

TCEQ Interoffice Memorandum

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

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Sam Sewell, Project Manager
Water Rights Permitting Team

DATE: July 28, 2021

SUBJECT: Riverhill Country Club, Inc.
ADJ 2000
CN600714471, RN101291300
Application No. 18-2000B to Amend Certificate of Adjudication
No. 18-2000
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Guadalupe River, Guadalupe River Basin
Kerr County

The application was received on March 22, 2021. Additional information and fees were received on June 23 and July 14, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on July 28, 2021. Mailed notice to interjacent water right holders of record in the Guadalupe River Basin is required pursuant to Title 30 Texas Administrative Code § 295.158(c)(3)(C).

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

Sam Sewell

Sam Sewell, 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

July 28, 2021

Mr. Michael Pinckney, P.E.
Carollo Engineers, Inc.
5316 Highway 290 West, Suite 330
Austin, TX. 78735

VIA E-MAIL

RE: Riverhill Country Club, Inc.
ADJ 2000
CN600714471, RN101291300
Application No. 18-2000B to Amend Certificate of Adjudication No. 18-2000
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Guadalupe River, Guadalupe River Basin
Kerr County

Dear Mr. Pinckney:

This acknowledges receipt, on July 14, 2021, of additional information.

The application was declared administratively complete and filed with the Office of the Chief Clerk on July 28, 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 at sam.sewell@tceq.texas.gov or by phone at (512) 239-4008.

Sincerely,

Sam Sewell

Sam Sewell, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

July 14, 2021

Mr. Sam Sewell
Texas Commission on Environmental Quality
12100 Park 35 Circle
Building F, Room 3101
Austin, Texas 78753

Subject: Riverhill Country Club, Inc. ADJ 2000 CN600714471, RN101291300 Application No. 18-2000B to Amend Certificate of Adjudication No. 18-2000.

Dear Mr. Sewell:

This letter provides the additional information requested in the Request for Information (RFI) dated July 13, 2021 regarding Riverhill Country Club's (herein referred to as "Riverhill") application to amend Certificate of Adjudication 18-2000.

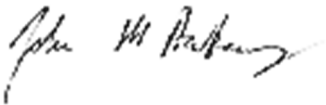
Item 1 of the RFI requests "Complete Item 2(a-d) in Worksheet 5.0 Environmental Information."

I believe that in the version of the form I had downloaded from the TCEQ webpage that the requested information is Worksheet 5 1(a-d) in response to Item #1 please find the attached portion of Worksheet 5 and a resubmission of the previously submitted worksheet 5 attachments.

Please let me know if any additional information is needed

Sincerely,

CAROLLO ENGINEERS, INC.



Michael Pinckney P.E.
Senior Engineer

AuthorInitials:mp

Enclosures: RFI2_Worksheet5

cc: John Junker, Riverhill Country Club

WORKSHEET 5.0 ENVIRONMENTAL INFORMATION

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

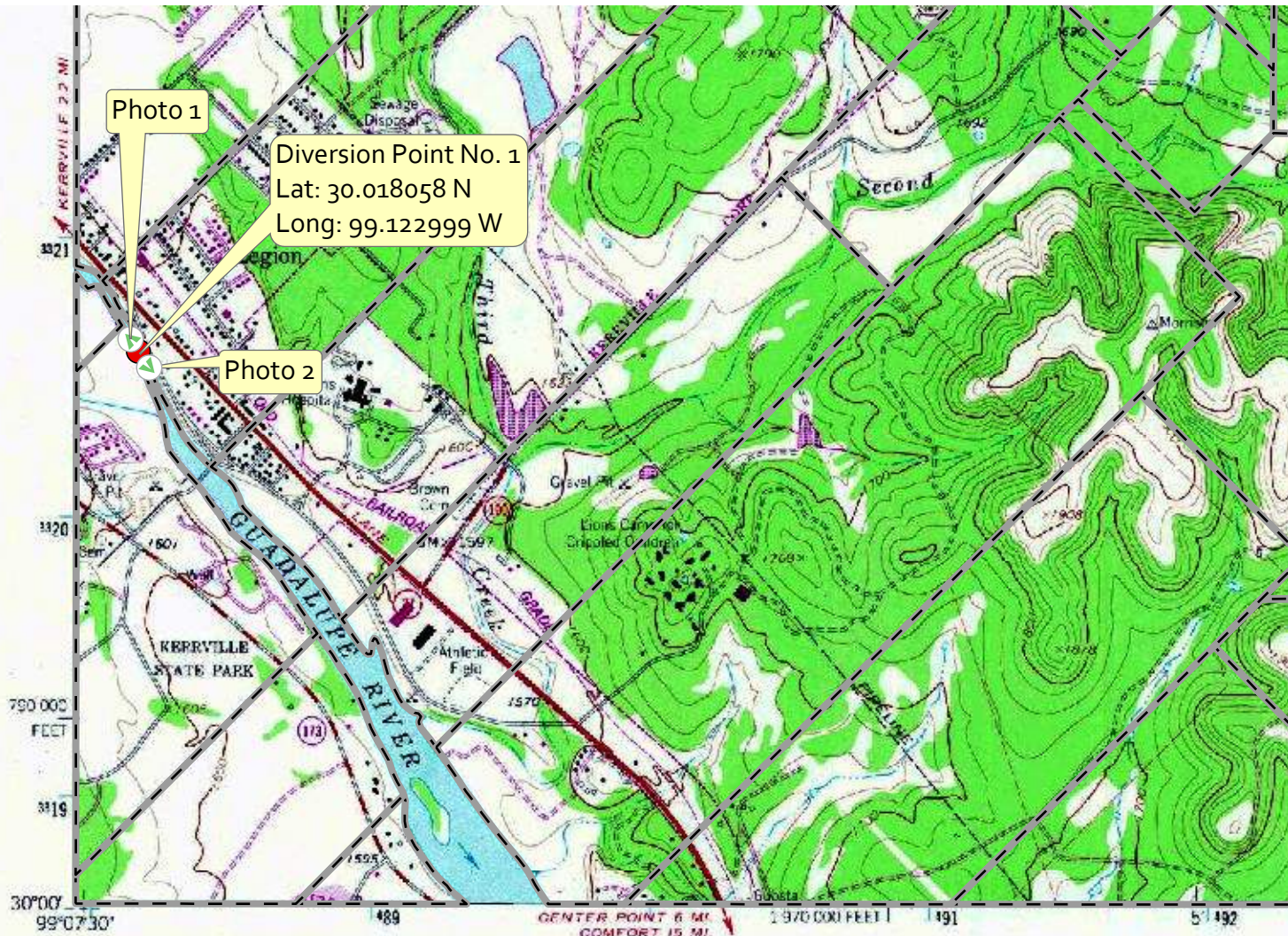
Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

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

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

For all bed and banks applications:

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



Mapped, edited, and published by the Geological Survey

Control by USGS and NDS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1962 and 1963. Field checked 1964

Polyconic projection. 10,000-foot grid ticks based on Texas coordinate system, south central zone. 1000-meter Universal Transverse Mercator grid ticks, zone 14, shown in blue 1927 North American Datum. To place on the predicted North American Datum 1983 move the projection lines 18 meters south and 31 meters east as shown by dashed corner ticks

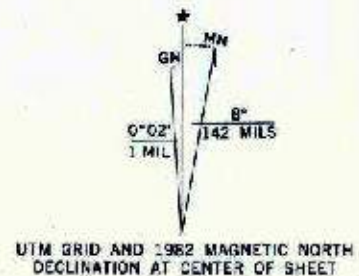
Fine red dashed lines indicate selected fence lines

Red tint indicates areas in which only landmark buildings are shown

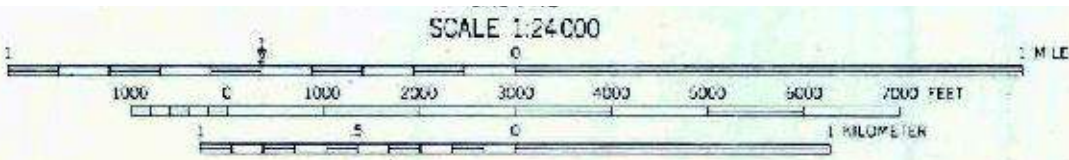
There may be private inholdings within the boundaries of the National or State reservations shown on this map

Revisions shown in purple and woodland compiled from aerial photographs taken 1979 and other sources. This information not field checked. Map edited 1982

Purple tint indicates extension of urban areas



(FALL CREEK)
6144 1/4 NW



CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

FEB 25 1983
LEGION, TEX.
N3000-W9900/7.5
2440
1964
PHOTOREVISED 1982
DMA 6144 II SE-SERIES V882

Addendum to Worksheet 5.0

Map Number 1: Diversion Point #1 looking upstream



Map Number 2: Diversion Point #1 looking downstream



Measures the applicant will take to avoid impingement and entrainment of aquatic organisms.

New diversion structures constructed within the requested diversion reaches will be designed and constructed with screens and low intake velocity intakes to avoid impingement and entrainment of aquatic organisms.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 13, 2021

Mr. Michael Pinckney
Carollo Engineers, Inc.
5316 Highway 290 West, Suite 330
Austin, Tx. 78735

VIA-EMAIL

RE: Riverhill Country Club, Inc.
ADJ 2000
CN600714471, RN101291300
Application No. 18-2000B to Amend Certificate of Adjudication No. 18-2000
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Guadalupe River, Guadalupe River Basin
Kerr County

Dear Mr. Pinckney:

This acknowledges receipt on June 23, 2021 of additional information and fees in the amount of \$2.94 (Receipt No. M119505A, copy attached).

Before the application can be declared administratively complete, complete item 2(a-d) in *Worksheet 5.0 Environmental Information*.

Please provide the requested information by August 12, 2021 or the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18.

If you have any questions concerning this matter, please contact me via email at sam.sewell@tceq.texas.gov or by telephone at (512) 239-4008.

Sincerely,

Sam Sewell

Sam Sewell, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



23-JUN-21 12:05 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
NOTICE FEES-WUP- WATER USE PERM	PTGU	M119505A	1060122		BS00087470	23-JUN-21	-\$2.94
	PTGU	ADJ182000	062321	N	D1803642		
NOTICE FEES WUP WATER USE PERMITS		CAROLLO ENGINEERS INC	RHDAVIS	CK			
	PTGU	M119505B	1060122		BS00087470	23-JUN-21	-\$2.94
	PTGU	ADJ182001	062321	N	D1803642		
NOTICE FEES WUP WATER USE PERMITS		CAROLLO ENGINEERS INC	RHDAVIS	CK			
Total (Fee Code):							-\$5.88

RECEIVED
JUN 24 2021
Water Availability Division

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

**GENERAL UTILITY EASEMENT
(Tuscany Land, Ltd.)**

**THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF KERR §**

That Tuscany Land, Ltd., a Texas Limited Partnership, owner of the real property described herein and hereinafter referred to as "Grantor", whose address is P.O. Box 293565, Kerrville, Texas 78029-3565, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, paid by the City of Kerrville, Texas, 701 Main Street, Kerrville, Texas, 78028, hereinafter called "Grantee", the receipt and sufficiency of which is hereby acknowledged, has granted, sold, and conveyed, and by these presents does hereby grant, sell, and convey unto Grantee, its successors and assigns, a general utility easement for public water and wastewater utility purposes, including the right of ingress, egress, and regress therein, to erect, construct, reconstruct, install, place, repair, operate, use, inspect, modify, remove, replace, resize, and maintain water and wastewater lines, together with all lines, pipes, conduits, and other facilities, equipment, improvements, and appurtenances (collectively referred to herein as the "Lines") used in connection with such public utilities as deemed necessary thereby by Grantee over, along, across, under, into, and through the following described property of the Grantor:

A twenty foot (20') wide general utility easement, consisting of an approximate 0.27 acre or 1176.1 square feet, tract of land out of that called 55.89 acre tract conveyed to Tuscany Land, Ltd., by instrument recorded in Volume 1454, Pages 5-9 of the Official Public Records of Kerr County, Texas; situated in the Nathaniel Hoyt Survey No. 147, Abstract 178, within the City of Kerrville, Kerr County, Texas, and as more particularly described and depicted in Exhibits A and B, attached hereto and made a part hereof for all purposes (the "Easement").

In addition, Grantor grants Grantee a variable width construction easement ("Construction Easement") adjacent to and running the length of the Easement for the sole purpose of constructing, installing, and thereafter and from time-to-time, maintaining the Lines, which will be conducted by Grantee, Riverhills Country Club, Inc., or their agents or representatives. Prior to entry onto Grantor's property and the commencement of any such work, Grantee or Riverhills Country Club, Inc. shall provide Grantor with notice of any such work, the scope, and the timeline.

The Easement and Construction Easement are subject to the following terms and provisions:

1. The grant of the Easement is subject to the following specific reservations and exceptions:

(A) Grantor reserves the right to include the Easement for purposes of calculating impervious cover requirements, setback requirements, or such other requirements that may be imposed in the development or redevelopment of Grantor's adjacent lands; and

(B) The Easement is granted subject to all recorded easements, rights of way, and other documents of record and all zoning and other municipal ordinances and regulations.

2. Grantee shall have the right to do whatever may be requisite for the enjoyment of the rights herein granted, including the right to clear the Easement and Construction Easement of brush and timber, and the right of egress from and ingress to the Easement and the Construction Easement. However, Grantee will make commercially reasonable efforts to ensure that damage to Grantor's future improvements within the Easement or Construction Easement, as permitted herein, and/or any adjacent land of Grantor used to access the Easement is minimized and that no damage occurs to any future improvement on Grantor's adjacent land. Grantee will at all times, after performing any work in connection with the Easement or the Lines therein, restore the area within the Easement, Construction Easement, and any land used to access same to the condition in which the same was found before any such damage occurred.
3. Grantor shall have the right to fully use and enjoy the Easement and Construction Easement for any purpose which shall not interfere with the rights herein granted to Grantee. Without limitation, such uses by Grantor include installation, maintenance, repair, and replacement of paved parking (asphalt or concrete) within the Easement. Grantor agrees not to interfere with Grantee's ability to use or maintain the Easement or Construction Easement for any of the authorized purposes provided for herein. Interference includes but is not limited to physically modifying the Easement and Construction Easement such as altering topography, installing fences, structures, rockeries, walls, or similar improvements which would prevent or limit access to the Easement or Construction Easement; planting of difficult to restore landscaping; piling or the storage of dirt, trash, garbage, debris, or other materials. Grantor, upon the receipt of written notice from the Grantee, shall remove any cited interference from the Easement or Construction Easement which prevents proper use of said easements for the purposes intended herein. Grantee may grant written permission to the Grantor to physically modify the Easement or Construction Easement upon receipt of written request.
4. Grantee, its successors, and assigns shall enjoy the rights, benefits, and privileges herein conveyed until relinquished and released by written instrument executed by the Grantee.

TO HAVE AND TO HOLD the above described easements, together with all the rights and appurtenances thereto in anywise belonging unto the said public generally for the purposes hereinabove recited.

WITNESS THE EXECUTION HEREOF on this 24th day of APRIL, 2015.

(signatures begin on next page)

GRANTOR
TUSCANY LAND LTD.

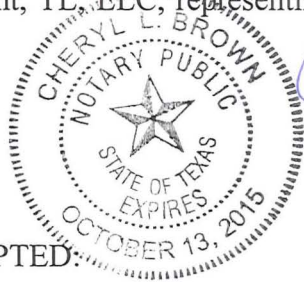
BY: TL LLC, General Partner

By: Robert Keeble
Robert Keeble, President

Acknowledgment

THE STATE OF TEXAS §
 §
COUNTY OF KERR §

This instrument was acknowledged before me on the 24th day of April, 2015, by Robert Keeble, President, TL, LLC, representing and acting as the General Partner of Tuscany Land, Ltd.



Cheryl Brown
Notary Public, State of Texas

APPROVED AND ACCEPTED:
Todd Parton
Todd Parton, City Manager
City of Kerrville, Texas

AFTER RECORDING RETURN TO:
Office of City Secretary ✓
City of Kerrville, Texas
701 Main Street
Kerrville, Texas 78028

FIELD NOTES DESCRIPTION FOR A TWENTY FT. WIDE WATER LINE
EASEMENT UPON, OVER AND ACROSS THE TUSCANY LAND, LTD
LAND ALONG STATE HIGHWAY NO. 173 IN THE CITY OF KERRVILLE,
KERR COUNTY, TEXAS

Being all of a certain twenty (20) ft. wide strip, tract or parcel of land containing 0.27 acre, more or less, out of John Southmayd Survey No. 148, Abstract No. 288 in the City of Kerrville, Kerr County, Texas; part of a certain 55.89 acre tract conveyed as TRACT I from Robert L. Keeble and Stacie H. Keeble to Tuscany Land, LTD by a Warranty Deed executed the 25th day of July, 2005 and recorded in Volume 1454 at Page 5 of the Real Property Records of Kerr County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron stake set in the west line of said 55.89 acre tract and northeast line of a certain 8.40 acre tract conveyed from Riverhill Club & Estates, Ltd. to the Kerrville Municipal Utility District by a Warranty Deed executed the 3rd day of September, 1975 and recorded in Volume 185 at Page 185 of the Deed Records of Kerr County, Texas for the south corner of the herein described tract; which point bears 459.56 ft. N44°47'06"W from the southwest corner of 55.89 acre tract;

THENCE, with the common line between said 55.89 and 8.40 acre tracts N44°47'06"W, 21.03 ft. to a ½" iron stake set for the west corner of the herein described tract;

THENCE, upon, over and across said 55.89 acre tract, all calls to set ½" iron stakes: N67°10'09"E, 2.11 ft.; N61°08'09"E, 166.66 ft.; N54°27'33"E, 180.91 ft.; N52°22'47"E, 160.48 ft.; and N47°48'49"E, 92.52 ft. to an unmarked point in its east line for the north corner of the herein described tract;


THENCE, with the east line of said 55.89 acre tract S22°53'35"E, 21.19 ft. to an unmarked point for the east corner of the herein described tract;

THENCE, upon, over and across said 55.89 acre tract, all calls to set ½" iron stakes: S47°48'49"W, 86.32 ft.; S52°22'47"W, 161.64 ft.; S54°27'33"W, 182.44 ft.; and S61°08'09"W, 164.15 ft. to the PLACE OF BEGINNING.

I hereby certify that these field notes and accompanying plat are accurate representations of the property shown and described hereon as determined by a survey made on the ground under my direction and supervision, except no survey was made to reestablish Patent Survey lines or corners; and that all property corners are as shown. (Bearing basis = True north based on GPS observations)

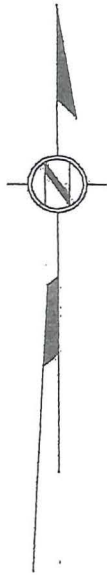
Dates Surveyed: August 28, 2014
October 13, 2014

Dated this 13th day of October, 2014


Lee C. Voelkel
Registered Professional Land Surveyor No. 3909
County Surveyor for Kerr County, Texas



SURVEY PLAT FOR 0.27 ACRE OF LAND, MORE OR LESS, OUT OF JOHN SOUTHMAYD SURVEY NO. 148, ABSTRACT NO. 288 IN THE CITY OF KERRVILLE, KERR COUNTY, TEXAS; PART OF A CERTAIN 55.89 ACRE TRACT CONVEYED AS TRACT I FROM ROBERT L. KEEBLE AND STACIE H. KEEBLE TO TUSCANY LAND, LTD BY WARRANTY DEED EXECUTED THE 25TH DAY OF JULY, 2005 AND RECORDED IN VOLUME 1454 AT PAGE 5 OF THE REAL PROPERTY RECORDS OF KERR COUNTY, TEXAS



I hereby certify that this plat and accompanying field notes description are accurate representations of the property shown and described hereon as determined by a survey made on the ground under my direction and supervision, except no survey was made to reestablish Patent Survey lines or corners; and that all property corners are as shown.

(Bearing basis = True north based on GPS observations)

Date Surveyed: August 28, 2014
October 13, 2014

Dated this 14th day of October, 2014

Lee C. Voelkel

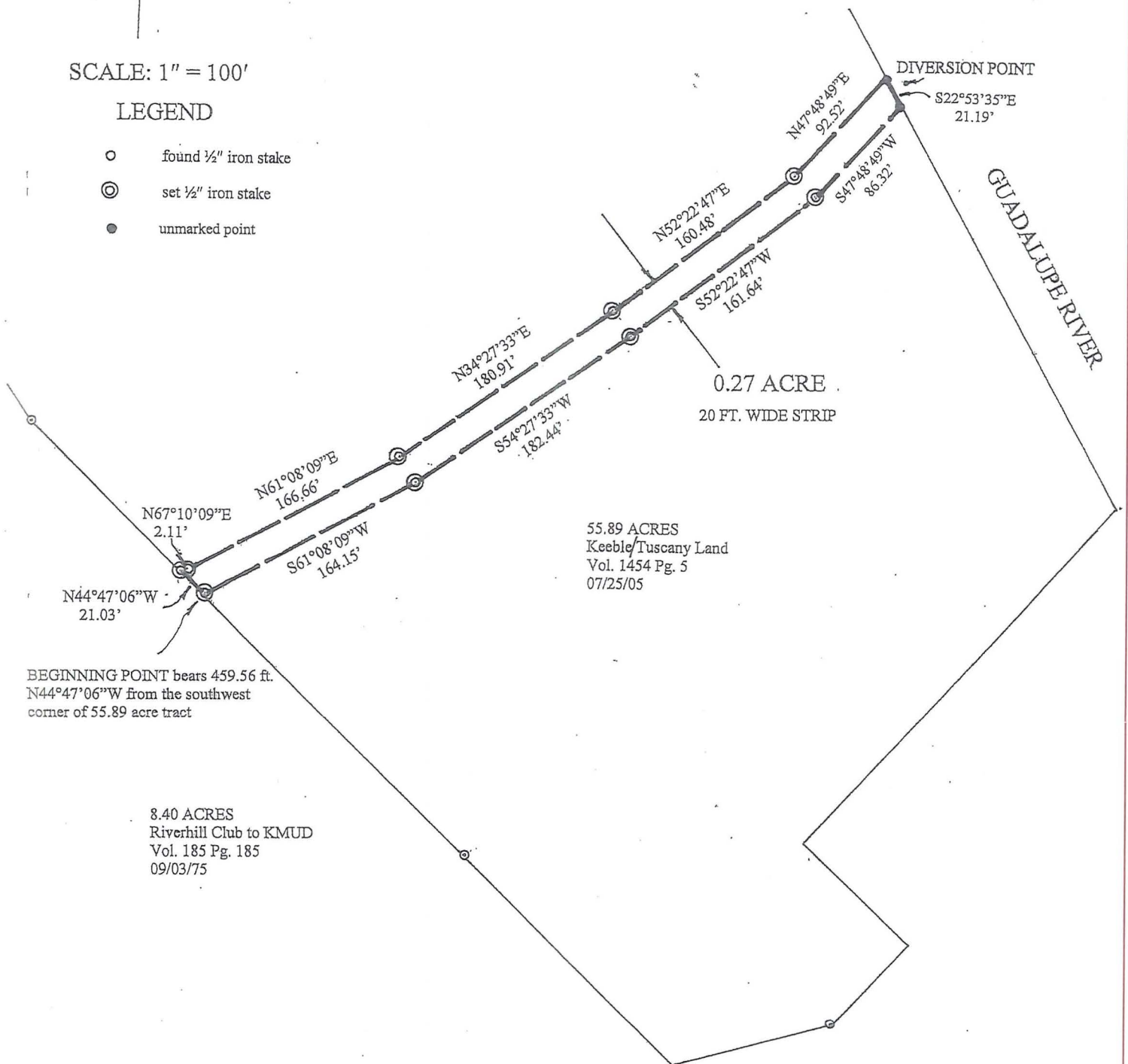
Lee C. Voelkel
Registered Professional Land Surveyor No. 3909
County Surveyor for Kerr County, Texas



SCALE: 1" = 100'

LEGEND

- found 1/2" iron stake
- ⊙ set 1/2" iron stake
- unmarked point





FILED AND RECORDED
At 9:38 o'clock A M
STATE OF TEXAS
COUNTY OF KERR

May 7, 2015

I hereby certify that this instrument was filed in the numbered sequence on the date and time stamped above by me and was duly recorded in the Official Public Records of Kerr County Texas.

Rebecca Bolin County Clerk

McCallister Deputy

ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

____ New Appropriation of State Water

____ Amendment to a Water Right *

____ Bed and Banks

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

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

**CERTIFICATE OF FORMATION
OF LIMITED PARTNERSHIP
RIVERHILL CC LP**

FILED
In the Office of the
Secretary of State of Texas

SEP 30 2009

Corporations Section

1. The filing entity being formed is a limited partnership.
2. The name of the limited partnership is RIVERHILL CC LP.
3. The limited partnership's initial registered agent is an individual resident of the State of Texas whose name is John Roger Junker, Jr. The business address of both the registered agent and limited partnership's initial registered office is P.O. Box 3195, Bandera, Texas 78003-3195.
4. The name of the limited partnership's sole general partner is Southern Golf Properties-USA, LLC. The mailing address of such general partner is P.O. Box 3195, Bandera, Texas 78003-3195.
5. The address of the principal office of the limited partnership in the United States where the limited partnership's records are to be kept and made available for inspection under section 153.551 of the Texas Business Organizations Code is P.O. Box 3195, Bandera, Texas 78003-3195.
6. This document becomes effective when it is filed by the Secretary of State.

The undersigned executes this Certificate of Formation subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument.

GENERAL PARTNER:

SOUTHERN GOLF PROPERTIES-USA, LLC,
a Texas limited liability company

By: _____

Name: _____

Title: _____

Dated: September 26, 2009

RECEIVED

SEP 30 2009

Secretary of State

1709839v1

AMENDMENT
TO
SUBORDINATION AGREEMENT

This Amendment to Subordination Agreement (the "Amendment") is made and entered into this 30th day of APRIL, 2002 by and between **Guadalupe-Blanco River Authority**, a conservation district and political subdivision of the State of Texas ("Authority") and **Riverhill Country Club, Inc.**, a Texas non-profit corporation ("User").

RECITALS:

A. User is the owner and operator of that certain golf course facility situated in Kerr County, Texas (the "Property") and is the holder of water appropriation Permit No. 3207, as reflected by Certificate of Adjudication No. 18-2000, as amended, issued by the Texas Water Commission, predecessor of the Texas Natural Resource Conservation Commission (the Permit and the Certificate collectively referred to herein as the "Riverhill Permit.".) The Riverhill Permit authorizes User to impound, divert and use the flows of the Guadalupe River and Camp Meeting Creek, a tributary of the Guadalupe River.

B. Authority and User entered into that certain Subordination Agreement dated September 1, 1986 (the "Agreement") wherein, among other agreements, Authority agreed to subordinate its hydropower rights to make water available for use by User at times when the entire flows of Camp Meeting Creek or the Guadalupe River are required to be allowed to pass to honor Authority's hydropower rights, but less than the entire flows are required to be allowed to pass to honor all other water rights.

C. Since obtaining the Riverhill Permit, User has expended and continues to expend significant efforts to obtain alternate sources of water for its Property and to formulate water use programs that will more efficiently utilize the water available to its Property. These efforts have included (and continue to include) (i) negotiating with and submitting formal requests to the City of Kerrville, Texas (the "City") regarding User's use of treated wastewater effluent generated by the City (such effluent referred to herein as "Reclaimed Water") once sufficient Reclaimed Water becomes available for use; (ii) adopting a formal comprehensive conservation policy with the goal of dramatically reducing water usage on the Property; (iii) implementing a "native grass plan"; (iv) modifying the irrigation system which services the Property to significantly reduce the amount of area irrigated by User (resulting in an overall reduction of annual water usage by over 40 acre feet); and (v) conducting detailed studies regarding the long term needs of the Property and the potential impact of droughts on such needs.

D. Notwithstanding the continued efforts of User to obtain alternative sources of water for the Property, constraints on the City's supply prevent it from supplying the quality and quantity of Reclaimed Water needed by User to adequately service its Property. Consequently, User must continue to rely primarily upon the diversion of water from the Guadalupe River under the Riverhill Permit and the Agreement between Authority and User. To partially alleviate the concerns of User regarding the availability of future water sources to service User's Property, Authority and User now

desire to modify and amend certain terms and provisions of the Agreement as hereinafter provided.

A G R E E M E N T:

NOW THEREFORE, in consideration of the premises, the mutual obligations set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each party, Authority and User agree as follows:

1. Capitalized terms used herein and not otherwise defined shall have the same meaning as set forth in the Agreement.
2. The provisions in this Amendment shall be controlling over any inconsistent or contrary provisions set forth in the Agreement and any prior or contemporaneous agreement by and between Authority and User.
3. The first sentence of Paragraph 9 of the Agreement shall be deleted, and the following shall be inserted in its place:

The term of this Agreement shall commence on the date first set forth above and shall terminate at 6:00 p.m., Central Standard Time, on December 31, 2040, unless earlier terminated pursuant to the terms hereof. Notwithstanding the foregoing, if User obtains a reliable alternative source of fresh water or Reclaimed Water which is (i) sufficient in quality for irrigation use on all portions of User's golf course and related facilities located in Kerrville, Texas (the "Golf Course Facility"); (ii) sufficient in quantity to meet the current and anticipated irrigation needs of the Golf Course Facility, and (iii) priced at an acceptable level or at a minimum, priced consistent with other available alternative sources, Authority shall have the right to proportionately reduce the amount of fresh water available to User under the Agreement to the extent (and only to the extent) that User obtains an alternative source of water in accordance with this paragraph. If Authority elects to exercise its right to proportionately reduce the amount of water available to User under the Agreement, Authority shall provide User with written notice of Authority's election at least thirty (30) days' prior to the date on which such election becomes effective. Notwithstanding the foregoing to the contrary, if at any time User's ability to secure or utilize the alternative source of fresh water or Reclaimed Water is materially impacted (either because available supply is reduced, the quality of the available supply is unsuitable for User's purposes and/or the price/rate for such alternative water is increased to an unacceptable level), User shall have the right to notify Authority in writing detailing the specifics of such situation. Thirty (30) days after delivery of such written notice to Authority, User may, subject to the diversion rates, quantities and conditions of the Riverhill Permit, begin using up to the full amount of water that was previously reduced by Authority in accordance with this paragraph until such time as the conditions (supply, quality and/or price) impacting User's ability to utilize such alternative source return to the level(s) existing at the time Authority elected to reduce User's supply.

4. The following shall be added to the Agreement as Paragraph 11:

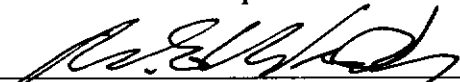
Throughout the term of this Agreement, User shall use commercially reasonable efforts to continue its pursuit of Reclaimed Water in amounts, price and of a quality sufficient to service the current and anticipated irrigation needs of the Golf Course Facility.

5. Except as hereinabove amended, the parties hereto reaffirm the terms and conditions of the Agreement, and agree that all other terms of the Agreement shall remain in full force and effect.

This instrument may be executed in multiple counterparts, each of which shall have the force and effect of an original.


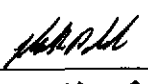
AUTHORITY:

GUADALUPE – BLANCO RIVER AUTHORITY,
a conservation district and political subdivision of the State of Texas

By: 
Name: W. C. WEST, JR.
Title: GENERAL MGR.

USER:

RIVERHILL COUNTRY CLUB, INC.
a Texas non-profit corporation

By:  
Name: RONALD D. PETERSON Jeffery R. Poland
Title: PRESIDENT General manager

SUBORDINATION AGREEMENT

This subordination agreement (this "Agreement") is entered into as of the 1st day of September, 1986, between GUADALUPE-BLANCO RIVER AUTHORITY, a conservation district and political subdivision of the State of Texas (hereinafter called the "Authority"), and Riverhill Club, Inc. (hereinafter called "User").

W I T N E S S E T H:

Recitals

User holds water appropriation Permit No. 3207, as amended, as reflected by Certificate of Adjudication No. 18-2000 issued by the Texas Water Commission (together, hereinafter referred to as "Certificate of Adjudication No. 18-2000"), which authorized User to impound, divert and use the flows of the Guadalupe River and Camp Meeting Creek, tributary of the Guadalupe River, upstream of Canyon Reservoir. The flows of the Guadalupe River and its tributaries upstream of Canyon Reservoir are already appropriated virtually all of the time under hydropower rights held by the Authority under Permit Nos. 21 and 1096, other water rights held by the Authority, including Permit No. 1886

authorizing Canyon Reservoir, and water rights held by others. User desires to extend certain authorizations under Certificate of Adjudication No. 18-2000, or to obtain additional authorizations from the Texas Water Commission. User further desires that the Authority subordinate its hydropower rights to make water available for use by User under Certificate of Adjudication No. 18-2000 at times when the entire flows of Camp Meeting Creek or the Guadalupe River are required to be allowed to pass to honor the Authority's hydropower rights, but less than the entire flows are required to be allowed to pass to honor all other water rights.

Agreement

NOW, THEREFORE, for and in consideration of the mutual promises, obligations, and benefits hereinafter set forth, the Authority and User agree as follows:

1. Pursuant to Paragraph No. 1 of Certificate of Adjudication No. 18-2000, User is authorized to:

maintain a dam and reservoir on Camp Meeting Creek ["User's Reservoir"] and impound therein not to exceed 70 acre-feet of water.

Pursuant to Paragraph 2 of Certificate of Adjudication No. 18-2000, User was authorized to:

divert and use not to exceed 350 acre-feet of water per annum from the Guadalupe River and the reservoir on Camp Meeting Creek, but of

not more than 215 acre-feet per annum from the Guadalupe River to irrigate 160 acres of land out of a tract located

Certificate of Adjudication No. 18-2000 further contains Special Conditions which provide, in part, as follows:

Diversions from the Guadalupe River shall cease and authorized diversions from the reservoir on Camp Meeting Creek shall be reduced to 135 acre-feet per annum ten years from the date of issuance of this permit. The Commission may extend the ten-year period upon application for an extension by the permittee.

Pursuant to the above-quoted Special Condition, User desires to extend the authorizations in Certificate of Adjudication No. 18-2000 or obtain additional authorizations from the Texas Water Commission, to the extent set forth in Paragraph 2 of Certificate of Adjudication No. 18-2000, at diversion rates not to exceed those set forth therein. The further provisions of this Agreement take effect upon the granting in whole or in part by the Texas Water Commission of User's application for such extension or additional authorization.

2. The Authority agrees to subordinate its hydropower rights to make water available for use as proposed by User at times when the entire flows of Camp Meeting Creek or the Guadalupe River are required to be allowed to pass to honor

the Authority's hydropower rights, but less than the entire flows are required to be allowed to pass to honor all other water rights.

3. For purposes of this Agreement, the parties agree that the impoundment and use of water by User will result in a reduction in the flow of water utilized by the Authority's hydroelectric system (the "Flow Reduction"). The Flow Reduction in any given year shall be the sum of (1) fifty-six (56) acre-feet due to evaporation from User's Reservoir during that year, plus (2) the number of acre-feet of water diverted from User's Reservoir during that year, plus (3) the number of acre-feet of water diverted from the Guadalupe River during that year and not impounded in User's Reservoir, less (4) the number of acre-feet of privately-owned groundwater withdrawn from wells and impounded in User's Reservoir during that year. User agrees to pay the Authority at its office in Guadalupe County, Texas, or such other place as the Authority may designate in writing, not later than the fifteenth (15th) day of each January beginning the January immediately following the date of this Agreement, the cost resulting from multiplying the Flow Reduction for the preceding calendar year times the rate in dollars per acre-foot determined by the Board of Directors of the Authority to be in effect during the preceding year for

reductions of flow through the Authority's hydroelectric system. The present rate is \$5.10 per acre-foot. The rate may be adjusted by the Authority at any time and from time to time, with any adjustment to take effect on the first (1st) day of the January immediately following the date the Authority gives written notice of the proposed adjustment to User. The rate shall be based on (1) the revenue lost to the Authority's hydroelectric system due to reduction in flow caused by the diversion, (2) compensation to the Authority's power customers for the higher cost of replacement power, and (3) costs of the Authority in administering the subordination program.

4. The "Points of Diversion" shall be the two points of diversion defined in Certificate of Adjudication No. 18-2000. At the direction of the Authority, User shall, at its own cost and expense, install and maintain a measuring device or devices at a specific point established by mutual agreement of the parties to measure the total quantity of water diverted by User at each Point of Diversion within five percent (5%) above or below the amount actually diverted. All measuring devices shall be subject at all reasonable times to inspection, examination and testing by any employee or agent of the Authority. Any measuring device which fails to function or which functions

incorrectly shall, at User's expense, promptly be adjusted, repaired or replaced by a like device having the required accuracy. The Authority may, at its expense, install and maintain such measuring devices as it deems appropriate to measure the quantity of water diverted by User at each Point of Diversion, in which case measurement of water for the purpose of this Agreement shall be made by the Authority's measuring devices. The Authority agrees to complete and file with the Texas Water Commission all reports of water used by User.

5. The effectiveness of this Agreement is dependent upon compliance with applicable rules of the Texas Water Commission, if any. This Agreement is subject to the terms of the Authority's hydropower rights and the Authority's rights thereunder, and to such laws, rules and regulations as may be applicable to similar agreements in the State of Texas. The Authority and User will cooperate with each other to obtain any permits, approvals or other authorizations as may be required to comply therewith.

6. The Authority makes no representations and shall have no responsibility with respect to the availability or quality of water at the Points of Diversion and, except as specifically provided herein, User's rights to said water if available. User understands and agrees that the Authority

may subordinate its hydropower rights to other rights held by the Authority and others. This Agreement shall not be construed as an Agreement for the benefit of any third party.

7. User may terminate this Agreement at any time upon giving the Authority written notice of termination at least thirty (30) days prior to the date of termination. If User fails to pay any amounts payable under this Agreement when due and payable, the Authority may give written notice of such delinquency to User, and if all amounts due and unpaid, including interest thereon from the date payment was due at the maximum legal rates, are not paid within forty-five (45) days after delivery of such notice, then the Authority shall be authorized, at its option, to institute suit for the collection thereof and to utilize such other remedies as may exist to collect any amounts due and unpaid, together with interest thereon at the maximum legal rate, and attorneys' fees. In addition to all other remedies, the Authority may, at its option, if such amounts are not paid within said 45 day period, terminate this Agreement without recourse.

8. No waiver by the Authority of any breach or default by User of any term, covenant, condition or liability hereunder, or of the exercise by the Authority of any right or privilege hereunder, shall be deemed or construed to be a

waiver by the Authority of subsequent breaches or defaults by User of any kind, under any circumstances, or of the subsequent exercise by the Authority of rights or privileges of any kind, under any circumstances.

9. This Agreement shall extend for a term of forty (40) years from the date first set forth above unless earlier terminated pursuant to the terms hereof. Upon expiration of said term, this Agreement may be renewed or extended for such term, or terms, as may be agreed upon by the Authority and User.

10. This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors and assigns; provided, however, that User may assign this Agreement and all rights, benefits and privileges hereunder only to a subsequent owner of Certificate of Adjudication No. 18-2000. User shall give notice of any assignment of Certificate of Adjudication No. 18-2000 and this Agreement to the Authority within ten (10) days after the date of such assignment.

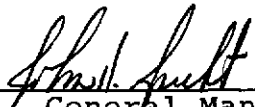
IN WITNESS WHEREOF, the Authority and User have caused this Agreement to be executed in multiple copies, each of which shall be deemed to be an original, in their behalf by

their duly authorized representatives, as of the date first set forth above.

(SEAL)

GUADALUPE-BLANCO RIVER AUTHORITY

ATTEST:


By 
General Manager




(SEAL)

RIVERHILL CLUB, INC.

ATTEST:

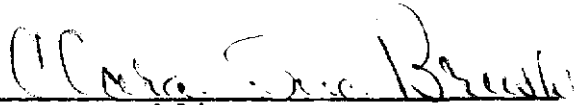
By 
Wanda C. Kemp, Vice President


Asst. Secretary
David L. Jackson

THE STATE OF TEXAS §
§
COUNTY OF GUADALUPE §

BEFORE ME, the undersigned authority, on this day personally appeared John H. Specht, General Manager of the GUADALUPE-BLANCO RIVER AUTHORITY, a conservation and reclamation district, a body politic and corporate and a governmental agency of the State of Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said Authority.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 5th day of September, 1986.

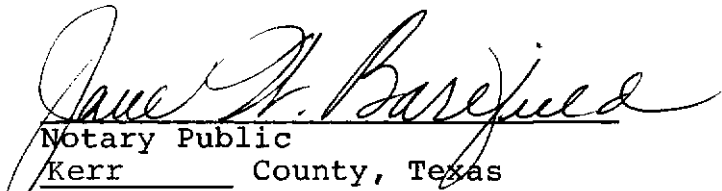

Notary Public
Guadalupe County, Texas

(SEAL)

THE STATE OF TEXAS §
§
COUNTY OF KERR §

BEFORE ME, the undersigned authority, on this day personally appeared Wanda C. Kemp, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of Riverhill Club, Inc.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 29th day of August, 1986.


Notary Public
Kerr County, Texas

(SEAL)

Jane W. Barefield
My Commission Expires: 7/25/88

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 2, 2021

Mr. Michael Pinckney
Carollo Engineers, Inc.
5316 Highway 290 West, Suite 330
Austin, Tx. 78735

VIA-EMAIL

RE: Riverhill Country Club, Inc.
ADJ 2000
CN600714471, RN101291300
Application No. 18-2000B to Amend Certificate of Adjudication No. 18-2000
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Guadalupe River, Guadalupe River Basin
Kerr County

Dear Mr. Pinckney:

This acknowledges receipt, on May 24, 2021 of the applicant's request for a 30-day extension of time to respond to the Texas Commission on Environmental Quality letter, dated April 22, 2021.

A 30-day extension is granted until June 24, 2021 and after that date the application may be returned pursuant to Title 30 Texas Administrative Code § 281.18. No further extensions will be granted associated with this request for information.

If you have questions concerning this application, please contact Sam Sewell via email at Sam.Sewell@tceq.texas.gov or by phone at (512) 239-4008.

Sincerely,

J. Brooke McGregor
Brooke McGregor, Manager
Water Rights Permitting & Availability Section
Water Availability Division

May 24, 2021

Mr. Sam Sewell
Texas Commission on Environmental Quality
12100 Park 35 Circle
Building F, Room 3101
Austin, Texas 78753

Subject: Riverhill Country Club, Inc. ADJ 2000 CN600714471, RN101291300 Application No. 18-2000B to Amend Certificate of Adjudication No. 18-2000.

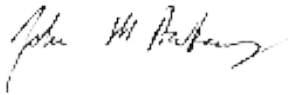
Dear Mr. Sewell:

This letter requests an extension of time to compile the requested information in the Request for Information (RFI) dated April 21, 2021 regarding Riverhill Country Club's (herein referred to as "Riverhill") application to amend Certificate of Adjudication 18-2000.

While the majority of this information has been collected, we are still working on getting deed information for the property where the diversion point is located.

Sincerely,

CAROLLO ENGINEERS, INC.



Michael Pinckney P.E.
Senior Engineer

AuthorInitials:mp

cc: John Junker, Riverhill Country Club

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 22, 2021

Mr. Michael Pinckney
Carollo Engineers, Inc.
5316 Highway 290 West, Suite 330
Austin, Tx. 78735

VIA-EMAIL

RE: Riverhill Country Club, Inc.
ADJ 2000
CN600714471, RN101291300
Application No. 18-2000B to Amend Certificate of Adjudication No. 18-2000
Texas Water Code § 11.122, Requiring Limited Mailed Notice
Guadalupe River, Guadalupe River Basin
Kerr County

Dear Mr. Pinckney:

This acknowledges receipt on March 22, 2021 of the referenced application and partial fees in the amount of \$112.50 (Receipt No. M115158, copy attached).

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

1. Clarify the coordinates of the requested diversion point. Staff notes that the application summary on page 2 includes coordinates that do not match the coordinates provided on Worksheet 3.0 *Diversion Point Information*.
2. Complete Item 2(a-d) in Worksheet 5.0 *Environmental Information*.
3. Provide documentation evidencing signature authority for John Junker, on behalf of Riverhill Country Club, Inc., pursuant to Title 30 Texas Administrative Code (TAC) § 295.14(5) which states:

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

4. Provide a copy of the current Subordination Agreement between the Guadalupe-Blanco River Authority and Riverhill Country Club, Inc.
5. Provide a recorded copy of the deed(s) for the property where the proposed diversion point is located. The deed should include the legal description of the land (metes and bounds). Please note that the application must be in the name(s) of all landowners as

Mr. Michael Pinckney
Application No. 18-2000B
April 22, 2021
Page 2 of 2

shown on the deeds; otherwise, proper consent of the application must be provided pursuant to Title 30 TAC § 295.10.

5. Before the application can be declared administratively complete, remit fees in the amount of \$2.94 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
<u>Notice Fee (\$2.94 x 1 Water Right Holders)</u>	<u>\$</u>	<u>2.94</u>
TOTAL FEES	\$	115.44
<u>FEES RECEIVED</u>	<u>\$</u>	<u>112.50</u>
BALANCE DUE	\$	2.94

Please provide the requested information and fees by May 24, 2021 or the application may be returned pursuant to Title 30 TAC § 281.18.

If you have any questions concerning this matter, please contact me via email at sam.sewell@tceq.texas.gov or by telephone at (512) 239-4008.

Sincerely,

Sam Sewell

Sam Sewell, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

Attachment



TCEQ 23-MAR-21 03:13 PM

TCEQ - A/R RECEIPT REPORT BY ACCOUNT NUMBER

<u>Fee Description</u>	<u>Fee Code</u> <u>Account#</u> <u>Account Name</u>	<u>Ref#1</u> <u>Ref#2</u> <u>Paid In By</u>	<u>Check Number</u> <u>Card Auth.</u> <u>User Data</u>	<u>CC Type</u> <u>Tran Code</u> <u>Rec Code</u>	<u>Slip Key</u> <u>Document#</u>	<u>Tran Date</u>	<u>Tran Amount</u>
WTR USE PERMITS	WUP	M115156	23120		BS00086342	23-MAR-21	-\$112.50
	WUP	141872	032321	N	D1802870		
WATER USE PERMITS		TRIPLE M CATTLE CO	VHERNAND	CK			
	WUP	M115157	1059597		BS00086342	23-MAR-21	-\$112.50
	WUP	182001	032321	N	D1802870		
WATER USE PERMITS		CAROLLO	VHERNAND	CK			
	WUP	M115158	1059596		BS00086342	23-MAR-21	-\$112.50
	WUP	182000	032321	N	D1802870		
WATER USE PERMITS		CAROLLO	VHERNAND	CK			
Total (Fee Code):							-\$337.50
Grand Total:							-\$769.11

RECEIVED
MAR 25 2021
Water Availability Division

March 19, 2021

TCEQ Central Office (MC 160)
Water Rights Permitting and Availability Section
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

RECEIVED

MAR 22 2021


Water Availability Division

Re: Application to Amend Certificate of Adjudication 18-2000

Dear Sir or Madam:

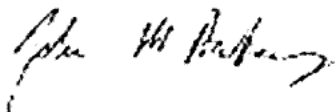
Riverhill Country Club formally submits this application to amend Certificate of Adjudication 18-2000 (Application) to the Texas Commission on Environmental Quality (TCEQ) for review and consideration. The Application has been uploaded to the TCEQ's FTP site and an email of its filing has been provided to WRPT@tceq.texas.gov. One hard copy of the Application, along with a check for \$112.50 is enclosed.

The purpose of the Application is to amend the diversion point authorized in 18-2000 described as the diversion point located on the right, or south, bank of the Guadalupe River, at the east corner of the Nathaniel Hoyt Survey. The application does not contemplate an additional consumptive use of state water or an increased rate or period of diversion and the proposed amendment will not harm any other existing water right.

If you have any questions or concerns please contact me at (512) 427-8154 or at 

Sincerely,

CAROLLO ENGINEERS, INC.



Michael Pinckney
Senior Engineer

AuthorInitials:mp

Enclosures: Water Right Amendment Application Package for 18-2000
Check for Water Right Amendment Application Fee

cc: John Junker with Riverhill County Club

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

APPLICANT(S): Riverhill Country Club, Inc.

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

Y/N		Y/N	
<u>Y</u>	Administrative Information Report	<u>Y</u>	Worksheet 3.0
<u>N</u>	Additional Co-Applicant Information	<u>N</u>	Additional W.S 3.0 for each Point
<u>N</u>	Additional Co-Applicant Signature Pages	<u>N</u>	Recorded Deeds for Diversion Points
<u>Y</u>	Written Evidence of Signature Authority	<u>N</u>	Consent For Diversion Access
<u>Y</u>	Technical Information Report	<u>N</u>	Worksheet 4.0
<u>Y</u>	USGS Map (or equivalent)	<u>N</u>	TPDES Permit(s)
<u>Y</u>	Map Showing Project Details	<u>N</u>	WWTP Discharge Data
<u>Y</u>	Original Photographs	<u>N</u>	24-hour Pump Test
<u>N</u>	Water Availability Analysis	<u>N</u>	Groundwater Well Permit
<u>N</u>	Worksheet 1.0	<u>N</u>	Signed Water Supply Contract
<u>N</u>	Recorded Deeds for Irrigated Land	<u>N</u>	Worksheet 4.1
<u>N</u>	Consent For Irrigation Land	<u>N</u>	Worksheet 5.0
<u>N</u>	Worksheet 1.1	<u>N</u>	Addendum to Worksheet 5.0
<u>N</u>	Addendum to Worksheet 1.1	<u>N</u>	Worksheet 6.0
<u>N</u>	Worksheet 1.2	<u>N</u>	Water Conservation Plan(s)
<u>N</u>	Addendum to Worksheet 1.2	<u>N</u>	Drought Contingency Plan(s)
<u>N</u>	Worksheet 2.0	<u>N</u>	Documentation of Adoption
<u>N</u>	Additional W.S 2.0 for Each Reservoir	<u>N</u>	Worksheet 7.0
<u>N</u>	Dam Safety Documents	<u>N</u>	Accounting Plan
<u>N</u>	Notice(s) to Governing Bodies	<u>Y</u>	Worksheet 8.0
<u>N</u>	Recorded Deeds for Inundated Land	<u>Y</u>	Fees
<u>N</u>	Consent For Inundation Land		

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

New Appropriation of State Water

Amendment to a Water Right *

Bed and Banks

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

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

Riverhill Country Club is requesting to amend Water Use Permit No. 2000 to revise the

location of diversion location No. 1 located on the Guadalupe River. River Hill is requesting that

diversion location No. 1 be revised to a point on the south bank of the Guadalupe River at

a point described as Latitude 30.017625 N, Longitude 99.123807 W. The maximum diversion

rate and maximum diversion volume are requested to remain as previously authorized.

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?

Riverhill County Club, Inc.

(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 : 600714471 (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: John Junker

Title: General Manager

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? No

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:

Mailing Address:

City:

State:

ZIP Code:

Indicate an X next to the type of Applicant:

<input type="checkbox"/> Individual	<input type="checkbox"/> Sole Proprietorship-D.B.A.
<input type="checkbox"/> Partnership	<input checked="" 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: Michael Pinckney

Title: Lead Engineer

Organization Name: Carollo Engineers, Inc.

Mailing Address: 5316 Highway 290 West S

City: Austin

State: Texas

ZIP Code: 78735

Phone No.: 512-427-8154

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) 239-4691, prior to submitting your application.

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

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

Account number: Amount past due:

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No No**

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

Enforcement order number: Amount past due:

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No Yes**

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 Yes**

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, JOHN JUNKER
(Typed or printed name)

MANAGER
(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.

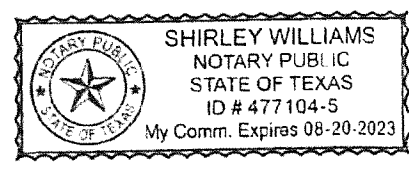
Signature: [Signature] Date: 2/5/21
(Use blue ink)

Subscribed and Sworn to before me by the said John Junker
on this 5th day of February, 2021.
My commission expires on the 20th day of August, 2023.

[Signature]
Notary Public

Johnson
County, Texas

[SEAL]



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

TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

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

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

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

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

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

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

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

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

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

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

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

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

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

Water Right (Certificate or Permit) number you are requesting to amend: 18-2000

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

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

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

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

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

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

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

If yes, submit:

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

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

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

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

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

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

Additionally, all amendments require:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Worksheets and information:

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

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

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

The applicant is located within the Region J Planning Group. This application is

not inconsistent with the 2016 Regional Water Plan and the 2017 State Water Plan as

water use permit 18-2000 is an existing water supply source included in the plan.

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

If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.

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

WORKSHEET 1.0

Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

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

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

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

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

1. Location Information Regarding the Lands to be Irrigated

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

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

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

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

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

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

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

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

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

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

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

- b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:
 - i) Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.

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

A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.

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

- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

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

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

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

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

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

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

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

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

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

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

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

WORKSHEET 1.2 NOTICE. “THE MARSHALL CRITERIA”

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

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

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

I. 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)
 1. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4691? **Y / N**
 2. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? **Y / N**
- d. Is the impoundment structure already constructed? **Y / N**
 - i. For already constructed **on-channel** structures:
 1. Date of Construction: _____
 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) 239-4691).

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** ²² cfs (cubic feet per second) or ^{1,000} gpm (gallons per minute)
- c. Does this point share a diversion rate with other points? **Y / N N**
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches cfs or gpm*
- d. For amendments, is Applicant seeking to increase combined diversion rate? **Y / N 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. **Y / N N**

If yes, the drainage area is sq. miles.

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

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): Guadalupe River
- b. Zip Code: 78028
- c. Location of point: In the J A Southmayd Original Survey No. 265, Abstract No. 288, Kerr County, Texas.

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

- d. Point is at:
Latitude 30.018058°N, Longitude 99.122989°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): GIS
- 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 _____.
- 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: 78028
- f. Location of point: In the ^{J A Southmayd} _____ Original Survey No. ²⁶⁵ _____, Abstract No. ²⁸⁸ _____, ^{Kerr} _____ 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

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

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

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

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

For all bed and banks applications:

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

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

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

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

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

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

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

- b. If groundwater will be used, provide the depth of the well _____ 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 512-239-4691, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

- a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):
 1. Request for a new appropriation or use of State Water.
 2. Request to amend water right to increase appropriation of State Water.
 3. Request to amend water right to extend a term.
 4. Request to amend water right to change a place of use.
**does not apply to a request to expand irrigation acreage to adjacent tracts.*
 5. Request to amend water right to change the purpose of use.
**applicant need only address new uses.*
 6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water
**including return flows, contract water, or other State Water.*

- b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:
 1. ____ Municipal Use. See 30 TAC § 288.2. **
 2. ____ Industrial or Mining Use. See 30 TAC § 288.3.
 3. ____ Agricultural Use, including irrigation. See 30 TAC § 288.4.
 4. ____ Wholesale Water Suppliers. See 30 TAC § 288.5. **

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

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

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

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

2. Drought Contingency Plans

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

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

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

1. Is Accounting Plan Required

Accounting Plans are generally required:

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

2. Accounting Plan Requirements

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

WORKSHEET 8.0 CALCULATION OF FEES

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

1. NEW APPROPRIATION

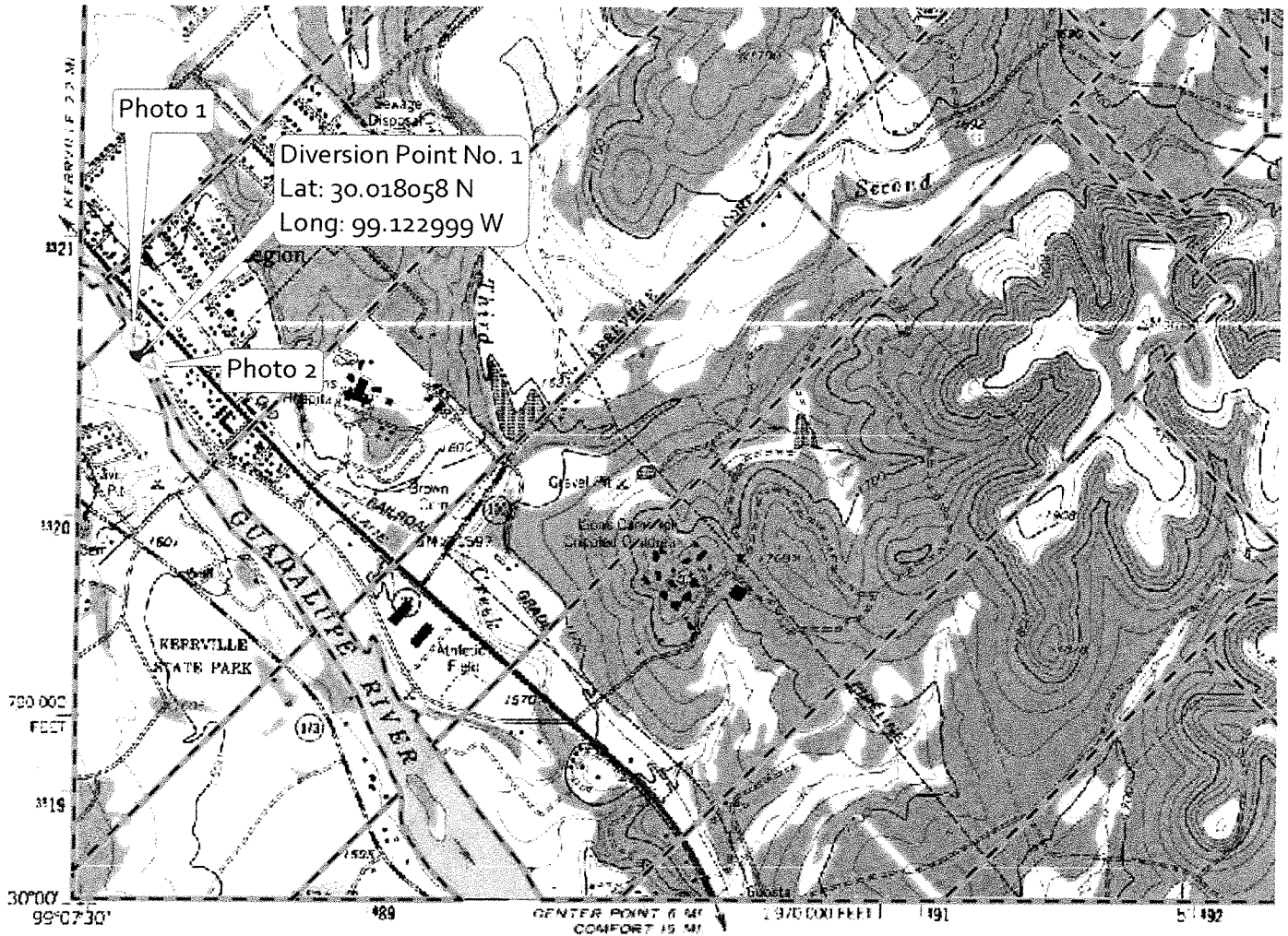
	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . <u>In Acre-Feet</u> a. Less than 100 \$100.00 b. 100 - 5,000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

2. AMENDMENT OR SEVER AND COMBINE

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

3. BED AND BANKS

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



Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

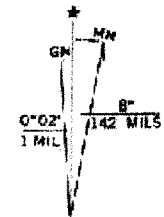
Topography by photogrammetric methods from aerial photographs taken 1962 and 1963. Field checked 1964

Polyconic projection. 10,000-foot grid ticks based on Texas coordinate system, south central zone. 1000-meter Universal Transverse Mercator grid ticks, zone 14, shown in blue 1927 North American Datum. To place on the predicted North American Datum 1983 move the projection lines 18 meters south and 31 meters east as shown by dashed corner ticks

Fine red dashed lines indicate selected fence lines

Red tint indicates areas in which only landmark buildings are shown

There may be private inholdings within the boundaries of the National or State reservations shown on this map

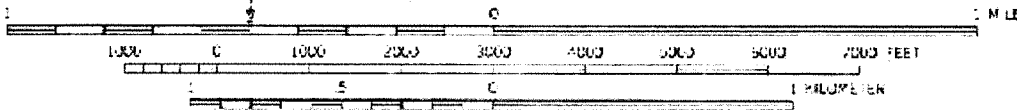


UTM GRID AND 1982 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

Revisions shown in purple and woodland compiled from aerial photographs taken 1979 and other sources. This information not field checked. Map edited 1982

Purple tint indicates extension of urban areas

SCALE 1:24,000



CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

FEB 25 1983

LEGION, TEX.
N3000-W9900/7.5

2440

1964
PHOTOREVISED 1982
DMA 6144 II 8E-SERIES V882

Addendum to Worksheet 5.0

Map Number 1: Diversion Point #1 looking upstream



Map Number 2: Diversion Point #1 looking downstream



Measures the applicant will take to avoid impingement and entrainment of aquatic organisms.

New diversion structures constructed within the requested diversion reaches will be designed and constructed with screens and low intake velocity intakes to avoid impingement and entrainment of aquatic organisms.