

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Jenna Rollins, Project Manager
Water Rights Permitting Team

DATE: May 7, 2021

SUBJECT: Susan Crawford Tracy
ADJ 2113
CN600836464, RN101575785
Application No. 19-2113A to Amend Certificate of Adjudication No. 19-2113
Texas Water Code § 11.122, Requiring Limited Mailed Notice
West Prong Medina River, San Antonio River Basin
Bandera County

The application and partial fees were received on March 31, 2021. Additional information was received on April 29, 2021 and remaining fees were received on May 5, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on May 7, 2021. Mailed notice to the interjacent water right holders of record in the San Antonio River Basin is required pursuant to Title 30 TAC § 295.158(c)(3)(D).

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

Jenna L. Rollins

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

OCC Mailed Notice Required YES NO

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 7, 2021

Ms. Susan Crawford Tracy
P.O. Box 1434
Medina, Texas 78055-1434

VIA-EMAIL

RE: Susan Crawford Tracy
ADJ 2113
CN600836464, RN101575785
Application No. 19-2113A to Amend Certificate of Adjudication No. 19-2113
Texas Water Code § 11.122, Requiring Limited Mailed Notice
West Prong Medina River, San Antonio River Basin
Bandera County

Dear Ms. Tracy:

This acknowledges receipt, on April 29, 2021, of additional information and fees in the amount of \$20.58 (Receipt No. M117357, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on May 7, 2021. Staff will continue processing the application for consideration by the Executive Director.

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

If you have any questions concerning the application, please contact me via email at jenna.rollins@tceq.texas.gov or by phone at 512-239-1845.

Sincerely,

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

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

Attachment



04-MAY-21 03:49 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</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	M117357 ADJ192113	1811 050421	N N	BS00086904 D1803256	04-MAY-21	-\$20.58
	NOTICE FEES WUP WATER USE PERMITS	TRACY, SUSAN CRAWFORD	JARIVERA	CK			

J. Portman

Total (Fee Code) :

-\$20.58

RECEIVED

MAY 05 2021

Water Availability Division

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



PAY TO THE ORDER
OF STATE COMPTROLLER
TCEQ

117357 2-42

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 27, 2021

Ms. Susan Crawford Tracy
P.O. Box 1434
Medina, Texas 78055-1434

VIA-EMAIL

PTGU

RE: Susan Crawford Tracy
ADJ 2113
CN600836464, RN101575785
Application No. 19-2113A to Amend Certificate of Adjudication No. 19-2113
Texas Water Code § 11.122, Requiring Limited Mailed Notice
West Prong Medina River, San Antonio River Basin
Bandera County

Dear Ms. Tracy:

This acknowledges receipt, on March 31, 2021, of the referenced application, and fees in the amount of \$112.50 (Receipt No. M116012, copy attached).

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

1. Provide a signed and notarized page 7 of the Water Rights Permitting Application Administrative Information Report.
2. Remit fees in the amount of \$ 20.58 as described below. Please make checks payable to the TCEQ or Texas Commission on Environmental Quality.

Filing Fee (Amendment)	\$ 100.00
Recording Fee	\$ 12.50
Notice Fee (\$ 2.94 x 7 Interjacent Water Right Holders)	\$ 20.58
<u>TOTAL FEES</u>	\$ 133.08
<u>FEES RECEIVED</u>	\$ 112.50
BALANCE DUE	\$ 20.58

Please provide the requested information and fees by May 27, 2021 or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

RECEIVED

MAY 03 2021

Water Availability Division

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Susan Crawford Tracy owner
(Typed or printed name) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

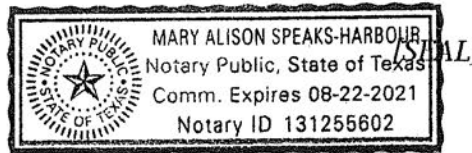
Signature: SUSAN CRAWFORD TRACY Date: 29 April 2021
(Use blue ink)

Subscribed and Sworn to before me by the said

on this 29th day of April, 20 21.

My commission expires on the 22nd day of Aug, 20 21.

Mary Alison Speaks-Harbour
Notary Public



Bandera
County, Texas

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

RECEIVED

MAY 03 2021

Water Availability Division

Jenna Rollins

From: [REDACTED]
Sent: Thursday, April 29, 2021 2:10 PM
To: Jenna Rollins
Subject: RE: Susan Crawford Tracy, 19-2113A
Attachments: TCEQ update info 04-29-21.pdf

Oops --- sorry about that! I'll try again.

On Thu, 29 Apr 2021 18:46:03 +0000, Jenna Rollins <Jenna.Rollins@tceq.texas.gov> wrote:

> Good afternoon Ms. Tracy,
>
> Thank you for your timely response to the request for information
letter;
> however, I did not receive the attachment. Can you please resend?
>
> Thank you,
> Jenna Rollins, Project Manager
> Water Rights Permitting Team
> Water Rights Permitting and Availability Section
> 512-239-1845

>
> -----Original Message-----

> From: [REDACTED]
> Sent: Thursday, April 29, 2021 12:32 PM
> To: Jenna Rollins <Jenna.Rollins@tceq.texas.gov>
> Subject: Re: Susan Crawford Tracy, 19-2113A

>
> Hello Ms. Rollins --- Attached is a copy of the notarized signature on
the
> page you requested, that I mailed off today, and this copy includes
> the check I mailed with that sheet. Please let me know when you
> receive it,
so
> that I will know that everything is in order for you to proceed with
> changing the point of diversion for my water rights. Thank you.

Sincerely,
> Susan Crawford Tracy

>
> On Tue, 27 Apr 2021 20:21:56 +0000, Jenna Rollins
> <Jenna.Rollins@tceq.texas.gov> wrote:
>> Dear Ms. Tracy,
>>
>> Attached is a request for information letter for your Susan Crawford
>> Tracy application No. 19-2113A. Please review and provide a response
>> by May 27, 2021.
>>
>> Best regards,
>>

>> Jenna Rollins, Project Manager

>>

>> Water Rights Permitting Team

>>

>> Water Rights Permitting and Availability Section

>>

>> 512-239-1845

Jenna Rollins

From: Jenna Rollins
Sent: Tuesday, April 27, 2021 3:22 PM
To: [REDACTED]
Subject: Susan Crawford Tracy, 19-2113A
Attachments: Susan Crawford Tracy 19-2113A_RFI_4.27.21.pdf

Dear Ms. Tracy,

Attached is a request for information letter for your Susan Crawford Tracy application No. 19-2113A. Please review and provide a response by May 27, 2021.

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

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 27, 2021

Ms. Susan Crawford Tracy
P.O. Box 1434
Medina, Texas 78055-1434

VIA-EMAIL

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CN600836464, RN101575785
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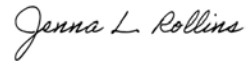
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Ms. Susan Crawford Tracy
Application No. 19-2113A
April 27, 2021
Page 2 of 2

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

Sincerely,

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

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

Attachment



07-APR-21 12:07 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

RECEIVED

APR 09 2021

Water Availability Division

Fee Code	Account#	Account Name	Ref#1	Check Number	CC Type	Slip Key	Tran Amount
Fee Description	Account#	Account Name	Ref#2	Card Auth.	Tran Code	Document#	Tran Date
Fee Description	Account#	Account Name	Paid In By	User Data	Rec Code	Document#	Tran Date
WTR USE PERMITS	WUP		M116011	11246		BS00086554	07-APR-21
	WUP		141280	040721	N	D1803019	
	WUP	WATER USE PERMITS	LLOYD	RHDAVIS	CK		
	WUP	WATER USE PERMITS	GOSELINK				
	WUP	WATER USE PERMITS	ROCHELLE				
	WUP	WATER USE PERMITS	AND T				
	WUP	WATER USE PERMITS	M116012	1802		BS00086554	07-APR-21
	WUP	WATER USE PERMITS	192113	040721	N	D1803019	
	WUP	WATER USE PERMITS	TRACY,	RHDAVIS	CK		
	WUP	WATER USE PERMITS	SUSAN				
	WUP	WATER USE PERMITS	CRAWFORD				
	WUP	WATER USE PERMITS	M116013	19595		BS00086554	07-APR-21
	WUP	WATER USE PERMITS	141330	040721	N	D1803019	
	WUP	WATER USE PERMITS	QUICKSAND	RHDAVIS	CK		
	WUP	WATER USE PERMITS	PARTNERS				
	WUP	WATER USE PERMITS	LTD				

Total (Fee Code): -\$375.72

Grand Total: -\$4,689.88

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.

Susan Crawford Tracy

APPLICANT(S): _____

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) 239-4600.**

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

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

New Appropriation of State Water

Amendment to a Water Right *

Bed and Banks

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

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

Request to amend my existing Water Rights certification to add a new diversion point along the West Prong of the Medina River on my currently authorized tract of land, to be located at: 29.779594N / -99.359288W

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?
Susan Crawford Tracy

(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 : CN600836464 (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: Susan Crawford Tracy
Title: Owner

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

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

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

Name: Susan Crawford Tracy
PO Box 1434
Mailing Address:
City: Medina State: TX ZIP Code: 78055

Indicate an X next to the type of Applicant:

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

For Corporations or Limited Partnerships, provide:

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

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

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

First and Last Name: Susan Crawford Tracy
Title: Owner
Organization Name: Bear Dog Ranch
Mailing Address: PO Box 1434
City: Medina State: TX ZIP Code: 78055
Phone No.: 830-589-7124 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:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.

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

If **yes**, provide the following information:

Account number:

Amount past due:

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **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? **N/A**

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, Susan Crawford Tracy owner
(Typed or printed name) (Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: _____ Date: _____
(Use blue ink)

Subscribed and Sworn to before me by the said

on this _____ day of _____, 20_____.

My commission expires on the _____ day of _____, 20_____.

Notary Public

[SEAL]

County, Texas

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

TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

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

Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4600 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N Yes (by phone) (If yes, date : 3/26/2021, 3/30/21).

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 No
- 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 No (If yes, indicate the Certificate or Permit number: N/A)

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

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N No (If yes, indicate the Term Certificate or Permit number: _____)

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

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

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

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

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

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

Water Right (Certificate or Permit) number you are requesting to amend: 19-2113

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? **Y / N** No (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** No

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** No

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** noYes

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** Yes
If yes, submit:

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

e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? **Y / N** No

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 No If yes, call the Water Availability Division at (512) 239-4600 to discuss.

Additionally, all amendments require:

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

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

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

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

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

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

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.
 -----*This application is not in conflict with State and/or Regional Water Plans.*-----

b. Did the Applicant perform its own Water Availability Analysis? **No** _____

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**) **Yes** _____

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>

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

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

a. Location Information Regarding the Lands to be Irrigated

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

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

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

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

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

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

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

Quantity (acre-foot)	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? No _____

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

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

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

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

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

2. Structure Location (Instructions, Page. 23)

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

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

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

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

Latitude _____°N, Longitude _____°W.

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

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

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

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

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

b. Maximum Rate of Diversion for **this new point** .37 cfs (cubic feet per second)
or 168 gpm (gallons per minute)

c. Does this point share a diversion rate with other points? **No** yes

*If yes, submit Maximum **Combined** Rate of Diversion for all points/
reaches* .37 cfs or 168 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
X	Directly from stream	Proposed
	From an on-channel reservoir	
	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. **No**

If yes, the drainage area is sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): West Prong of Medina River
- b. Zip Code: 78055
- c. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.

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

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

- d. Point is at:
Latitude 29.779594 °N, Longitude -99.359288 °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 Maps
- 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 N/A.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses _____% and explain the method of calculation: _____

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

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

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

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

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

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

For water discharged at this location provide:

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

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

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

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

Fine screens to avoid impingement and entrainment of aquatic organisms

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

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

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

- a. For all bed and banks applications:
 - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.

b. For all alternate source applications:

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

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

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

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

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

- iii. If groundwater will be used, provide the depth of the well_____and the name of the aquifer from which water is withdrawn_____.

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

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

Instructions, Page 31.

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

1. Water Conservation Plans

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

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

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

1. ____Municipal Use. See 30 TAC § 288.2. **
2. ____Industrial or Mining Use. See 30 TAC § 288.3.
3. ____Agricultural Use, including irrigation. See 30 TAC § 288.4.
4. ____Wholesale Water Suppliers. See 30 TAC § 288.5. **

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

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

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

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

2. Drought Contingency Plans

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

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

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

1. Is Accounting Plan Required

Accounting Plans are generally required:

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

2. Accounting Plan Requirements

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

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 19-2113

OWNERS: L. S. Stokes and
wife, Ada V. Stokes
Route 2, Box 36
Medina, TX 78055

COUNTY: Bandera

PRIORITY DATE: 1935

WATERCOURSE: West Prong
Medina River

BASIN: San Antonio River

WHEREAS, by final decree of the 224th District Court of Bexar County, Texas, in Cause No. 78-CI-16903, In Re: The Adjudication of Water Rights in the Medina River of the San Antonio Basin (Exceptions of Edward Walsh, Harry Walsh, Frank Walsh, Bessie Walsh, Anita Walsh and Mary Walsh), dated November 12, 1980, a right was recognized under Claim 2473 authorizing L. S. Stokes and Ada V. Stokes to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the San Antonio River Basin is issued to L. S. Stokes and wife, Ada V. Stokes, subject to the following terms and conditions:

1. USE

Owners are authorized to divert and use not to exceed 35 acre-feet of water per annum from West Prong Medina River to irrigate a maximum of 45 acres of land out of a 156 acre tract located in the Perry Davis Survey 321, Abstract 121, Bandera County, Texas, said 156 acre tract being described as follows:

- (1) BEGINNING at the northeast corner of the Perry Davis Survey 321, a rock mound 474 varas S 80°W from the southeast corner of the C. F. Bauerlein Survey;
- (2) THENCE S 10°E, 1000 varas to a rock mound in bed of the West Prong Medina River;
- (3) THENCE up said West Prong Medina River with its meanders as follows:
 - (a) N 64°W, 280 varas;
 - (b) N 80°W, 120 varas;
 - (c) N 84°W, 73 varas;
 - (d) west, 189 varas;
 - (e) N 86°W, 520 varas; and
 - (f) N 80°W, 149 varas to a rock mound on the west line of said Davis Survey 321;
- (4) THENCE N 10°W, 557 varas to the northwest corner of said Davis Survey 321;
- (5) THENCE N 80°E, 1343 varas to the place of beginning.

2. DIVERSION

A. Location:

At a point on the north bank of West Prong Medina River which is S 27°E, 1735 feet from the northwest corner of the Perry Davis Survey 321, Abstract 121, Bandera County, Texas.

B. Maximum Rate: 0.37 cfs (168 gpm).

3. PRIORITY

The time priority of owners' right is 1935.

The locations of pertinent features related to this certificate are shown on Page 2 of the Medina River Watershed Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Department of Water Resources and the office of the County Clerk.

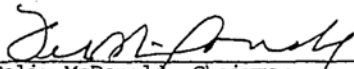
This certificate of adjudication is issued subject to all terms, conditions and provisions provided for in the final decree of the 224th District Court of Bexar County, Texas, in Cause No. 78-CI-16903, In Re: The Adjudication of Water Rights in the Medina River of the San Antonio Basin (Exceptions of Edward Walsh, Harry Walsh, Frank Walsh, Bessie Walsh, Anita Walsh and Mary Walsh), dated November 12, 1980, and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the San Antonio River Basin.

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

This water right is appurtenant to the above-described land within which irrigation is authorized, unless and until severed from the land. A transfer of any portion of the above-described land includes, unless otherwise specified, that portion of the water right which is appurtenant to the transferred land at the time of the transaction.

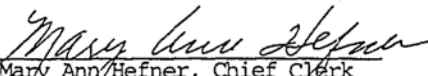
TEXAS WATER COMMISSION


Felix McDonald, Chairman

DATE ISSUED:

AUG 28 1981

ATTEST:


Mary Ann Hefner, Chief Clerk

TCEQ Interoffice Memorandum

TO: Records Management
FROM: Permit Support, Compliance & Groundwater Section
 Water Availability Division
DATE: February 29, 2016
 Certificate of Adjudication No. 19-2113
 Bandera County
 San Antonio River Basin
SUBJECT: Change of Ownership
Water Rights: 35 ac/ft irrigation
DELETE: DTB Investments, LP, a Texas limited partnership as part owner
ADD: The Estate of Sam Countiss, Deceased, as part owner

The *Special Warranty Deed* dated April 8, 2014 recorded as Document No. 00203584 in the Official Public Records of Bandera County have been checked and found to cover a portion of the water right. The \$100 change of ownership fee was received on November 18, 2014 (Receipt No. M507644).

Ownership of Record with Address and Remarks:

- | | |
|---|--|
| 1. The Estate of Sam Countiss, Deceased
c/o Daniel Countiss
4953 Mable Street
Corpus Christi, Texas 78411-4028 | 2. Susan Crawford Tracy
P.O. Box 1434
Medina, Texas 78055-1434 |
|---|--|

The ownership of the land and water rights is established as follows:

- | | |
|---|---|
| 1. The Estate of Sam Countiss, Deceased | 19.56 ac/ft for irrigation of 25.15 acres out of western 95.00-acre portion of 170.00-acre tract. |
| 2. Susan Crawford Tracy | 15.44 ac/ft for irrigation of 19.85 acres out of eastern 75.00-acre portion of 170.00-acre tract. |

Total: 35.00 ac/ft for irrigation of 45.00 acres out of a 170.00-acre tract.

ST / JA
 Change Initiated

K. L. Shepard 3-4-16
 Data Entry Made

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO : Records Management

DATE: August 4, 2009

Certificate of Adjudication No. 19-2113
Bandera County
San Antonio River Basin

FROM : Water Rights Permitting & Availability Section
Water Supply Division

SUBJECT : Change of Ownership

ADD : DTB Investments, LP, a Texas limited partnership, as part owner

Special Warranty Deed dated August 29, 2008, and of record as Document# 00174543 in Volume 828, Page 762 of the Official Public Records of Bandera County, has been checked and found to cover part of the water right.

Ownership of Record with Addresses and Remarks:

- | | |
|--|---|
| 1. Susan Crawford Tracy
P. O. Box 1434
Medina, Texas 78055 | 2. DTB Investments, LP., a Texas
limited partnership
P. O. Box 2066
Bandera, Texas 78003 |
|--|---|

The 156.00 acre-tract, to which the water rights under this certificate of adjudication (use of 35.00 acre-feet of water per annum from West Prong Medina River for irrigation of 45.00 acres) were made appurtenant, is now calculated to contain approximately 170.00 acres in the Perry Davis Survey 321, Abstract 121, the same being that part of said survey that is located to the north of West Prong Medina River.

The referenced deed evidenced Ms. Susan Crawford Tracy's conveyance of a 441.95 acre-tract to DTB Investments, LP, a Texas limited partnership. The 223.88 acres of the above mentioned Perry Davis survey, which this 441.95 acre-tract included within its boundaries, are located both to the north **and** south of West Prong Medina River. According to the calculations, approximately 95.00 acres of these 223.88 acres are located to the north of said river, constituting the western 95.00 acre-portion of the referenced 170.00 acre-tract covered by this certificate of adjudication.

The ownership of the water rights under this certificate of adjudication, on a proportionate basis, is established as follows:

- | | |
|-------------------------|---|
| 1. Susan Crawford Tracy | 15.44 acre-feet per annum of water for irrigation of 19.85 acres out of eastern 75.00 acre-portion of 170.00 acre-tract |
| 2. DTB Investments, LP | 19.56 acre-feet per annum of water for irrigation of 25.15 acres out of western 95.00 acre-portion of 170.00 acre-tract |
| | <u>35.00 acre-feet per annum of water for irrigation of 45.00 acres</u> |

Mohan Reddy
Change Initiated

CK 7.29.09
Data Entry Made

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO : Records Management

DATE: July 23, 2009

Certificate of Adjudication No. 14-2113
Bandera County
San Antonio River Basin

FROM : Water Rights Permitting & Availability Section
Water Supply Division

SUBJECT : Change of Ownership

ADD : DTB Investments, LP, a Texas limited partnership, as part owner

Special Warranty Deed dated August 29, 2008, and of record as Document# 00174543 in Volume 828, Page 762 of the Official Public Records of Bandera County, has been checked and found to cover part of the water right.

Ownership of Record with Addresses and Remarks:

- | | |
|--|---|
| 1. Susan Crawford Tracy
P. O. Box 1434
Medina, Texas 78055 | 2. DTB Investments, LP., a Texas
limited partnership
P. O. Box 2066
Bandera, Texas 78003 |
|--|---|

The 156.00 acre-tract, to which the water rights under this certificate of adjudication (use of 35.00 acre-feet of water per annum from West Prong Medina River for irrigation of 45.00 acres) were made appurtenant, is now calculated to contain approximately 170.00 acres in the Perry Davis Survey 321, Abstract 121, the same being that part of said survey that is located to the north of West Prong Medina River.

The referenced deed evidenced Ms. Susan Crawford Tracy's conveyance of a 441.95 acre-tract to DTB Investments, LP, a Texas limited partnership. The 223.88 acres of the above mentioned Perry Davis survey, which this 441.95 acre-tract included within its boundaries, are located both to the north **and** south of West Prong Medina River. According to the calculations, approximately 95.00 acres of these 223.88 acres are located to the north of said river, constituting the western 95.00 acre-portion of the referenced 170.00 acre-tract covered by this certificate of adjudication.

The ownership of the water rights under this certificate of adjudication, on a proportionate basis, is established as follows:

- | | |
|-------------------------|---|
| 1. Susan Crawford Tracy | 15.44 acre-feet per annum of water for irrigation of 19.85 acres out of eastern 75.00 acre-portion of 170.00 acre-tract |
| 2. DTB Investments, LP | 19.56 acre-feet per annum of water for irrigation of 25.15 acres out of western 95.00 acre-portion of 170.00 acre-tract |
| | <u>35.00 acre-feet per annum of water for irrigation of 45.00 acres</u> |

Mohan Reddy
Change Initiated

CR 7/29/09
Data Entry Made

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO : Records Management

DATE: August 4, 2009

Certificate of Adjudication No. 19-2113
Bandera County
San Antonio River Basin

FROM : Water Rights Permitting & Availability Section
Water Supply Division

SUBJECT : Change of Ownership

ADD : DTB Investments, LP. a Texas limited partnership, as part owner

Special Warranty Deed dated August 29, 2008. and of record as Document# 00174543 in Volume 828. Page 762 of the Official Public Records of Bandera County. has been checked and found to cover part of the water right.

Ownership of Record with Addresses and Remarks:

- | | |
|--|---|
| 1. Susan Crawford Tracy
P. O. Box 1434
Medina, Texas 78055 | 2. DTB Investments, LP., a Texas
limited partnership
P. O. Box 2066
Bandera, Texas 78003 |
|--|---|

The 156.00 acre-tract, to which the water rights under this certificate of adjudication (use of 35.00 acre-feet of water per annum from West Prong Medina River for irrigation of 45.00 acres) were made appurtenant, is now calculated to contain approximately 170.00 acres in the Perry Davis Survey 321, Abstract 121, the same being that part of said survey that is located to the north of West Prong Medina River.

The referenced deed evidenced Ms. Susan Crawford Tracy's conveyance of a 441.95 acre-tract to DTB Investments, LP, a Texas limited partnership. The 223.88 acres of the above mentioned Perry Davis survey, which this 441.95 acre-tract included within its boundaries, are located both to the north **and** south of West Prong Medina River. According to the calculations, approximately 95.00 acres of these 223.88 acres are located to the north of said river, constituting the western 95.00 acre-portion of the referenced 170.00 acre-tract covered by this certificate of adjudication.

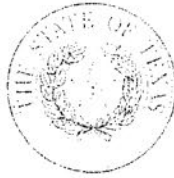
The ownership of the water rights under this certificate of adjudication, on a proportionate basis, is established as follows:

- | | |
|-------------------------|---|
| 1. Susan Crawford Tracy | 15.44 acre-feet per annum of water for irrigation of 19.85 acres out of eastern 75.00 acre-portion of 170.00 acre-tract |
| 2. DTB Investments, LP | 19.56 acre-feet per annum of water for irrigation of 25.15 acres out of western 95.00 acre-portion of 170.00 acre-tract |
| | <u>35.00 acre-feet per annum of water for irrigation of 45.00 acres</u> |

Mohan Reddy
Change Initiated

Data Entry Made

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 23, 2009

Aug 4, 2009

Mr. Harold T. duPerier, III
Manager
DTB Investments, LP
P. O. Box 2066
Bandera, Texas 78003

Re: Certificate of Adjudication No. 19-2113
Use of 35.00 acre-feet of water per annum from West Prong Medina River for irrigation of 45.00 acres out of a tract of land calculated to contain approximately 170.00 acres of land in the Perry Davis Survey 321, Abstract 121, Bandera County; the same being that part of said survey that is located to the north of West Prong Medina River, San Antonio River Basin, Texas

Dear Mr. duPerier:

This will acknowledge receipt of a copy of a Special Warranty Deed dated August 29, 2008, submitted by Ms. Susan Smoot Sims, attorney at law, along with the Core Data form, Change of Ownership form and the related \$100.00 fee, evidencing Ms. Susan Crawford Tracy's conveyance of a 441.95 acre-tract to DTB Investments, LP, a Texas limited partnership ("DTB Investments"). The 223.88 acres of the referenced Perry Davis survey, which this 441.95 acre-tract included within its boundaries, are located both to the north **and** south of West Prong Medina River. According to our calculations, approximately 95.00 acres of these 223.88 acres are located to the north of said river, constituting the western 95.00 acre-portion of the referenced 170.00 acre-tract covered by the referenced certificate of adjudication. Ms. Sims indicated that the eastern 75.00 acre-portion of this 170.00 acre-tract is still owned by Ms. Tracy.

In a case like this where a tract of land covered by a certificate of adjudication is owned by more than one person in **divided** interests as opposed to a **joint** ownership, the last paragraph of the certificate of adjudication (copy enclosed) and the Commission rules allow the staff to allocate the irrigation water rights among all the owners, involved, on a proportionate basis. On such basis, DTB Investments' 95.00 acres will be eligible to receive an allocation of 19.56 acre-feet per annum of water rights for irrigation of 25.15 acres. We are, accordingly, changing our records to reflect DTB as the owner of these water rights.

Our records will continue to carry Ms. Tracy as the owner of the remaining 15.44 acre-feet (35.00 minus 19.56) per annum of water rights for irrigation of 19.85 acres (45.00 minus 25.15) out of her 75.00 acre-portion of the 170.00 acre-tract.

Please be advised that the above mentioned proportionate allocation is not the only option available to the owners involved. We will honor any alternate partition of water rights the owners may have among themselves, including the deeds quit-claiming the water rights interest of one owner to another.

Please keep in mind that DTB's water rights under this certificate of adjudication (19.56 acre-feet of water per annum for irrigation of 25.15 acres) are appurtenant to the entire 95.00 acre-portion of its 223.88 acres of the Perry Davis Survey 321. As such, a conveyance of any portion of these 95.00 acres by DTB, in the future, will automatically carry a proportionate share of the water rights to the new owner unless it specifies otherwise in the conveyance.

If we can be of any assistance in the future, please do not hesitate to contact us.

Very truly yours,



Mohan A. Reddy

Water Rights Permitting & Availability Section--MC 160--(Please use this code as part of my address)

Water Supply Division
512/239-4611

Enclosure:

cc: Ms. Susan Crawford Tracy
P. O. Box 1434
Medina, Texas 78055

Ms. Susan Smoot Sims
Susan Smoot Sims, P.C.
Attorney At Law
1207 Oak Street
P. O. Box 441
Bandera, Texas 78003

South Texas Watermaster, San Antonio

TEXAS WATER COMMISSION
INTEROFFICE MEMORANDUM

To: Central Records Date: December 8, 1988
From: Water Rights Administration Section Certificate of Adjudication No. 19-2113
Application No. _____ Permit No. _____
Subject: Change of Ownership Claim No. _____ Certified Filing No. _____
Bandera County
San Antonio River Basin

Delete Ada V. Stokes, et al (The Estate of L.S. Stokes) as xxxx owner

Add Susan Crawford Tracy as xxxx owner

checked
Vol. 179, Pgs.32; Vol. 260, Pg. 875; Vol. 262, xxx been and found to cover
Pg. 19; Vol. 263, Pg. 349 Vol. 266, Pg.398 and have xxxxxxxx
457; and Vol. 299 Pg. 199 of the Official Public Records
of Bandera County
all xxxxx
of the
xxxx water right

Ownership of Record with Addresses and Remarks:

Susan Crawford Tracy
General Delivery
Medina, Texas 78055

Initiated by Mohan Reddy

Approved: Tom Buckle Water Rights Administration Section
Change noted:

Permit Control/Date

Central Records/Date

Texas Water Commission

INTEROFFICE MEMORANDUM

TO Adj 2113

DATE: 1-19-88

THRU :

FROM : Water Rights Administration

SUBJECT: Address Change

1987 WUR

Susan Crawford Tracy
P. O. Box 1434
Medina, Texas 78055

RECEIVED

JAN 20 89

TWC
CENTRAL RECORDS

INTEROFFICE MEMORANDUM

To: Central Records
From: Water Rights
Adjudication Section
Subject: Change of Ownership

Date: February 10, 1983
Certificate of Adjudication No. 19-2113
Claim No. _____
Certified Filing No. _____
Application No. _____, Permit No. _____
Bandera County
San Antonio River Basin

5894 000000

Delete L. S. Stokes as part owner

Add The Estate of L. S. Stokes as part owner

_____ has been checked and found to cover
plotted
all claim
of the
part water right.

Ownership of Record with Addresses and Remarks: _____

Ada V. Stokes, et al

(et al includes: The Estate of L. S. Stokes)

Route 2, Box 36

Medina, Texas 78055

Ada V. Stokes telephoned to advise that L. S. Stokes is now deceased and that the probate documents were not available.

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 19-2113

OWNERS: L. S. Stokes and
wife, Ada V. Stokes
Route 2, Box 36
Medina, TX 78055

COUNTY: Bandera

PRIORITY DATE: 1935

WATERCOURSE: West Prong
Medina River

BASIN: San Antonio River

WHEREAS, by final decree of the 224th District Court of Bexar County, Texas, in Cause No. 78-CI-16903, In Re: The Adjudication of Water Rights in the Medina River of the San Antonio Basin (Exceptions of Edward Walsh, Harry Walsh, Frank Walsh, Bessie Walsh, Anita Walsh and Mary Walsh), dated November 12, 1980, a right was recognized under Claim 2473 authorizing L. S. Stokes and Ada V. Stokes to appropriate waters of the State of Texas as set forth below;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the San Antonio River Basin is issued to L. S. Stokes and wife, Ada V. Stokes, subject to the following terms and conditions:

1. USE

Owners are authorized to divert and use not to exceed 35 acre-feet of water per annum from West Prong Medina River to irrigate a maximum of 45 acres of land out of a 156 acre tract located in the Perry Davis Survey 321, Abstract 121, Bandera County, Texas, said 156 acre tract being described as follows:

- (1) BEGINNING at the northeast corner of the Perry Davis Survey 321, a rock mound 474 varas S 80°W from the southeast corner of the C. F. Bauerlein Survey;
- (2) THENCE S 10°E, 1000 varas to a rock mound in bed of the West Prong Medina River;
- (3) THENCE up said West Prong Medina River with its meanders as follows:
 - (a) N 64°W, 280 varas;
 - (b) N 80°W, 120 varas;
 - (c) N 84°W, 73 varas;
 - (d) west, 189 varas;
 - (e) N 86°W, 520 varas; and
 - (f) N 80°W, 149 varas to a rock mound on the west line of said Davis Survey 321;
- (4) THENCE N 10°W, 557 varas to the northwest corner of said Davis Survey 321;
- (5) THENCE N 80°E, 1343 varas to the place of beginning.

2. DIVERSION

A. Location:

At a point on the north bank of West Prong Medina River which is S 27°E, 1735 feet from the northwest corner of the Perry Davis Survey 321, Abstract 121, Bandera County, Texas.

B. Maximum Rate: 0.37 cfs (168 gpm).

3. PRIORITY

The time priority of owners' right is 1935.

The locations of pertinent features related to this certificate are shown on Page 2 of the Medina River Watershed Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Department of Water Resources and the office of the County Clerk.


This certificate of adjudication is issued subject to all terms, conditions and provisions provided for in the final decree of the 224th District Court of Bexar County, Texas, in Cause No. 78-CI-16903, In Re: The Adjudication of Water Rights in the Medina River of the San Antonio Basin (Exceptions of Edward Walsh, Harry Walsh, Frank Walsh, Bessie Walsh, Anita Walsh and Mary Walsh), dated November 12, 1980, and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the San Antonio River Basin.

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

This water right is appurtenant to the above-described land within which irrigation is authorized, unless and until severed from the land. A transfer of any portion of the above-described land includes, unless otherwise specified, that portion of the water right which is appurtenant to the transferred land at the time of the transaction.

TEXAS WATER COMMISSION


Felix McDonald, Chairman

DATE ISSUED:

AUG 28 1981

ATTEST:


Mary Ann Hefner, Chief Clerk

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

REPORT OF SURFACE WATER USED FOR THE YEAR ENDING ON DECEMBER 31, 1993.

Except where watermaster operations are established, Texas Law requires this report to be completed on or before March 1 of each year. Although this form is primarily for irrigation users, it also serves to stay in touch with all water right permit holders and we ask that if you have a reservoir for in-place recreational use, that you provide correct information or check the no change line for name/ownership/address information. Also please, answer question 1 and return the form. Water right owners, including recreational users, who divert water for recreational use, must also fill out the Amount Diverted table below.

SUSAN CRAWFORD TRACY
P. O. BOX 1434
MEDINA, TEXAS 78055

List below any changes in name, address or ownership:
NOTE, changing ownership also requires documents such as deed(s) and in case of inheritance, will, probate order, and will inventory.

_____ Name/Address/ownership is current and correct (check).

Effective January 1, 1994, a fee of \$100.00 will be charged for each transfer or name change per new rules adopted by the Texas Legislature

WATER RIGHT NO. 002113 6 Type Use # 3 Authorized Diversion, acre-feet/yr 0000000035 Acreage Authorized 0000045

If you have a reservoir, please describe the present condition of the dam: _____

Indicate how water diversion is measured for this water right: _____

Record of surface water diverted. (Enter in acre-feet, the amount of water used each month under this right). For reporting purposes: 1 cubic foot per second (cfs) = 450 gallons per minute (gpm); 1 acre-foot = 325,851 gal; 1 cfs = 2 acre-feet per 24 hours; and 1 million gal per day = 3 acre-feet.

★★ PLEASE REPORT AMOUNT DIVERTED and RETURN FLOW IN ACRE FEET ONLY ★★

Month	Maximum Diversion Rate	Amount Diverted	Return Flow (if any)
	cfs or gpm	acre-feet	acre-feet
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
Total			

ACTUAL CROPS AND ACRES IRRIGATED THIS YEAR	Acres	# of Waterings per Year	Average depth in inches
crops			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.	2.5	94	
13.			

Users of surface water for irrigation purposes: During this year 0 acres were irrigated one or more times under this right.

Irrigation Districts supplying water for irrigation purposes: During the year 0 acres were irrigated within the District's boundaries and 0 acres outside the District's boundaries. On 0 acres, only 1 crop was produced. On _____ acres, 2 crops were produced.

i. Conservation Information:

a) What type of irrigation system do you use and identify the acreage covered by that system? (Example: furrow irrigation of 60 acres or Big Gun Sprinkler on 75 acres.) Please check the irrigation system used:

System	No. Acres	
<input type="checkbox"/> Flood	_____	Other System: _____ _____ _____ Acres: _____
<input type="checkbox"/> Surface Furrow	_____	
<input type="checkbox"/> Centerpivot sprinkler	_____	
<input type="checkbox"/> Sprinkler, Other	_____	
<input type="checkbox"/> Low Energy Precision Application (LEPA)	_____	
<input type="checkbox"/> Drip	_____	

b) How long have you been using this system and what is the age of the equipment? _____

c) During 1992, the following conservation practices were regularly used:

<input type="checkbox"/> Surge Flow	<input type="checkbox"/> Furrow Diking
<input type="checkbox"/> Laser-land-leveling	<input type="checkbox"/> Weed Control
<input type="checkbox"/> Soil Moisture Monitoring	<input type="checkbox"/> Closed and/or Underground Pipe to deliver water to fields
<input type="checkbox"/> Tailwater Recovery & Reuse	<input type="checkbox"/> Other (please describe)

Additional information: _____

Well water is NOT to be included in the figures reported in Section 3. However we are interested in obtaining figures for the total quantity of well water used during the year for irrigation: _____ acre-feet of well water was used for irrigation.

ALL USERS MUST EXECUTE THE FOLLOWING

I hereby certify that the above is true and correct to the best of my knowledge and belief.

Witness my hand at Medina, Texas, this the 24 day of March 19 94.

BUSAN CRAWFORD TRAY
(Signature)

Return this form to:



Scale 1" = 300'

⊕ - found iron stake

⊙ - fence corner post

○ - unmarked point

▲ - concrete ROW marker

basis of bearings - GPS readings

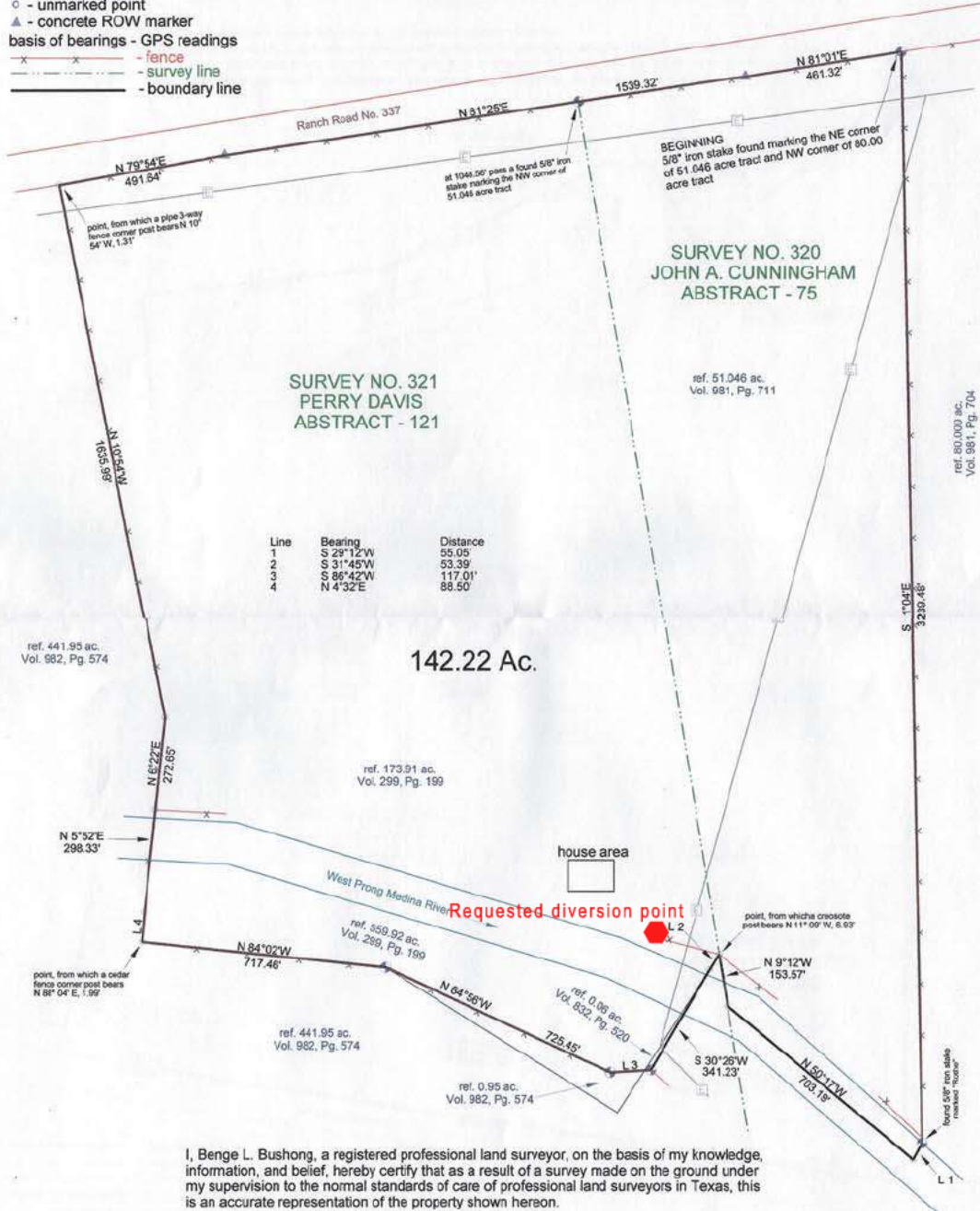
— x — - fence

- - - - - survey line

— — — — — boundary line

PLAT SHOWING:

142.22 acres of land, approximately 51.05 acres out of Survey No. 320, John A. Cunningham, Abstract No. 75 and approximately 91.17 acres out of Survey No. 321, Perry Davis, Abstract No. 121, lying and being situated in Bandera County, Texas. The said 142.22 acre tract being all of a certain 51.046 acre tract described in a deed from Troyce Wheeler to Susan Crawford Tracy dated March 19, 2014 and recorded in Volume 981, Page 711 of the Official Public Records of Bandera County, Texas. The said 51.046 acre tract being described as 0.06 of an acre in a deed from DTB Investments, LP, to Susan C. Tracy recorded October 2, 2008 and recorded in Volume 832, Page 520 of the Official Public Records of Bandera County, Texas, and a part of the lands described as Tract I of 559.92 acres and Tract II of 173.91 acres in a deed from Thomas H. Overstreet, et al to Susan T. Mellon dated September 11, 1987 and recorded in Volume 299, Page 199 of the Official Public Records of Bandera County, Texas.



Line	Bearing	Distance
1	S 28°12'W	55.05
2	S 31°45'W	53.39'
3	S 86°42'W	117.01'
4	N 4°32'E	88.50'

142.22 Ac.

I, Bengel L. Bushong, a registered professional land surveyor, on the basis of my knowledge, information, and belief, hereby certify that as a result of a survey made on the ground under my supervision to the normal standards of care of professional land surveyors in Texas, this is an accurate representation of the property shown hereon.

B. L. Bushong
Bengel L. Bushong
R.P.L.S. No. 5690
Firm# 10055200
January 15, 2020
Job #3475



106 N. 8th Street - Junction, Tx. 76849

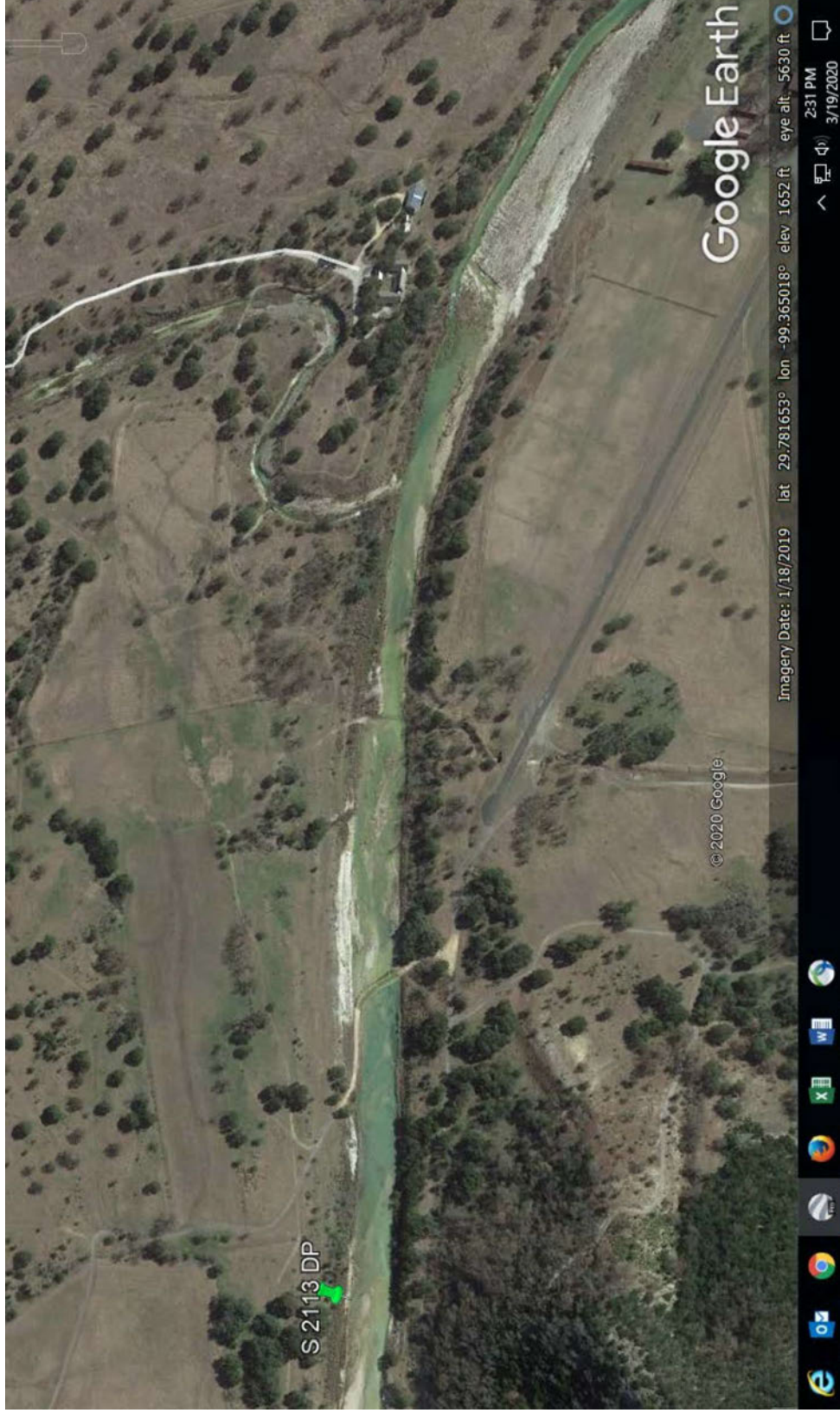
(830) 928-4070 - benge.blis@gmail.com

www.bushonglandsurveying.com

Certificate of Adjudication #19-2113

Susan Crawford Tracy 15.44 acre-feet per year

This existing diversion point (DP) - N29.780443 W099.369626 is located on a portion of my property that I no longer own



Google Maps 29°46'46.5"N 99°21'33.4"W



Imagery ©2021 CNES / Airbus, Maxar Technologies, USDA Farm Service Agency, Map data ©2021 1000 ft

Requested diversion point for CA #19-2113, to be located at 29.779594, -99.359288