of said Lot 1, S 73 deg. 00' 15" E, 130.0 ft. to the southeast corner this and the northeast corner of said Lot 1.

THENCE N, 16 deg. 59' 45" E, 15.0 ft.; N 02 deg. 29' 45" E, 100.0 ft.; and N 15 deg. 06' 23" W, 133.98 ft. to corner in the east line of said Lakewood Drive. Said corner being a point in a curve whose radius is 193.63 ft.

THENCE with said curve to the left on a baseline chord of S 34 deg. 04' 00" W, 115.0 ft. to the end of said curve.

THENCE continuing along Lakewood Drive S 16 deg. 59' 45" W, 115.38 ft. to the place of beginning and containing 0.44 acre of land.

C. A 3.96-acre tract described follows:

BEGINNING at a point in the west line of said 82.11 acre tract. Said beginning being S 20 deg. 34' 10" W, 298.8 ft. from the most northerly northwest corner of said 82.11 acre tract. Said beginning being a point in the east line of a gravel road.

431-00  
THENCE leaving said road as follows: S 69 deg. 35' 50" E, 50.0 ft.; S 20 deg. 24' 10" W, 951.98 ft.; S 43 deg. 05' 19" E, 109.43 ft.; S 69 deg. 05' 59" E, 97.20 ft.; S 08 deg. 37' 39" E, 138.92 ft.; S 80 deg. 30' 21" W, 185.0 ft.; and N 83 deg. 25' 13" W, 579.01 ft. to a point in the west line of said 82.11 acre tract, a fenceline.

THENCE with the lines of said 82.11 acre tract, a fenceline, as follows: N 06 deg. 25' 30" E, 205.27 ft.; S 70 deg. 21' 20" E, 424.7 ft.; S 77 deg. 38' 30" E, 31.9 ft.; N 31 deg. 05' 30" E, 13.8 ft.; and N 20 deg. 24' 10" E, 1130.8 ft. to the place of beginning and containing 3.96 acres.

D. A 17.66 acre tract described as follows:

BEGINNING at a point in the west line of said 82.11 acre tract for the northwest corner this. Said beginning being S 06 deg. 51' 40" E, 42.1 ft. and S 12 deg. 20' 30" E, 209.0 ft. from the most westerly northwest corner of said 82.11 acre tract.

THENCE with the west line of said 82.11 acre tract, a fenceline, S 12 deg. 20' 30" E, 615.9 ft. to corner on the north bank of the Leon River.

THENCE with said river S 58 deg. 28' 30" E, 199.5 ft. and S 45 deg. 58' 30" E, 277.9 ft.

THENCE leaving said river and following the lines of said 82.11 acre tract N 56 deg. 00' 10" E, 553.7 ft. and N 54 deg. 34' 10" E, 188.8 ft.

THENCE leaving the lines of said 82.11 acre tract as follows: N 27 deg. 44' 50" E, 283.93 ft.; N 15 deg. 47' 13" W, 126.84 ft.; N 66 deg. 01' 20" E, 380.23 ft.; and N 23 deg. 17' 19" E, 115.0 ft. to corner in the south line of "Lakewood Greens". Said corner being N 69 deg. 30' 01" E, 69.26 ft. from the southwest corner of Lot 11, Block 1 of said "Lakewood Greens".

THENCE with the lines of said "Lakewood Greens" S 69 deg. 30' 01" W, 79.75 ft.; S 82 deg. 20' 01" W, 153.33 ft.; and N 13 deg. 57' 59" W, 100.0 ft.

THENCE leaving the lines of "Lakewood Greens" as follows: S 08 deg. 15' 49" W, 205.37 ft.; S 82 deg. 07' 16" W, 138.36 ft.; S 87 deg. 21' 44" W, 223.58 ft.; S 80 deg. 21' 41" W, 262.10 ft.; N 84 deg. 08' 19" W, 192.04 ft.; and N 83 deg. 56' 19" W, 517.73 ft. to the place of beginning and containing 17.66 acres of land.

E. A 50 ft. roadway easement described as follows:

BEGINNING at a point in the north line of the above described 17.66 acre tract. Said beginning being S 83 deg. 56' 19" E, 517.73 ft. and S 84 deg. 08' 19" E, 192.04 ft. from the northwest corner of said 17.66 acre tract.

THENCE N 09 deg. 38' 19" W, 312.70 ft. to corner in the south line of the above described 3.96 acre tract.

THENCE with the south line of said 3.96 acre tract S 83 deg. 25' 13" E, 52.07 ft.

THENCE leaving said 3.96 acre tract S 09 deg. 38' 19" E, 298.16 ft. to corner in the north line of said 17.66 acre tract.

THENCE with the north line of said 17.66 acre tract S 80 deg. 21' 41" W, 50.0 ft. to the place of beginning and containing 0.35 acre of land.

Leaving a balance of 48.687 acres of land.

TRACT TWO: An Easement Only

In addition to the property described in Tract One, A 15 ft. utility easement for purposes of installation, maintenance, ingress, and egress of irrigation lines and equipment over and across the 17.66 acre tract described under the save and except portion of this deed as Tract D.

Filed for Record October 28, 1986 at 4:30 O'Clock P. M.  
Recorded October 29, 1986 at 10:30 O'Clock A. M.  
Tribble Shepherd  
County Clerk, Coryell County, Texas By *Ella Hollingsworth* Deputy  
(Ella Hollingsworth)

#2

## WORKSHEET 2.0 Impoundment/Dam Information

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    1. Date of Construction: 1980
    2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N   
Provide the date and the name of the Staff Person \_\_\_\_\_
    2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N N
- iii. Additional information required for **on-channel** storage:
1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
  2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

- a. On Watercourse (if on-channel) (USGS name): ENDING TRIBUTARY OF THE LEON RIVER
- b. Zip Code: 765285
- c. In the A ARCHOA Original Survey No. 14263, Abstract No. 8, CORYELL County, Texas.  

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

**\*\*If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.**
- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:  
Latitude -97.724438 °N, Longitude 31.413243 °W.  

**\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places**
- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GOOGLE EARTH
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

#3

## WORKSHEET 2.0 Impoundment/Dam Information

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? **Y / N**
  2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? **Y / N**
- d. Is the impoundment structure already constructed? **Y / N** 
  - i. For already constructed **on-channel** structures:
    1. Date of Construction: 1980
    2. Was it constructed to be an exempt structure under TWC § 11.142? **Y / N** 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? **Y / N**
      - b. If No, has the structure been issued a notice of violation by TCEQ? **Y / N**
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? **Y / N** 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? **Y / N**
  - ii. For **any** proposed new structures or modifications to structures:
    1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? **Y / N**  
Provide the date and the name of the Staff Person \_\_\_\_\_
    2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. **Y / N**
      - b. Plans (with engineer's seal) for the structure required. **Y / N**
      - c. Engineer's signed and sealed hazard classification required. **Y / N**
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. **Y / N**

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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

a. On Watercourse (if on-channel) (USGS name): ENDING TRIBUTARY OF THE LEON RIVER

b. Zip Code: 765285

c. In the A ARCHOA Original Survey No. 14263, Abstract No. 8, CORYELL County, Texas.

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

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

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

Latitude -97.724578 °N, Longitude 31.41395 °W.

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

di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GOOGLE EARTH

dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

#4

## WORKSHEET 2.0 Impoundment/Dam Information

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? **Y / N**
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? **Y / N**
- d. Is the impoundment structure already constructed? **Y / N** 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? **Y / N** 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? **Y / N**
      - b. If No, has the structure been issued a notice of violation by TCEQ? **Y / N**
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? **Y / N** 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? **Y / N**
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? **Y / N**   
Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. **Y / N**
      - b. Plans (with engineer's seal) for the structure required. **Y / N**
      - c. Engineer's signed and sealed hazard classification required. **Y / N**
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. **Y / N**



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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

a. On Watercourse (if on-channel) (USGS name): ENDING TRIBUTARY OF THE LEON RIVER

b. Zip Code: 765285

c. In the A ARCHOA Original Survey No. 14263, Abstract No. 8, CORYELL County, Texas.

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

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

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

Latitude -97.724487 °N, Longitude 31.415089 °W.

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

di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GOOGLE EARTH

dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

## WORKSHEET 2.0 Impoundment/Dam Information

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? **Y / N**
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? **Y / N**
- d. Is the impoundment structure already constructed? **Y / N** 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? **Y / N** 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? **Y / N**
      - b. If No, has the structure been issued a notice of violation by TCEQ? **Y / N**
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? **Y / N** 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? **Y / N**
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? **Y / N**   
Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. **Y / N**
      - b. Plans (with engineer's seal) for the structure required. **Y / N**
      - c. Engineer's signed and sealed hazard classification required. **Y / N**
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. **Y / N**

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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

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

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

Latitude -97.725571 °N, Longitude 31.415822 °W.

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

di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GOOGLE EARTH

dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

#6

## WORKSHEET 2.0 Impoundment/Dam Information

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 27.
- c. The impoundment is on-channel  or off-channel \_\_\_\_\_ (mark one)
  - 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  - 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    - 1. Date of Construction: 1980
    - 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
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      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    - 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    - 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N   
Provide the date and the name of the Staff Person \_\_\_\_\_
    - 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

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

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1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 27.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option.  
Applicant has calculated the drainage area. Y/N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

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

Latitude -97.725873 °N, Longitude 31.416586 °W.

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

di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): GOOGLE EARTH

dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 14 2020

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

**VIA-EMAIL**

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt, on July 1, 2020, of the applicant's request for an extension of time to respond to the Texas Commission on Environmental Quality request for information letter, dated May 1, 2020 (copy attached).

A 30-day extension is granted until August 1, 2020. and no further extensions will be granted associated with this request for information. If the requested information is not received by that date the application will be returned pursuant to Title 30 Texas Administrative Code § 281.18.

If you have any questions concerning this matter, please contact Mr. Bert Galvan via e-mail at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

A handwritten signature in blue ink that reads "Kim Nygren".

Kim Nygren, Director  
Water Availability Division  
KN/bg

Attachment

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 1, 2020

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

VIA-EMAIL

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt, on October 31, 2019, of the referenced application.

This area is considered to have limited to no water available for appropriation for either a term or perpetual right. All six reservoirs will need to be permitted and a sufficient alternate source of water will be required to compensate for evaporation loss from the reservoirs and support the requested diversions. TCEQ would be unable to recommend granting the application without an alternate source of water. Staff acknowledges that the application identifies groundwater from Middle Trinity Aquifer as an alternate source for the requested reservoirs and diversion and will consider this information during review of the application.

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

1. Confirm that the application is requesting to authorize six on-channel reservoirs (see attached map) and to authorize use of the bed and banks of an unnamed tributary of the Leon River to convey groundwater to maintain the reservoirs and for subsequent diversion for agricultural purposes.
2. Worksheet 1.0 *Quantity, Purpose and Place of Use*:
  - a. Confirm that the water source for the bed and banks authorization is a well drawing from the Middle Trinity Aquifer.
  - b. Provide the total amount of groundwater to be conveyed each year for diversion and to account for evaporation from the reservoirs.
  - c. Provide the total capacity in acre-feet of the six reservoirs.
3. Worksheet 2.0 *Impoundment/Dam Information*:

- a. Provide a completed Worksheet 2.0 for each of the six on-channel reservoirs within the property boundary, as indicated on the attached map.
4. Worksheet 3.0 *Diversion Point Information*:
    - a. Confirm that the diversion will be directly from the perimeter of Reservoir 1, which is located on an unnamed tributary of the Leon River. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map. If water will be diverted from more than one reservoir or the unnamed tributary of the Leon River within the property boundary, provide a completed Worksheet 3.0 for each point where water will be diverted from a watercourse or reservoir.
5. Worksheet 4.0 *Discharge Information*:
    - a. Confirm that groundwater will only be discharged into Reservoir 1.
    - b. Provide the total amount of groundwater in acre-feet that will be needed to compensate for evaporation from the six reservoirs.
    - c. Confirm that any groundwater discharged into Reservoir 1, above the amount needed to compensate for evaporation from the six reservoirs, will be diverted within seven days. If not, additional accounting measures and a technical meeting may be necessary.
    - d. Provide a copy of any permit from the Middle Trinity Groundwater Conservation District (if required) and/or documentation that a permit is not required for the groundwater well.
6. Worksheet 4.1 *Discharge Point Information*:
    - a. Confirm that the amount of groundwater to be discharged will be adequate to compensate for the total amount of water in acre-feet to be used annually, including any evaporation losses from the six reservoirs.
    - b. Confirm the location where groundwater will be discharged into Reservoir 1. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map. If groundwater will be discharged into more than one reservoir or into the unnamed tributary of the Leon River within the property boundary, provide a completed Worksheet 4.1 for each point where groundwater will be discharged into a watercourse or reservoir.
7. Worksheet 5.0 *Environmental Information*:
    - a. Complete Item 2(a) AND (b) on WORKSHEET 5.0; see page 31 of the application instructions for additional information.
8. Provide a completed existing dam information sheet (TCEQ form-20344, copy enclosed).
  9. Provide a copy of all the deeds for the land to be irrigated and inundated, with the



Mr. Berry Mansell  
Application No. 13639  
May 1, 2020  
Page 3 of 3

recording information including volume, page, and date recorded from the County Clerk. Please note that the application must be in the names(s) of the entities who own the land as shown on the deeds; -OR- a letter of consent must be obtained from all landowners not joining the application.

10. Provide written evidence that Mr. Berry Mansell has the authority to sign for Gatesville Country Club pursuant to Title 30 Texas Administrative Code (TAC) § 295.14 (5), which states:

If the applicant is a corporation, public district, county, municipality, or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

11. Remit fees in the amount of \$ 1,245.34 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (100 - 5,000 ac/ft)	\$	100.00
Recording Fee	\$	25.00
Notice Fee (Full Basin Notice)	\$	997.34
Use Fee (\$1.00 x 90 ac/ft)	\$	90.00
<u>Storage Fee (\$1.00 x 33 ac/ft)</u>	<u>\$</u>	<u>33.00</u>
TOTAL FEES	\$	1,245.34
<u>FEES RECEIVED</u>	<u>\$</u>	<u>00.00</u>
BALANCE DUE	\$	1,245.34

Please provide the requested information and fees by June 1, 2020 or the application may be returned pursuant to 30 TAC § 281.18.

Note that additional information may be required in order to complete technical review of the application.

Be aware that this Water Use Permit, if granted, may result in annual Water Use Assessment Fees (WUF). For more detailed information on these fees, see the enclosed Water Use Assessment Fee: The Annual Fee Associated with Water Rights Permits fact sheet or contact the Water Quality Monitoring & Assessment Section at (512) 239-3838.

If you have any questions concerning this matter, please contact me via email at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

*HGalvan*

Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Enclosures



## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

\_\_\_\_\_  
*(Signature of Owner)*

\_\_\_\_\_  
*(Date)*

Owner's Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number ( ) \_\_\_\_\_ Emergency Contact Phone ( ) \_\_\_\_\_

Fax Number ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Owner Code *(Please check one)*:  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built \_\_\_\_\_ Year Modified \_\_\_\_\_

Dam and Reservoir Use *(Please check one)*:  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm \_\_\_\_\_

Project Engineer \_\_\_\_\_ Texas P.E. License Number \_\_\_\_\_

Engineering Firm Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_

### SECTION 2: GENERAL INFORMATION

Name of Dam \_\_\_\_\_

Other Name(s) of Dam \_\_\_\_\_

Reservoir Name \_\_\_\_\_

Location \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

County \_\_\_\_\_ Stream Name \_\_\_\_\_

River Basin \_\_\_\_\_ Topographic Map No. \_\_\_\_\_

Distance & Direction from Nearest City or Town \_\_\_\_\_

Last Inspection Date \_\_\_\_\_ Inspected by (name of company or agency) \_\_\_\_\_

TX Number \_\_\_\_\_ Water Rights Number \_\_\_\_\_

Date of Emergency Action Plan (EAP), if one exists \_\_\_\_\_

Describe the current operating condition of dam \_\_\_\_\_

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.*

### SECTION 3: INFORMATION ON DAM

#### Classification

Size Classification:      Large            Medium      Small  
Hazard Classification:    High            Significant    Low  
Number of People at Risk \_\_\_\_\_ Study Year \_\_\_\_\_

**Type of Dam:**    Concrete    Gravity    Earthfill    Rockfill    Masonry    Other (specify) \_\_\_\_\_

#### Dam Structure (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height \_\_\_\_\_ ft (*natural surface of ground to bottom of emergency spillway at longitudinal centerline*)  
Embankment Height \_\_\_\_\_ ft (*natural surface of ground to crest of dam at centerline*)  
Structural Height \_\_\_\_\_ ft (*bottom of cutoff trench to crest of dam at centerline*)  
Length of Dam \_\_\_\_\_ ft                                           Crest Width \_\_\_\_\_ ft  
Normal Pool Elevation \_\_\_\_\_ ft-MSL                                           Principal Spillway Elevation \_\_\_\_\_ ft-MSL  
Emergency Spillway Elevation \_\_\_\_\_ ft-MSL                                           Top of Dam Elevation \_\_\_\_\_ ft-MSL  
Embankment Volume \_\_\_\_\_ cu yd  
Maximum Impoundment Capacity \_\_\_\_\_ ac-ft (*at top of dam*)  
Normal Reservoir Capacity \_\_\_\_\_ ac-ft (*at normal or conservation pool*)  
Reservoir Surface Area \_\_\_\_\_ acres (*at normal or conservation pool*)

#### Outlet

Outlet Diameter: \_\_\_\_\_  in    ft (*check one*)  
Type: \_\_\_\_\_

#### Principal Spillway

Type:    Natural    Riprap    Concrete    CMP    RCP    Other  
Width (Diam.): \_\_\_\_\_ ft   Capacity: \_\_\_\_\_ cfs

#### Emergency Spillway

Type:    Natural    Riprap    Concrete    CMP    RCP    Other  
Width (Diam.): \_\_\_\_\_ ft   Capacity: \_\_\_\_\_ cfs  
Total Spillway Capacity: \_\_\_\_\_ cfs (crest of the dam)

### SECTION 4: HYDROLOGIC INFORMATION

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
PMF Study Year \_\_\_\_\_  
Drainage Area: \_\_\_\_\_ acres, or \_\_\_\_\_ sq mi  
Curve Number (AMC III condition) \_\_\_\_\_  
Time of Concentration \_\_\_\_\_ hr  
Peak Discharge \_\_\_\_\_ cfs  
Peak Stage \_\_\_\_\_ ft-MSL  
Storm Duration Causing Peak Stage \_\_\_\_\_ hr

# App\_13639\_Gatesville Country Club



0 0.02 0.04 0.06 0.08 Miles



This map was generated by the Water Availability Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Water Availability Division at 512-239-4691.



# APPLICATION FOR WELL REGISTRATION

## Middle Trinity Groundwater Conservation District

Erath County (home Office)

930 N. Wolfe Nursery RD

Stephenville, TX 76401

254/965-6705 toll free 877-965-6705

Comanche County

Bosque County

Coryell County

Fax: 254/965-6745

Email: [redacted] website: www.middletrinitygcd.org

District Use Only

Reg. No. 1157C

Permit No. \_\_\_\_\_

### RULE 5.1 REGISTRATION:

All water wells, existing and new, must be registered with the District and are required to comply with the District's registration requirements in these rules.

### RULE 5.2 GENERAL REGISTRATION POLICIES AND PROCEDURES:

- (a) No person or entity shall drill, modify, complete, change type of use, plug, abandon, or substantially alter the size of a well within the District without first registering the well with the District, except as set forth under Rule 6.1, even though the well may be exempt from the requirement of a permit under District Rule 5.3.
- (b) The District staff will review the application for registration and make a preliminary determination on whether the well meets the exclusions or exemptions provided in Rule 5.3. Providing the preliminary determination is that the well is excluded or exempt, the registrant may begin drilling immediately upon receiving the approved registration.
- (c) If the preliminary determination is that the well is not exempt, the District staff will inform the registrant of any further applications and information required to permit the well under these rules.
- (d) If the preliminary determination is that the well is not exempt, no person may drill, equip, complete, or substantially alter the well without first obtaining the appropriate permit or amendment thereto from the District.
- (e) A violation of this rule occurs on the first day the drilling, equipping, completion, or alteration without the appropriate registration or permit begins and continues each day thereafter until the appropriate registration or permit is issued.

Application Date: 5-16-11 E-mail address \_\_\_\_\_

Primary Phone: 254-865-6917

### Part I - Well Owner and Driller Information:

Well Owner: Gatesville Country Club Alt. Phone: \_\_\_\_\_

Mailing Address: 1212 Golf Course Rd Fax: \_\_\_\_\_

City: Gatesville State: TX ZIP: 76528

Physical Address (if different than above): \_\_\_\_\_

Registrant (if other than owner): \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Fax: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Physical Address (if different than above): \_\_\_\_\_

*If Registrant is other than the owner of the property where the existing or proposed well is or will be located, include documentation establishing the applicable authority to operate the existing well or to construct and operate a well for the proposed use.*

Drilling Company (if known): Smith Phone: \_\_\_\_\_

Contact: \_\_\_\_\_ License #: \_\_\_\_\_ Fax: \_\_\_\_\_

City: Waco State: TX ZIP: \_\_\_\_\_

**Part II – Well Location:**

Well Site Address: 1212 Golf Course rd

City: Cotesville State: TX ZIP: 76529

Latitude: 31 24 57.204 Longitude: -97 43 28.3224

**Legal Description:**

Survey Name (if known): Unknown Survey No. (if known): \_\_\_\_\_ Abstract No (if known): \_\_\_\_\_

Attach a map adequate to locate the well and provide: \_\_\_\_\_ feet from the \_\_\_\_\_ property line and (N, S, E, W, etc.)

\_\_\_\_\_ feet from the \_\_\_\_\_ property line and (Use perpendicular lines)

Alternate Well Location (for new wells):

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_

Will the groundwater withdrawn from the well be used on a different property than the property where the well is located?  No \_\_\_\_\_ If yes, explain: \_\_\_\_\_

Please identify the total number of acres of land contiguous in ownership with the land where the well(s) is/are located: APPROX 90-110

Will the groundwater produced be transported out of Bosque, Comanche, Coryell or Erath Counties?  No \_\_\_\_\_ If yes, explain: \_\_\_\_\_

**Part III – Purpose for Water Use:**

Mark (x) all appropriate spaces regarding the purpose of existing use of the well or the proposed use for new wells:

- Public Water Supply                      Domestic
- Commercial                                       Solely one single-family house (includes lawn irrigation)  
If not built, when will construction begin? \_\_\_\_\_
- Industrial                                          Multi-family
- Irrigation (Agricultural) (other than lawn watering)
- Livestock Watering
- Hydrocarbon production (explain): \_\_\_\_\_
- Other (explain): \_\_\_\_\_

State the estimated amount of water used or to be used for each identified purpose (other than domestic and livestock):

Public Water Supply \_\_\_\_\_  
Commercial \_\_\_\_\_  
Industrial \_\_\_\_\_  
Irrigation (Agricultural) \_\_\_\_\_  
Hydrocarbon Production \_\_\_\_\_  
Other \_\_\_\_\_

**Part IV – Well Information:**

Water well closure plan attached? \_\_\_\_\_ Yes \_\_\_\_\_ No. If no, sign below as a declaration that the applicant will comply with state and MTGCD well capping and plugging rules and report closure to the District:

\_\_\_\_\_ (Owners signature)

Method of Withdrawal (Submersible pump, windmill, etc.): Submersible

Estimated maximum pumping capacity of well: 15 gpm

Estimated depth of well: 600'

Size of well: 4" (diameter of the well casing)

Approx 2" (inside diameter of the pump [discharge] column pipe.)

Size of well pump: Approx 2 hp

For existing wells, in Erath or Comanche Counties please state if any water was produced prior to May 11, 2004:

YES \_\_\_\_\_ NO \_\_\_\_\_

For existing wells in Bosque County please state if any water was produced prior to November 15, 2009:

YES \_\_\_\_\_ NO \_\_\_\_\_

For existing wells in Coryell County please state if any water was produced prior to June 15, 2010

YES X NO \_\_\_\_\_

**Part V – Certification:**

Applicant agrees that water produced/withdrawn from the existing/proposed well will be put to beneficial use at all times:

\_\_\_\_\_ No X Yes

Applicant agrees to abide by the Rules of the District: \_\_\_\_\_ No X Yes.

I hereby certify that the information given herewith is true and accurate to the best of my knowledge and belief.

MIKE HEAL  
Print Name FOR COUNTRY CLUB.

Mike Heale  
Signature

5-16-2011  
Date

<b>DISTRICT USE ONLY</b>	
Drilling approved _____	No. _____
Permit required before drilling _____	Date _____

Bert,

1. We confirm that the application is requesting to authorize six on – channel reservoirs and to authorize the bed and banks of an unnamed tributary of the Leon river to convey groundwater to maintain reservoirs and for subsequent diversion for agriculture purposes.
2. (A). We confirm that the water source for the bed and banks authorization is a well drawing from the middle trinity.  
(B). Total amount of groundwater to be conveyed each year is up to ninety-acre feet.  
(C). Total capacity of the six reservoirs is approximately eleven and a half acre feet.
3. Still working on.
4. (A) We confirm that the diversion point is directly from the perimeter of reservoir one.
5. (A) We cannot confirm that the ground water will be discharged into reservoir one as it travels through all six reservoirs.  
(B) The total amount needed to compensate for evaporation from the six reservoirs is five-acre feet.  
(C). We confirm that any groundwater discharged into reservoir will be diverted within seven days.  
(D) Working on obtaining a copy of the permit from the Middle Trinity Groundwater Conservation District.
6. (A) We confirm that the total amount to be discharged will be adequate to compensate for the total amount of water in acre feet to be used annually, including any evaporation losses from the six reservoirs.  
(B) Working on worksheet 4.1
7. (A) We have installed screen on inlet side of discharge pump to avoid impingement and entrainment of aquatic organisms.  
(B) We are assessing the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses.

Please review and let me know if what I have provide is adequate. Still working on the Dam info and gathering the deeds.

Thanks,

Berry Mansell  
Plant Superintendent  
22240 Owl Creek Rd.  
Gatesville Texas 76528  
Office 254-986-8281  
Cell 254-226-4506  
254-499-0116



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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 4, 2020

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

VIA-EMAIL

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt, on June 3, 2020, of the applicant's request for an extension of time to respond to the Texas Commission on Environmental Quality request for information letter, dated May 1, 2020.

A 30-day extension is granted until July 1, 2020, and after that date the application will be returned pursuant to Title 30 Texas Administrative Code § 281.18. No further extensions will be granted associated with this request for information.

If you have any questions concerning this matter, please contact Mr. Bert Galvan via e-mail at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

A handwritten signature in blue ink that reads "Kim Nygren".

Kim Nygren, Director  
Water Availability Division

KN/bg



Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section  
(512) 239-4013

Bert,

Please Use this letter as my formal request for a one month extension to the Gatesville Country Club for application No. 13639 due to working from home because of the Covid 19 outbreak. If anything else is needed please let me know so I can Provide it.

Thanks,

Berry Mansell  
Owner  
8435 FM 182  
Gatesville, Tx. 76528  
Cell 254-226-4506

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 1, 2020

Mr. Berry Mansell  
Audit Municipal Resources  
8435 FM 182  
Gatesville, TX 76528-3435

**VIA-EMAIL**

RE: Gatesville Country Club  
WRPERM 13639  
CN605410679, RN110882446  
Application No. 13639 for a Water Use Permit  
Texas Water Code § 11.121 Requiring Mailed and Published Notice  
Leon River, Brazos River Basin  
Coryell County

Dear Mr. Mansell:

This acknowledges receipt, on October 31, 2019, of the referenced application.

This area is considered to have limited to no water available for appropriation for either a term or perpetual right. All six reservoirs will need to be permitted and a sufficient alternate source of water will be required to compensate for evaporation loss from the reservoirs and support the requested diversions. TCEQ would be unable to recommend granting the application without an alternate source of water. Staff acknowledges that the application identifies groundwater from Middle Trinity Aquifer as an alternate source for the requested reservoirs and diversion and will consider this information during review of the application.

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

1. Confirm that the application is requesting to authorize six on-channel reservoirs (see attached map) and to authorize use of the bed and banks of an unnamed tributary of the Leon River to convey groundwater to maintain the reservoirs and for subsequent diversion for agricultural purposes.
2. Worksheet 1.0 *Quantity, Purpose and Place of Use*:
  - a. Confirm that the water source for the bed and banks authorization is a well drawing from the Middle Trinity Aquifer.
  - b. Provide the total amount of groundwater to be conveyed each year for diversion and to account for evaporation from the reservoirs.
  - c. Provide the total capacity in acre-feet of the six reservoirs.
3. Worksheet 2.0 *Impoundment/Dam Information*:

- a. Provide a completed Worksheet 2.0 for each of the six on-channel reservoirs within the property boundary, as indicated on the attached map.
4. Worksheet 3.0 *Diversion Point Information*:
    - a. Confirm that the diversion will be directly from the perimeter of Reservoir 1, which is located on an unnamed tributary of the Leon River. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map. If water will be diverted from more than one reservoir or the unnamed tributary of the Leon River within the property boundary, provide a completed Worksheet 3.0 for each point where water will be diverted from a watercourse or reservoir.
5. Worksheet 4.0 *Discharge Information*:
    - a. Confirm that groundwater will only be discharged into Reservoir 1.
    - b. Provide the total amount of groundwater in acre-feet that will be needed to compensate for evaporation from the six reservoirs.
    - c. Confirm that any groundwater discharged into Reservoir 1, above the amount needed to compensate for evaporation from the six reservoirs, will be diverted within seven days. If not, additional accounting measures and a technical meeting may be necessary.
    - d. Provide a copy of any permit from the Middle Trinity Groundwater Conservation District (if required) and/or documentation that a permit is not required for the groundwater well.
6. Worksheet 4.1 *Discharge Point Information*:
    - a. Confirm that the amount of groundwater to be discharged will be adequate to compensate for the total amount of water in acre-feet to be used annually, including any evaporation losses from the six reservoirs.
    - b. Confirm the location where groundwater will be discharged into Reservoir 1. Staff has calculated coordinates for a point on the perimeter of the reservoir to be Latitude 31.410679° N, Longitude 97.724019° W, as indicated on the attached map. If groundwater will be discharged into more than one reservoir or into the unnamed tributary of the Leon River within the property boundary, provide a completed Worksheet 4.1 for each point where groundwater will be discharged into a watercourse or reservoir.
7. Worksheet 5.0 *Environmental Information*:
    - a. Complete Item 2(a) AND (b) on WORKSHEET 5.0; see page 31 of the application instructions for additional information.
8. Provide a completed existing dam information sheet (TCEQ form-20344, copy enclosed).
  9. Provide a copy of all the deeds for the land to be irrigated and inundated, with the

Mr. Berry Mansell  
Application No. 13639  
May 1, 2020  
Page 3 of 3

recording information including volume, page, and date recorded from the County Clerk. Please note that the application must be in the names(s) of the entities who own the land as shown on the deeds; -OR- a letter of consent must be obtained from all landowners not joining the application.

10. Provide written evidence that Mr. Berry Mansell has the authority to sign for Gatesville Country Club pursuant to Title 30 Texas Administrative Code (TAC) § 295.14 (5), which states:

If the applicant is a corporation, public district, county, municipality, or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions which specify the authority of the official to take such action shall be submitted. A corporation may file a corporate affidavit as evidence of the official's authority to sign.

11. Remit fees in the amount of \$ 1,245.34 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (100 - 5,000 ac/ft)	\$	100.00
Recording Fee	\$	25.00
Notice Fee (Full Basin Notice)	\$	997.34
Use Fee (\$1.00 x 90 ac/ft)	\$	90.00
<u>Storage Fee (\$1.00 x 33 ac/ft)</u>	<u>\$</u>	<u>33.00</u>
TOTAL FEES	\$	1,245.34
<u>FEES RECEIVED</u>	<u>\$</u>	<u>00.00</u>
BALANCE DUE	\$	1,245.34

Please provide the requested information and fees by June 1, 2020 or the application may be returned pursuant to 30 TAC § 281.18.

Note that additional information may be required in order to complete technical review of the application.

Be aware that this Water Use Permit, if granted, may result in annual Water Use Assessment Fees (WUF). For more detailed information on these fees, see the enclosed Water Use Assessment Fee: The Annual Fee Associated with Water Rights Permits fact sheet or contact the Water Quality Monitoring & Assessment Section at (512) 239-3838.

If you have any questions concerning this matter, please contact me via email at [humberto.galvan@tceq.texas.gov](mailto:humberto.galvan@tceq.texas.gov) or by telephone at (512) 239-4013.

Sincerely,

*HGalvan*

Bert Galvan, Work Leader  
Water Rights Permitting Team  
Water Rights Permitting and Availability Section

Enclosures



## INFORMATION SHEET: EXISTING DAM

(PLEASE PRINT OR TYPE)

Reference 30 Texas Administrative Code, Chapter 299, Dams and Reservoirs

### SECTION 1: OWNER INFORMATION

Owner's Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

\_\_\_\_\_  
*(Signature of Owner)*

\_\_\_\_\_  
*(Date)*

Owner's Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number ( ) \_\_\_\_\_ Emergency Contact Phone ( ) \_\_\_\_\_

Fax Number ( ) \_\_\_\_\_ E-mail \_\_\_\_\_

Owner Code *(Please check one)*:  Federal (F)  Local Government (L)  Utility (U)  Private (P)  State (S)  
 Other (O) please specify: \_\_\_\_\_

Year Built \_\_\_\_\_ Year Modified \_\_\_\_\_

Dam and Reservoir Use *(Please check one)*:  Augmentation  Diversion  Domestic  Erosion Control  
 Evaporation  Flood Control  Fire Control  Fish  Hydroelectric  Industrial  
 Irrigation  Mining  Municipal  Pollution Control  Recreation  Stock Water  
 Settling Ponds  Tailings  Waste Disposal  Other, please specify: \_\_\_\_\_

Engineering Firm \_\_\_\_\_

Project Engineer \_\_\_\_\_ Texas P.E. License Number \_\_\_\_\_

Engineering Firm Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-mail \_\_\_\_\_

### SECTION 2: GENERAL INFORMATION

Name of Dam \_\_\_\_\_

Other Name(s) of Dam \_\_\_\_\_

Reservoir Name \_\_\_\_\_

Location \_\_\_\_\_ Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

County \_\_\_\_\_ Stream Name \_\_\_\_\_

River Basin \_\_\_\_\_ Topographic Map No. \_\_\_\_\_

Distance & Direction from Nearest City or Town \_\_\_\_\_

Last Inspection Date \_\_\_\_\_ Inspected by (name of company or agency) \_\_\_\_\_

TX Number \_\_\_\_\_ Water Rights Number \_\_\_\_\_

Date of Emergency Action Plan (EAP), if one exists \_\_\_\_\_

Describe the current operating condition of dam \_\_\_\_\_

*If you have questions on how to fill out this form or about the Dam Safety Program, please contact us at 512-239-5195. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.*

### SECTION 3: INFORMATION ON DAM

#### Classification

Size Classification:  Large  Medium  Small  
Hazard Classification:  High  Significant  Low  
Number of People at Risk \_\_\_\_\_ Study Year \_\_\_\_\_

**Type of Dam:**  Concrete  Gravity  Earthfill  Rockfill  Masonry  Other (specify) \_\_\_\_\_

#### Dam Structure (dimensions to nearest tenth of foot, volume to nearest acre-foot or cubic yard, areas to nearest acre):

Spillway Height \_\_\_\_\_ ft (*natural surface of ground to bottom of emergency spillway at longitudinal centerline*)  
Embankment Height \_\_\_\_\_ ft (*natural surface of ground to crest of dam at centerline*)  
Structural Height \_\_\_\_\_ ft (*bottom of cutoff trench to crest of dam at centerline*)  
Length of Dam \_\_\_\_\_ ft Crest Width \_\_\_\_\_ ft  
Normal Pool Elevation \_\_\_\_\_ ft-MSL Principal Spillway Elevation \_\_\_\_\_ ft-MSL  
Emergency Spillway Elevation \_\_\_\_\_ ft-MSL Top of Dam Elevation \_\_\_\_\_ ft-MSL  
Embankment Volume \_\_\_\_\_ cu yd  
Maximum Impoundment Capacity \_\_\_\_\_ ac-ft (*at top of dam*)  
Normal Reservoir Capacity \_\_\_\_\_ ac-ft (*at normal or conservation pool*)  
Reservoir Surface Area \_\_\_\_\_ acres (*at normal or conservation pool*)

#### Outlet

Outlet Diameter: \_\_\_\_\_  in  ft (*check one*)  
Type: \_\_\_\_\_

#### Principal Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): \_\_\_\_\_ ft Capacity: \_\_\_\_\_ cfs

#### Emergency Spillway

Type:  Natural  Riprap  Concrete  CMP  RCP  Other  
Width (Diam.): \_\_\_\_\_ ft Capacity: \_\_\_\_\_ cfs  
Total Spillway Capacity: \_\_\_\_\_ cfs (*crest of the dam*)

### SECTION 4: HYDROLOGIC INFORMATION

Required Hydrologic Criteria (% PMF) \_\_\_\_\_ % PMF Passing \_\_\_\_\_  
PMF Study Year \_\_\_\_\_  
Drainage Area: \_\_\_\_\_ acres, or \_\_\_\_\_ sq mi  
Curve Number (AMC III condition) \_\_\_\_\_  
Time of Concentration \_\_\_\_\_ hr  
Peak Discharge \_\_\_\_\_ cfs  
Peak Stage \_\_\_\_\_ ft-MSL  
Storm Duration Causing Peak Stage \_\_\_\_\_ hr

# App\_13639\_Gatesville Country Club



0 0.02 0.04 0.06 0.08 Miles



This map was generated by the Water Availability Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Water Availability Division at 512-239-4691.





# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## TCEQ WATER RIGHTS PERMITTING APPLICATION

### ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

APPLICANT(S): Gatesville Country Club

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

Y/N

- Administrative Information Report**
- Additional Co-Applicant Information
- Additional Co-Applicant Signature Pages
- Written Evidence of Signature Authority
- Technical Information Report**
- USGS Map (or equivalent)
- Map Showing Project Details
- Original Photographs
- Water Availability Analysis
- Worksheet 1.0**
- Recorded Deeds for Irrigated Land
- Consent For Irrigation Land
- Worksheet 1.1**
- Addendum to Worksheet 1.1
- Worksheet 1.2**
- Addendum to Worksheet 1.2
- Worksheet 2.0**
- Additional W.S 2.0 for Each Reservoir
- Dam Safety Documents
- Notice(s) to Governing Bodies
- Recorded Deeds for Inundated Land
- Consent For Inundation Land

Y/N

- Worksheet 3.0**
- Additional W.S 3.0 for each Point
- Recorded Deeds for Diversion Points
- Consent For Diversion Access
- Worksheet 4.0**
- TPDES Permit(s)
- WWTP Discharge Data
- 24-hour Pump Test
- Groundwater Well Permit
- Signed Water Supply Contract
- Worksheet 4.1**
- Worksheet 5.0**
- Addendum to Worksheet 5.0
- Worksheet 6.0**
- Water Conservation Plan(s)
- Drought Contingency Plan(s)
- Documentation of Adoption
- Worksheet 7.0**
- Accounting Plan
- Worksheet 8.0**
- Fees



**For Commission Use Only:**

Proposed/Current Water Right Number: \_\_\_\_\_

Basin: \_\_\_\_\_ Watermaster area Y/N: \_\_\_\_\_

# ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

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

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

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

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**2. APPLICANT INFORMATION (Instructions, Page. 6 )**

**a. Applicant**

Indicate the number of Applicants/Co-Applicants 1  
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

Gatesville Country Club

*(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)*

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?

You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN : \_\_\_\_\_ ( leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: Berry Mansell

Title: Consultant

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

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

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

Name: Gatesville Country Club

Mailing Address: 1308 Golf Course Rd.

City: Gatesville

State: Tx

ZIP Code: 76528-2810

Indicate an X next to the type of Applicant:

Individual  Sole Proprietorship-D.B.A.

Partnership  Corporation

Trust  Estate

Federal Government  State Government

County Government  City Government

Other Government  Other \_\_\_\_\_

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: \_\_\_\_\_ SOS Charter (filing) Number: \_\_\_\_\_

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

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

First and Last Name: Berry Mansell

Title: Consultant

Organization Name: Audit Municipal Resources

Mailing Address: 8435 FM 182

City: Gatesville

State: Tx

ZIP Code: 76528

Phone No.: 254/226/4506

Extension:

Fax No.:

E-mail Address: [REDACTED]

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

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

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

First and Last Name: N/A

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

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

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4691, prior to submitting your application.

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

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

Account number:

Amount past due:

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

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

Enforcement order number:

Amount past due:

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No**

c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5).

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

**6. SIGNATURE PAGE (Instructions, Page. 11)**

Applicant:

I, Berry Mansell

Consultant

(Typed or printed name)

(Title)

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

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

Signature: Berry Mansell  
(Use blue ink)

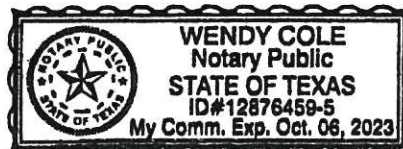
Date: October 2, 2019

Subscribed and Sworn to before me by the said

on this 2nd day of October, 2019.

My commission expires on the 6th day of October, 2023.

Notary Public  
Wendy Cole



[SEAL]

County, Texas

Coryell

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

# TECHNICAL INFORMATION REPORT

## WATER RIGHTS PERMITTING

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

**Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4691 to schedule a meeting.** Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N  (If yes, date : Tuesday August 27, 2019 ).

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

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

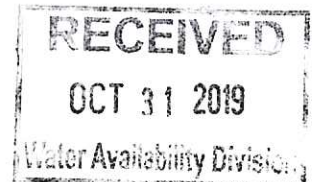
- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N  (If yes, indicate the Certificate or Permit number: \_\_\_\_\_)

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

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

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

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



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

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



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

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

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

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

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

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

*If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N

*If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.*

c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N

*If yes, submit:*

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 1.2 - Notice: “Marshall Criteria”**

d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? Y / N

*If yes, submit: Worksheet 3.0 - Diversion Point Information Worksheet (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)*

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

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

f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N *If yes, call the Water Availability Division at (512) 239-4691 to discuss.*

**Additionally, all amendments require:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*Worksheets and information:*

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

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

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

Recreational and agriculture use that is consistent with all state and regional water

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plans.

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

*If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.*

- C. Does the application include required Maps? (Instructions Page. 15) Y / N Y

# WORKSHEET 1.0

## Quantity, Purpose and Place of Use

### 1. New Authorizations (Instructions, Page. 16)

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

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

<sup>90</sup> \_\_\_\_\_ Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

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

1. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of 100 acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of 100 acres in Coryell County, TX.

ii) Location of land to be irrigated: In the A Arocha Original Survey No. 14263, Abstract No. 8.

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

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

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

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

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

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

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

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

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

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

# WORKSHEET 1.1

## INTERBASIN TRANSFERS, TWC § 11.085

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

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

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

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

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

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

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

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

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

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

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

## WORKSHEET 1.2 NOTICE. “THE MARSHALL CRITERIA”

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

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

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

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

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

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



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

# WORKSHEET 2.0

## Impoundment/Dam Information

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

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

### 1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: N/A
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: 33.
- c. The impoundment is on-channel  or off-channel  (mark one)
  1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? Y / N
  2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N
- d. Is the impoundment structure already constructed? Y / N 
  - i. For already constructed **on-channel** structures:
    1. Date of Construction: 1980
    2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N 
      - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N
      - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N
    3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N 
      - a. If yes, provide the Site No. \_\_\_\_\_ and watershed project name \_\_\_\_\_;
      - b. Authorization to close "ports" in the service spillway requested? Y / N
  - ii. For **any** proposed new structures or modifications to structures:
    1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N   
Provide the date and the name of the Staff Person \_\_\_\_\_
    2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
      - a. No additional dam safety documents required with the Application. Y / N
      - b. Plans (with engineer's seal) for the structure required. Y / N
      - c. Engineer's signed and sealed hazard classification required. Y / N
      - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N

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

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level: 33.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N N  
If yes, the drainage area is \_\_\_\_\_ sq. miles.  
(If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4691).

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

a. On Watercourse (if on-channel) (USGS name): ending tributary of the Leon River

b. Zip Code: 76528

c. In the A Arocha Original Survey No. 14263, Abstract No. 8, Coryell County, Texas.

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

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

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

Latitude 31.411245 °N, Longitude -97.723590 °W.

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

di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth

dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N Y

# WORKSHEET 3.0

## DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

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

- a. This Worksheet is to add new (select 1 of 3 below):
1.  \_\_\_\_\_ Diversion Point No.
  2. \_\_\_\_\_ Upstream Limit of Diversion Reach No.
  3. \_\_\_\_\_ Downstream Limit of Diversion Reach No.
- b. Maximum Rate of Diversion for **this new point** \_\_\_\_\_ cfs (cubic feet per second) or <sup>300</sup>\_\_\_\_\_ gpm (gallons per minute)
- c. Does this point share a diversion rate with other points? Y / N N  
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches \_\_\_\_\_ cfs or \_\_\_\_\_ gpm*
- d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N

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

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

Check one		Write: Existing or Proposed
	Directly from stream	
X	From an on-channel reservoir	Existing
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

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

Applicant has calculated the drainage area. Y / N N

If yes, the drainage area is \_\_\_\_\_ sq. miles.

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

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

- a. On watercourse (USGS name): Ending tributary of the Leon River
- b. Zip Code: 76528
- c. Location of point: In the A Arocha Original Survey No. 14263, Abstract No. 8, Coryell County, Texas.

***A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure. For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.***

- d. Point is at:  
Latitude 31.411245°N, Longitude -97.723590°W.  
***Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

## WORKSHEET 4.0 DISCHARGE INFORMATION

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

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

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

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

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

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
  4. The percentage of return flows from groundwater \_\_\_\_\_, surface water \_\_\_\_\_?
  5. If any percentage is surface water, provide the base water right number(s) \_\_\_\_\_.
- c. Is the source of the water being discharged groundwater? Y / N<sup>Y</sup> If yes, provide the following information:

1. Source aquifer(s) from which water will be pumped: Middle Trinity
2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers \_\_\_\_\_.
3. Indicate how the groundwater will be conveyed to the stream or reservoir.  
PVC Pipe
4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.

- ci. Is the source of the water being discharged a surface water supply contract? Y / N<sup>N</sup>  
If yes, provide the signed contract(s).

- cii. Identify any other source of the water N/A

## WORKSHEET 4.1 DISCHARGE POINT INFORMATION

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

**For water discharged at this location provide:**

- a. The amount of water that will be discharged at this point is 80 acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of            cfs or 300 gpm.
- c. Name of Watercourse as shown on Official USGS maps: Ending tributary of the Leon River
- d. Zip Code: 76528
- f. Location of point: In the A Arocha Original Survey No. 14263, Abstract No. 8, Coryell County, Texas.
- g. Point is at:  
Latitude 31.411245°N, Longitude -97.723590°W.  
***\*Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): Google Earth

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

## WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: \_\_\_\_\_

Other, specify: \_\_\_\_\_

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: \_\_\_\_\_

c. Waterbody aesthetics

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



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

d. Waterbody Recreational Uses

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

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

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

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

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

For all bed and banks applications:

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

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

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

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

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

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L	453		1	Grab	10/1/19
Chloride, mg/L	<b>237</b>		<b>1</b>	<b>Grab</b>	<b>10/1/19</b>
Total Dissolved Solids, mg/L	1392		1	Grab	9/12/19
pH, standard units	<b>8.0</b>		<b>1</b>	<b>Grab</b>	<b>9/11/19</b>
Temperature*, degrees Celsius	18.5		1	Grab	9/11/19

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

- b. If groundwater will be used, provide the depth of the well 600 and the name of the aquifer from which water is withdrawn Middle Trinity.

# WORKSHEET 6.0

## Water Conservation/Drought Contingency Plans

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

*The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4691, or e-mail [wras@tceq.texas.gov](mailto:wras@tceq.texas.gov). The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.*

### 1. Water Conservation Plans

- a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):
1. Request for a new appropriation or use of State Water.
  2. Request to amend water right to increase appropriation of State Water.
  3. Request to amend water right to extend a term.
  4. Request to amend water right to change a place of use.  
*\*does not apply to a request to expand irrigation acreage to adjacent tracts.*
  5. Request to amend water right to change the purpose of use.  
*\*applicant need only address new uses.*
  6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water  
*\*including return flows, contract water, or other State Water.*
- b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:
1. \_\_\_ Municipal Use. See 30 TAC § 288.2. \*\*
  2. \_\_\_ Industrial or Mining Use. See 30 TAC § 288.3.
  3.  Agricultural Use, including irrigation. See 30 TAC § 288.4.
  4. \_\_\_ Wholesale Water Suppliers. See 30 TAC § 288.5. \*\*

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

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

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

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

## 2. Drought Contingency Plans

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

# WORKSHEET 7.0

## ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4691 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

### 1. Is Accounting Plan Required

Accounting Plans are generally required:

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

### 2. Accounting Plan Requirements

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

## WORKSHEET 8.0 CALCULATION OF FEES

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

### 1. NEW APPROPRIATION

	Description	Amount (\$)
<b>Filing Fee</b>	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under <b>Amount (\$)</b> . <u>In Acre-Feet</u>	
	a. Less than 100	\$100.00
	b. 100 - 5,000	\$250.00
	c. 5,001 - 10,000	\$500.00
	d. 10,001 - 250,000	\$1,000.00
	e. More than 250,000	\$2,000.00
<b>Recording Fee</b>		\$25.00
<b>Agriculture Use Fee</b>	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x $\frac{100}{\text{Number of acres that will be irrigated with State Water. **}}$	\$50.00
<b>Use Fee</b>	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x $\frac{90}{\text{Maximum annual diversion of State Water in acre-feet. **}}$	\$900.00
<b>Recreational Storage Fee</b>	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x $\frac{33}{\text{acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.}}$	\$33.00
<b>Storage Fee</b>	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
<b>Mailed Notice</b>	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4691.	
<b>TOTAL</b>		<b>\$</b>

### 2. AMENDMENT OR SEVER AND COMBINE

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

### 3. BED AND BANKS

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

District ID 4558

Well Owner Gatesville Country Club

Well Operator

Land Owner

TWDB SWN

State Grid Cell 40-35-7

Well Name

Exempt Yes

Monitored No

Well Type

Well Status Active

Driller Smith

PumpInstaller

Plugger

Aquifer Trinity

County Coryell

Primary Use Golf Course Irrigation

Latitude (dd) 31.415890

Longitude (dd) -97.724534

Elevation (ft)

Elevation Source

Coordinate Source Owner

Parcel ID

Well Address 1212 Golf Course Rd, Gatesville, TX, 76528

Property Area (ac) 100.00

Distance to Nearest Property Line (ft)

Well Depth (ft) 600.00

Casing Diameter (in) 4.00

Pump Depth (ft)

Production Rate (gpm)

Production Rate Equipped (gpm)

MeterId

Pump Size (hp) 2.00

Application Date 5/16/2011

Drilling Start Date

Drilling Completion Date

Legacy ID 1157CO

Application Type

Max. Capacity (gpm)

Casing Height (ft)

State Well Report

PumpType Submersible

Completion Static Level (ft)

Pump Capacity (gpm) 15.00

Plugging Date

Construction Notes

Plugging Report