

201723

CERTIFICATE OF ADJUDICATION

CERTIFICATION OF ADJUDICATION: 12-5165 OWNER: Brazos River Authority
P. O. Box 7555
Waco, Texas 76714-7555

COUNTIES: Leon, Limestone and PRIORITY DATES: May 6, 1974 and
Robertson September 4, 1979

WATERCOURSE: Navasota River, tributary BASIN: Brazos River
of the Brazos River

WHEREAS, by final decree of the 26th Judicial District Court of Williamson County, Texas, in Cause No. 86-492-C, In Re: The Adjudication of Water Rights in the Brazos River Basin and the San Jacinto-Brazos Coastal Basin maintained by the Brazos River Authority, Fort Bend County W.C.I.D. No. One and Galveston County Water Authority dated November 24, 1986 a right was recognized under Permit 2950C authorizing the Brazos River Authority to appropriate waters of the State of Texas as set forth below:

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Brazos River Basin is issued to the Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Owner is authorized to maintain an existing dam and reservoir on the Navasota River (Lake Limestone) and impound therein not to exceed 225,400 acre-feet of water at elevation 363 feet above mean sea level. The dam is located in the Manuel Cresencio Rejon Grant, Abstract 37, Robertson County and Abstract 19, Leon County; the Maria De la Concepcion Marquez Grant, Abstract 25, Robertson County and Abstract 12, Leon County and the Hugh L. White Survey, Abstract 908, Leon County, Texas.

2. USE

- A. Owner is authorized a priority right to divert and use not to exceed 65,074 acre-feet of water per annum from the aforesaid reservoir for municipal, industrial irrigation and mining purposes. The amount of this priority right may be used in computing the sum of priority rights for the purpose of system operation as authorized by Commission Order of July 23, 1964, as amended and as modified, by the Commission's final determination of all claims of water rights in the Brazos River Basin and the San Jacinto-Brazos Coastal Basin maintained by the Brazos River Authority, the Fort Bend County W.C.I.D. No. One and the Galveston County Water Authority on June 26, 1985.

Certificate of Adjudication 12-5165

- B. For purposes of the system operation, the Authority is authorized to exceed the priority right and to annually divert and use from the aforesaid Lake Limestone not to exceed 69,500 acre-feet of water per annum for municipal purposes; 77,500 acre-feet of water per annum for industrial purposes, 70,000 acre-feet of water per annum for irrigation purposes and 500 acre-feet of water per annum for mining purposes. All diversions and use of water from Lake Limestone in excess of 65,074 acre-feet in any one calendar year shall be charged against the sum of the amounts designated as priority rights in the other reservoirs included in the System Operation Order.
- C. Owner is also authorized to use the water impounded in Lake Limestone for non-consumptive recreation purposes.

3. DIVERSION

- A. Location:
At the perimeter of the aforesaid reservoir and releases through the dam.
- B. Maximum rate: Unspecified.

4. PRIORITY

- A. The time priority of owner's right is May 6, 1974 for the impoundment of 217,494 acre-feet of water in the aforesaid reservoir and for all uses authorized herein.
- B. The time priority of owner's right is September 4, 1979 for the impoundment of the additional 7906 acre-feet of water.

5. SPECIAL CONDITIONS

- A. Owner shall maintain facilities necessary to allow the free passage of water through the aforesaid dam that owner is not entitled to divert or impound.
- B. Owner is authorized to use the bed and banks of the Navasota River and the Brazos River, below the aforesaid dam, for the purpose of conveying all or part of the water to be appropriated hereunder to authorized points of diversion and use downstream, including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Certificate of Adjudication 12-5167.
- C. Owner is authorized to make total diversions or releases from all system reservoirs in any calendar year in an amount not to

Certificate of Adjudication 12-5165

exceed the sum of the amounts authorized as priority rights in the reservoirs included in the system operation.

- D. The total amount of water diverted or released from any one system reservoir for a particular purpose may exceed the authorization for that purpose under that reservoir's certificate of adjudication, but may not exceed the total authorized diversions for all purposes from that reservoir in any calendar year.
- E. Any diversion or release in any calendar year from any one system reservoir in excess of the amount stated in the certificate of adjudication for that reservoir as its priority right shall be charged against the sum of the amounts designated as priority rights for the other reservoirs included in the system operation.
- F. Any diversions or releases in excess of 65,074 acre-feet of water shall have no priority or status as a vested appropriative water right and are subject to the authority of the Texas Water Commission to order owner to cease such diversions or releases and/or to take other appropriate action.
- G. No diversion or release of water from one system reservoir shall perfect owner's rights in any other reservoir.
- H. To assure that system operations will not impair the ability of each system reservoir to supply water for local needs within that reservoir's watershed, such reservoir shall be excluded from the system operations during any period of time in which the Authority's authorized storage space in such reservoir is less than 30 percent full. In such event, no releases shall be made from such reservoir except for local needs so long as any other system reservoir which can meet system needs remains more than 30 percent full. If all system reservoirs are below 30 percent full, the Authority may resume system operations until such time as any system reservoir refills to above 30 percent capacity.
- I. The Brazos River Authority's operation of Lake Limestone under the system operation order shall be subject to revocation or modification by the Commission with or without a hearing, without notice other than that provided to the Authority, or upon the Commission's own motion, upon application of the Executive Director, upon application by the Authority, or upon application by any party whose interests or rights are affected by the system operation order or by system operations.

Certificate of Adjudication 12-5165

- J. Owner shall store in the system reservoirs only appropriable waters of the Brazos River and its tributaries, subject to the rights of holders of other water rights. Subsequent to the diversion or release of water from any system reservoir in excess of the amount authorized as a priority right for that reservoir, Owner's right to impound any additional water in that reservoir is subject to the rights of holders of downstream senior and junior water rights to require passage of inflows to which they would be entitled in the absence of this additional use under the system operations. Whenever the Commission determines that owner is storing any water to which holders of other water rights are entitled, the Authority shall release said water.
- K. All rights and privileges granted under the system operation order and the individual certificates, including but not limited to management and method of use of water, are subject to the continuing supervision of the Texas Water Commission, in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use or unreasonable method of diversion of said water.
- L. Owner will pass through the dam all low flow up to 6 cubic feet per second (low flow greater than 6 cfs will be passed through to serve superior downstream water rights as deemed necessary by the Commission) and will supplement low flow by making releases from reservoir storage to maintain a minimum release at the dam of 2 cubic feet per second until such time that low flow has ceased. Daily readings of the required upstream gaging station will be made whenever reservoir releases are less than 6 cfs.
- M. Owner shall keep a record on a monthly basis of the amount of water diverted or released from each system reservoir for each purpose authorized and shall report same annually on forms provided by the Commission.
- N. Owner shall, upon request of the Commission, provide information relative to daily reservoir levels, daily releases of water through the dam, daily inflows into the reservoir, sedimentation within the reservoir and the chemical quality of the stored water.
- O. Owner shall conduct and submit to the Commission revised elevation-area-capacity tables based on new sediment surveys at not greater than 15 year intervals following the initial filling of the reservoir.

The locations of pertinent features related to this certificate are shown on Page 17 of the Brazos IV River Segment Certificates of Adjudication

Certificate of Adjudication 12-5165

Maps, copies of which are located in the office of the Texas Water Commission, Austin, Texas.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 26th Judicial District Court of Williamson County, Texas, in Cause No. 86-492-C, In Re: The Adjudication of Water Rights in the Brazos River Basin and the San Jacinto-Brazos Coastal Basin maintained by the Brazos River Authority, Fort Bend County W.D.I.D. No. One and Galveston County Water Authority dated November 24, 1986 and supersedes all rights of the owner asserted in that cause.

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

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

TEXAS WATER COMMISSION

Paul Hopkins

Paul Hopkins, Chairman

DATE ISSUED:

DEC 14 1987

ATTEST:

Karen A. Phillips
Karen A. Phillips, Chief Clerk

5

THE STATE OF TEXAS }
COUNTY OF LEON

I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 4 day of February, A.D. 1988, at 11 45 o'clock A M., and was duly recorded by me on the 4 day of February, A.D. 1988 in Vol. 1 page 76, of the Water Rights Comm Records of said County.

WITNESS MY HAND and the seal of the County Court of said County, at my office in Centerville, Texas, the day and year last above written.

By *Charlotte Walker*, Deputy

FONSEIN GRESHAM
County Clerk

Leon County, Texas

FILE NO. 201723

Filed For Record

the 4 day of Feb.

A.D. 1988, at 11⁴⁵ o'clock 11 M.

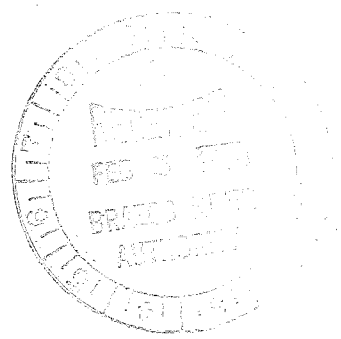
FONSEIN GRESHAM
COUNTY CLERK
LEON COUNTY, TEXAS

By Charlotte Walker, Deputy

*water
Right
Comm* 1/76

11⁵⁰
11⁵⁰
Return To:

Brazos River Authority
P.O. Box 7555
Waco, Tx. 76714-7555



1647

JUN 29 1988

CERTIFICATE OF ADJUDICATION

MARY B. REAGAN
CLERK, COUNTY COURT, ROBERTSON COUNTY, TX.

CERTIFICATION OF ADJUDICATION: 12-5165 OWNER: Brazos River Authority
P. O. Box 7555
Waco, Texas 76714-7555

COUNTIES: Leon, Limestone and PRIORITY DATES: May 6, 1974 and
Robertson September 4, 1979

WATERCOURSE: Navasota River, tributary BASIN: Brazos River
of the Brazos River

WHEREAS, by final decree of the 26th Judicial District Court of Williamson County, Texas, in Cause No. 86-492-C, In Re: The Adjudication of Water Rights in the Brazos River Basin and the San Jacinto-Brazos Coastal Basin maintained by the Brazos River Authority, Fort Bend County W.C.I.D. No. One and Galveston County Water Authority dated November 24, 1986 a right was recognized under Permit 2950C authorizing the Brazos River Authority to appropriate waters of the State of Texas as set forth below:

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Brazos River Basin is issued to the Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Owner is authorized to maintain an existing dam and reservoir on the Navasota River (Lake Limestone) and impound therein not to exceed 225,400 acre-feet of water at elevation 363 feet above mean sea level. The dam is located in the Manuel Cresencio Rejon Grant, Abstract 37, Robertson County and Abstract 19, Leon County; the Maria De la Concepcion Marquez Grant, Abstract 25, Robertson County and Abstract 12, Leon County and the Hugh L. White Survey, Abstract 908, Leon County, Texas.

2. USE

A. Owner is authorized a priority right to divert and use not to exceed 65,074 acre-feet of water per annum from the aforesaid reservoir for municipal, industrial irrigation and mining purposes. The amount of this priority right may be used in computing the sum of priority rights for the purpose of system operation as authorized by Commission Order of July 23, 1964, as amended and as modified, by the Commission's final determination of all claims of water rights in the Brazos River Basin and the San Jacinto-Brazos Coastal Basin maintained by the Brazos River Authority, the Fort Bend County W.C.I.D. No. One and the Galveston County Water Authority on June 26, 1985.

Certificate of Adjudication 12-5165

- B. For purposes of the system operation, the Authority is authorized to exceed the priority right and to annually divert and use from the aforesaid Lake Limestone not to exceed 69,500 acre-feet of water per annum for municipal purposes; 77,500 acre-feet of water per annum for industrial purposes, 70,000 acre-feet of water per annum for irrigation purposes and 500 acre-feet of water per annum for mining purposes. All diversions and use of water from Lake Limestone in excess of 65,074 acre-feet in any one calendar year shall be charged against the sum of the amounts designated as priority rights in the other reservoirs included in the System Operation Order.
 - C. Owner is also authorized to use the water impounded in Lake Limestone for non-consumptive recreation purposes.
3. DIVERSION
- A. Location:
At the perimeter of the aforesaid reservoir and releases through the dam.
 - B. Maximum rate: Unspecified.
4. PRIORITY
- A. The time priority of owner's right is May 6, 1974 for the impoundment of 217,494 acre-feet of water in the aforesaid reservoir and for all uses authorized herein.
 - B. The time priority of owner's right is September 4, 1979 for the impoundment of the additional 7906 acre-feet of water.
5. SPECIAL CONDITIONS
- A. Owner shall maintain facilities necessary to allow the free passage of water through the aforesaid dam that owner is not entitled to divert or impound.
 - B. Owner is authorized to use the bed and banks of the Navasota River and the Brazos River, below the aforesaid dam, for the purpose of conveying all or part of the water to be appropriated hereunder to authorized points of diversion and use downstream, including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Certificate of Adjudication 12-5167.
 - C. Owner is authorized to make total diversions or releases from all system reservoirs in any calendar year in an amount not to

Certificate of Adjudication 12-5165

exceed the sum of the amounts authorized as priority rights in the reservoirs included in the system operation.

- D. The total amount of water diverted or released from any one system reservoir for a particular purpose may exceed the authorization for that purpose under that reservoir's certificate of adjudication, but may not exceed the total authorized diversions for all purposes from that reservoir in any calendar year.
- E. Any diversion or release in any calendar year from any one system reservoir in excess of the amount stated in the certificate of adjudication for that reservoir as its priority right shall be charged against the sum of the amounts designated as priority rights for the other reservoirs included in the system operation.
- F. Any diversions or releases in excess of 65,074 acre-feet of water shall have no priority or status as a vested appropriative water right and are subject to the authority of the Texas Water Commission to order owner to cease such diversions or releases and/or to take other appropriate action.
- G. No diversion or release of water from one system reservoir shall perfect owner's rights in any other reservoir.
- H. To assure that system operations will not impair the ability of each system reservoir to supply water for local needs within that reservoir's watershed, such reservoir shall be excluded from the system operations during any period of time in which the Authority's authorized storage space in such reservoir is less than 30 percent full. In such event, no releases shall be made from such reservoir except for local needs so long as any other system reservoir which can meet system needs remains more than 30 percent full. If all system reservoirs are below 30 percent full, the Authority may resume system operations until such time as any system reservoir refills to above 30 percent capacity.
- I. The Brazos River Authority's operation of Lake Limestone under the system operation order shall be subject to revocation or modification by the Commission with or without a hearing, without notice other than that provided to the Authority, or upon the Commission's own motion, upon application of the Executive Director, upon application by the Authority, or upon application by any party whose interests or rights are affected by the system operation order or by system operations.

Certificate of Adjudication 12-5165

- J. Owner shall store in the system reservoirs only appropriable waters of the Brazos River and its tributaries, subject to the rights of holders of other water rights. Subsequent to the diversion or release of water from any system reservoir in excess of the amount authorized as a priority right for that reservoir, Owner's right to impound any additional water in that reservoir is subject to the rights of holders of downstream senior and junior water rights to require passage of inflows to which they would be entitled in the absence of this additional use under the system operations. Whenever the Commission determines that owner is storing any water to which holders of other water rights are entitled, the Authority shall release said water.
- K. All rights and privileges granted under the system operation order and the individual certificates, including but not limited to management and method of use of water, are subject to the continuing supervision of the Texas Water Commission, in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use or unreasonable method of diversion of said water.
- L. Owner will pass through the dam all low flow up to 6 cubic feet per second (low flow greater than 6 cfs will be passed through to serve superior downstream water rights as deemed necessary by the Commission) and will supplement low flow by making releases from reservoir storage to maintain a minimum release at the dam of 2 cubic feet per second until such time that low flow has ceased. Daily readings of the required upstream gaging station will be made whenever reservoir releases are less than 6 cfs.
- M. Owner shall keep a record on a monthly basis of the amount of water diverted or released from each system reservoir for each purpose authorized and shall report same annually on forms provided by the Commission.
- N. Owner shall, upon request of the Commission, provide information relative to daily reservoir levels, daily releases of water through the dam, daily inflows into the reservoir, sedimentation within the reservoir and the chemical quality of the stored water.
- O. Owner shall conduct and submit to the Commission revised elevation-area-capacity tables based on new sediment surveys at not greater than 15 year intervals following the initial filling of the reservoir.

The locations of pertinent features related to this certificate are shown on Page 17 of the Brazos IV River Segment Certificates of Adjudication

Vol. 516 Page 345

Certificate of Adjudication 12-5165

Maps, copies of which are located in the office of the Texas Water Commission, Austin, Texas.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 26th Judicial District Court of Williamson County, Texas, in Cause No. 86-492-C, In Re: The Adjudication of Water Rights in the Brazos River Basin and the San Jacinto-Brazos Coastal Basin maintained by the Brazos River Authority, Fort Bend County W.D.I.D. No. One and Galveston County Water Authority dated November 24, 1986 and supersedes all rights of the owner asserted in that cause.

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

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

TEXAS WATER COMMISSION

Paul Hopkins

Paul Hopkins, Chairman

DATE ISSUED:

DEC 14 1987

ATTEST:

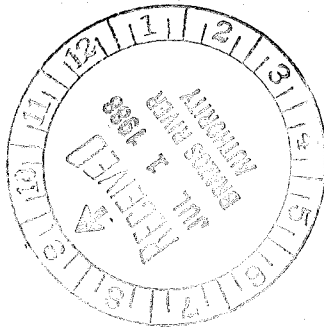
Karen A. Phillips
Karen A. Phillips, Chief Clerk

THE STATE OF TEXAS
COUNTY OF TRAVIS

I hereby certify that this is a true and correct copy of a Texas Water Commission document, the original of which is filed in the permanent records of the Commission.

Given under my hand and seal of office
this the 14 day of Dec, 1987.

Karen A. Phillips
Karen A. Phillips, Chief Clerk
Texas Water Commission



11⁰⁰ PM
Brazos River Authority
P.O. Box 7555
Waco Texas 76714-7555

THE STATE OF TEXAS }
County of Robertson

I, MRS. MARY B. REAGAN, Clerk of the County Court

of said County, do hereby certify the foregoing instrument of writing with its Certificate of Authentication, was filed for record in my office, the 29th day of June, 1988, at 10 o'clock AM., and duly recorded the 29th day of June, 1988, at 4 o'clock PM., in the Public records of said County, in Vol. 516 on pages 342/346.

WITNESS MY HAND and official seal of the County Court of this County at office in Franklin, the day and year last above written.

By Sammy L. Sanders Deputy.

MARY B. REAGAN, Clerk
County Court, Robertson County, Texas

11,643
AMENDMENT TO
PERMIT TO
APPROPRIATE STATE WATER

607

APPLICATION NO. 3214C PERMIT NO. 2950C TYPE: Amendment

Permittee : Brazos River Authority Address : P. O. Box 7555
Waco, Texas 76710

Received : September 8, 1980 Filed : November 3, 1980

Granted : November 3, 1980 Counties : Leon, Limestone and
Robertson

Watercourse: Navasota River, trib- Watershed: Brazos River Basin
utary of Brazos River

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, applicant has requested an amendment to Permit No. 2950, as amended, to authorize the conversion to mining use of 500 acre-feet of water out of the 70,000 acre-feet of water per year which is authorized for municipal use; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party;

NOW, THEREFORE, this amendment to Permit No. 2950, as amended, is issued to Brazos River Authority subject to the following terms and conditions:

1. USE

Whereas permittee was previously authorized to annually divert from Lake Limestone 77,500 acre-feet of water for industrial purposes, 70,000 acre-feet for irrigation purposes, and 70,000 acre-feet for municipal purposes, this amendment changes the authorized use so that permittee is now authorized to annually divert 77,500 acre-feet of water for industrial purposes, 70,000 acre-feet for irrigation purposes, 500 acre-feet for mining purposes, and 69,500 acre-feet for municipal purposes with a priority right of not to exceed 70,194 acre-feet of water per annum.

2. PRIORITY

The time priority of this amendment is May 6, 1974.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2950, as amended, except as herein amended.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

608

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

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION

Felix McDonald
Felix McDonald, Chairman

Joe R. Carroll
Joe R. Carroll, Commissioner

Dorsey B. Hardeman
Dorsey B. Hardeman, Commissioner

Date Issued:

November 25, 1980

Attest:

Mary Ann Hefner
Mary Ann Hefner, Chief Clerk

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Chief Clerk of the Texas Water Commission, do hereby certify that the foregoing is a true and correct copy of an instrument on file in permanent records of said Commission of the Department of Water Resources.

Given under my hand and the seal of the Texas Water Commission this the 24 day of December A. D., 1980.

Mary Ann Hefner
Mary Ann Hefner, Chief Clerk

1

AMENDMENT TO
PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214C	PERMIT NO. 2950C	TYPE: Amendment
Permittee : Brazos River Authority	Address : P. O. Box 7555 Waco, Texas 76710	
Received : September 8, 1980	Filed : November 3, 1980	
Granted : November 3, 1980	Counties : Leon, Limestone and Robertson	
Watercourse: Navasota River, trib- utary of Brazos River	Watershed: Brazos River Basin	

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, applicant has requested an amendment to Permit No. 2950, as amended, to authorize the conversion to mining use of 500 acre-feet of water out of the 70,000 acre-feet of water per year which is authorized for municipal use; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party;

NOW, THEREFORE, this amendment to Permit No. 2950, as amended, is issued to Brazos River Authority subject to the following terms and conditions:

1. USE

Whereas permittee was previously authorized to annually divert from Lake Limestone 77,500 acre-feet of water for industrial purposes, 70,000 acre-feet for irrigation purposes, and 70,000 acre-feet for municipal purposes, this amendment changes the authorized use so that permittee is now authorized to annually divert 77,500 acre-feet of water for industrial purposes, 70,000 acre-feet for irrigation purposes, 500 acre-feet for mining purposes, and 69,500 acre-feet for municipal purposes with a priority right of not to exceed 70,194 acre-feet of water per annum.

2. PRIORITY

The time priority of this amendment is May 6, 1974.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2950, as amended, except as herein amended.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

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

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION

Felix McDonald
Felix McDonald, Chairman

Joe R. Carroll
Joe R. Carroll, Commissioner

Dorsey B. Hardeman
Dorsey B. Hardeman, Commissioner

Date Issued:

November 25, 1980

Attest:

Mary Ann Hefner
Mary Ann Hefner, Chief Clerk

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Chief Clerk of the Texas Water Commission, do hereby certify that this foregoing is a true and correct copy of an instrument on file in permanent records of said Commission of the Department of Water Resources.

Given under my hand and the seal of the Texas Water Commission this 4th day of December, A.D., 1980.

Mary Ann Hefner
Mary Ann Hefner, Chief Clerk

Return to change:
Colonel Walter J. Wells,
General Manager,
Broad River Authority,
P.O. Box 7555
Waco, Texas 76710 S. 2/89.

Filed by:
Texas Dept. Water Resources
1700 N. Congress Ave.
Austin, Texas 78711 S. 2/89.

THE STATE OF TEXAS }
County of Robertson }

I, MRS. MARY B. REAGAN, Clerk of the County Court

of said County, do hereby certify the foregoing instrument of writing with its Certificate of Authentication, was filed for record in my office, the 9 day of December, 1980, at 10 o'clock a.M., and duly recorded the 9 day of December, 1980, at 4 o'clock p.M., in the Public records of said County, in Vol. 363 on pages 511-512.

WITNESS MY HAND and official seal of the County Court of this County at office in Franklin, the day and year last above written.

By Karen Sanders Deputy

MARY B. REAGAN, Clerk
County Court, Robertson County, Texas

141272

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, applicant has requested an amendment to Permit No. 2950, as amended, to authorize the conversion to mining use of 500 acre-feet of water out of the 70,000 acre-feet of water per year which is authorized for municipal use; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party;

NOW, THEREFORE, this amendment to Permit No. 2950, as amended, is issued to Brazos River Authority subject to the following terms and conditions:

Whereas permittee was previously authorized to annually divert from Lake Limestone 77,500 acre-feet of water for industrial purposes, 70,000 acre-feet for irrigation purposes, and 70,000 acre-feet for municipal purposes, this amendment changes the authorized use so that permittee is now authorized to annually divert 77,500 acre-feet of water for industrial purposes, 70,000 acre-feet for irrigation purposes, 500 acre-feet for mining purposes, and 69,500 acre-feet for municipal purposes with a priority right of not to exceed 70,194 acre-feet of water per annum.

This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

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

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION

Felix McDonald
Felix McDonald, Chairman

Joe R. Carroll
Joe R. Carroll, Commissioner

Dorsey B. Hardeman
Dorsey B. Hardeman, Commissioner

Date Issued:

November 25, 1980

Attest:

Mary Ann Hefner
Mary Ann Hefner, Chief Clerk

THE STATE OF TEXAS }
COUNTY OF LEON

I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 8th day of Dec., A.D. 1980, at 11:00 o'clock A.M., and was duly recorded by me on the 8th day of Dec., A.D. 1980 in Vol. 1 page 24, of the Water Right Comm. Records of said County.

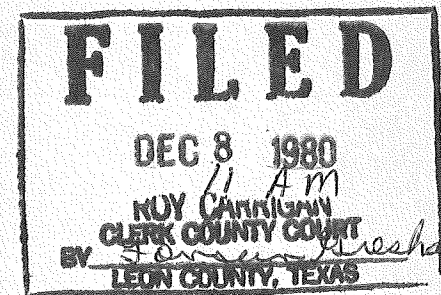
WITNESS MY HAND and the seal of the County Court of said County, at my office in Centerville, Texas, the day and year last above written.

By Ronsein Greham, Deputy

ROY CARRIGAN
County Clerk

Leon County, Texas

141272



1/24

500 chg
+ Ret

Colonel Walter J. Wells,
Brazos River Authority
P.O. Box 7555
Waco, Texas 76710

134909

TYPE: Amendment

Address : P. O. Box 7555
Waco, Texas 76710

Filed : September 4, 1979

Counties : Leon, Limestone and
Robertson

Watershed: Brazos River Basin

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, Permit No. 2950, as amended, authorizes permittee to construct and maintain a dam and reservoir (Lake Limestone) on the Navasota River, to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level, to use the impounded waters for recreational purposes, and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for industrial purposes and 70,000 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum; and

WHEREAS, the applicant has requested an amendment to Permit No. 2950 to correct an erroneous impounding capacity specified in the permit; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party.

NOW, THEREFORE, this amendment to Permit No. 2950 is issued to Brazos River Authority subject to the following terms and conditions:

1. IMPOUNDMENT

In lieu of the previous authorization, permittee is authorized to maintain Lake Limestone on Navasota River and to impound therein not to exceed 225,400 acre-feet of water at elevation 363 feet above mean sea level.

2. PRIORITY

The time priority of this amendment is September 4, 1979.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2905, except as herein amended.

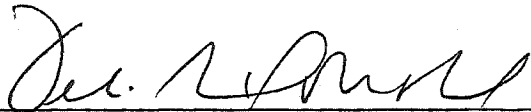
This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.


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

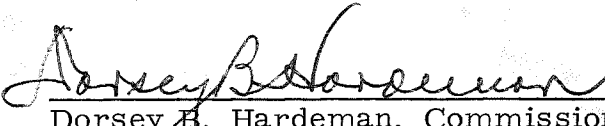
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION


Felix McDonald, Chairman


Joe R. Carroll, Commissioner


Dorsey B. Hardeman, Commissioner

Date Issued:

October 30, 1979

Attest:


Mary Ann Hefner, Chief Clerk

THE STATE OF TEXAS }

COUNTY OF LEON }

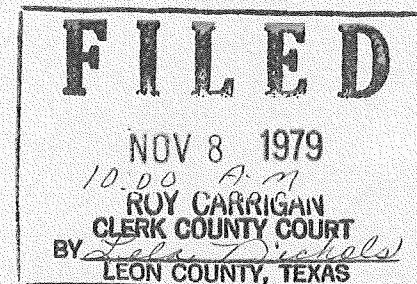
I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 8th day of November, A.D. 19 79 at 10:00 o'clock A. M., and was duly recorded by me on the 8th day of November A.D. 19 79 in Vol. 1 page 22, of the Water Rights Records of said County.

WITNESS MY HAND and the seal of the County Court of said County, at my office in Centerville, Texas, the day and year last above written.

By Lela Nichols, Deputy

ROY CARRIGAN
County Clerk Leon County, Texas

134969



1/22

5.00 chg
Leaps Water Commission
P.O. Box 13087

5

TYPE: Amendment

Watershed: Brazos River Basin

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, Permit No. 2950, as amended, authorizes permittee to construct and maintain a dam and reservoir (Lake Limestone) on the Navasota River, to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level, to use the impounded waters for recreational purposes, and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for industrial purposes and 70,000 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum; and

WHEREAS, the applicant has requested an amendment to Permit No. 2950 to correct an erroneous impounding capacity specified in the permit; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party.

NOW, THEREFORE, this amendment to Permit No. 2950 is issued to Brazos River Authority subject to the following terms and conditions:

1. IMPOUNDMENT

In lieu of the previous authorization, permittee is authorized to maintain Lake Limestone on Navasota River and to impound therein not to exceed 225,400 acre-feet of water at elevation 363 feet above mean sea level.

2. PRIORITY

The time priority of this amendment is September 4, 1979.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2905, except as herein amended.

6

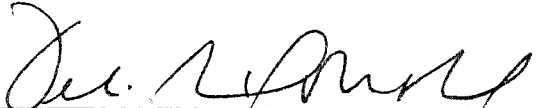
This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

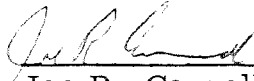
Permittee agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

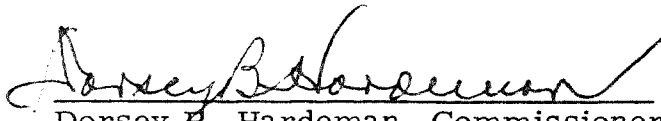
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION


Felix McDonald, Chairman

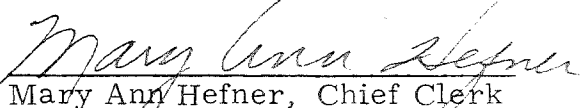

Joe R. Carroll, Commissioner


Dorsey B. Hardeman, Commissioner

Date Issued:

October 30, 1979

Attest:



Mary Ann Hefner, Chief Clerk

STATE OF TEXAS
COUNTY OF TRAVIS
Mary Ann Hefner, Chief Clerk of the Texas
Water Commission, do hereby certify that *the*
foregoing is a true and correct copy of
the instrument on file in permanent records of

The State of Texas }
County of Limestone

I, DENA PRUITT, Clerk of the County Court of Limestone County, do hereby certify that the foregoing instrument, with its certificate of authentication, was filed in my office the 10th day of November, 1979, at 8 o'clock A.M., and duly recorded the 9th day of November, 1979, at 1 o'clock P.M., in Water Permit Record of said County, in Volume 1, Page 5.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in Groesbeck, Texas, the day and year last written.

By , Deputy Clerk, County Court, Limestone County, Texas
DENA PRUITT
Clerk, County Court, Limestone County, Texas

2

8737

amendment of
State Permit

FILED FOR RECORD

at 8 o'clock a M

NOV 6 1979

Dena Pruitt, Co. Clerk

LIMESTONE COUNTY, TEXAS

3093

AMENDMENT TO
PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214B PERMIT NO. 2950B TYPE: Amendment

Permittee : Brazos River Authority Address : P. O. Box 7555
Waco, Texas 76710

Received : June 4, 1979 Filed : September 4, 1979

Granted : October 30, 1979 Counties : Leon, Limestone and
Robertson

Watercourse : Navasota River, trib- Watershed: Brazos River Basin
utary of Brazos River

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, Permit No. 2950, as amended, authorizes permittee to construct and maintain a dam and reservoir (Lake Limestone) on the Navasota River, to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level, to use the impounded waters for recreational purposes, and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for industrial purposes and 70,000 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum; and

WHEREAS, the applicant has requested an amendment to Permit No. 2950 to correct an erroneous impounding capacity specified in the permit; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party.

NOW, THEREFORE, this amendment to Permit No. 2950 is issued to Brazos River Authority subject to the following terms and conditions:

1. IMPOUNDMENT

In lieu of the previous authorization, permittee is authorized to maintain Lake Limestone on Navasota River and to impound therein not to exceed 225,400 acre-feet of water at elevation 363 feet above mean sea level.

2. PRIORITY

The time priority of this amendment is September 4, 1979.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2905, except as herein amended.


This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.


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

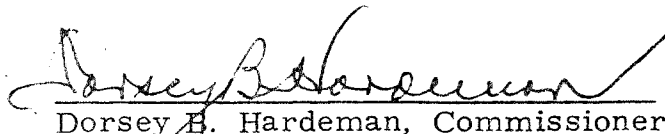
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION


Felix McDonald, Chairman



Joe R. Carroll, Commissioner


Dorsey B. Hardeman, Commissioner

Date Issued:

October 30, 1979

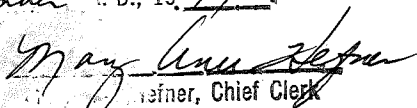
Attest:


Mary Ann Hefner, Chief Clerk

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Chief Clerk of the Texas Water Commission, do hereby certify that *the foregoing* is a true and correct copy of an instrument on file in permanent records of said Commission of the Department of Water Resources.

Given under my hand and the seal of the Texas Water Commission this the 5th day of November A. D., 19 79.


Mary Ann Hefner, Chief Clerk

THE STATE OF TEXAS }
County of Robertson

I, MRS. MARY B. REAGAN, Clerk of the County Court
of said County, do hereby certify the foregoing instrument of writing with its Certificate of
Authentication, was filed for record in my office, the 6 day of November,
19 79, at 9 o'clock a M., and duly recorded the 6 day of November,
19 79, at 4 o'clock p M., in the Public records of
said County, in Vol. 347 on pages 507-508.

WITNESS MY HAND and official seal of the County Court of this County at office in
Franklin, the day and year last above written.

By *Geetha Sander* Deputy

MARY B. REAGAN, Clerk
County Court, Robertson County, Texas

5⁰⁰ Chg

Colonel Walter J. Wells
General Manager, Brazos River Authority
P.O. Box 7555
Waco, Texas 76710

7394

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214A	PERMIT NO. 2950A	TYPE: Amendment
Permittee : Brazos River Authority	Address : P. O. Box 7555 Waco, Texas 76710	
Received : June 4, 1979	Filed : September 4, 1979	
Granted : September 4, 1979	Counties : Leon, Limestone and Robertson	
Watercourse : Navasota River, tribu- tary of Brazos River	Watershed: Brazos River Basin	

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, Permit No. 2950, issued October 1, 1974, authorizes permittee to construct and maintain a dam and reservoir (Lake Limestone) on the Navasota River, to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for industrial purposes and 70,000 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum; and

WHEREAS, the applicant has requested an amendment to Permit No. 2950 to authorize the use of Lake Limestone for recreational purposes; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party.

NOW, THEREFORE, this amendment to Permit No. 2950 is issued to Brazos River Authority subject to the following terms and conditions:

1. USE

In addition to the present authorizations, permittee is authorized to use the impounded waters of Lake Limestone for nonconsumptive recreational purposes.

2. PRIORITY

The time priority of this amendment is May 6, 1974.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2950, except as herein amended.

4
This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

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

All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION

Felix McDonald
Felix McDonald, Chairman

Joe R. Carroll
Joe R. Carroll, Commissioner

Dorsey B. Hardeman
Dorsey B. Hardeman, Commissioner

Date Issued:

September 13, 1979

Attest:

Mary Ann Hefner
Mary Ann Hefner, Chief Clerk

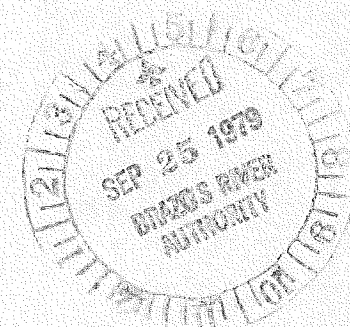
The State of Texas }
County of Limestone

I, DENA PRUITT, Clerk of the County Court of Limestone County, do hereby certify that the foregoing instrument, with its certificate of authentication, was filed in my office the 20 day of Sept, 1979, at 8 o'clock A. M., and duly recorded the 20 day of Sept, 1979, at 4 o'clock P. M., in Water Permit Record of said County, in Volume 1, Page 3.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in Groesbeck, Texas, the day and year last written.

By Nancy Stockton, Deputy Clerk, County Court, Limestone County, Texas
DENA PRUITT
Clerk, County Court, Limestone County, Texas

2 #7394



FILED FOR RECORD
at 8 o'clock a M

SEP 20 1979

Dena Pruitt, Co. Clerk
LIMESTONE COUNTY, TEXAS

Colonel Walter J. Wales
General Manager
Brass River authority
Box 7555
7/1/79

2608

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214A	PERMIT NO. 2950A	TYPE: Amendment
Permittee : Brazos River Authority	Address : P. O. Box 7555 Waco, Texas 76710	
Received : June 4, 1979	Filed : September 4, 1979	
Granted : September 4, 1979	Counties : Leon, Limestone and Robertson	
Watercourse : Navasota River, tribu- tary of Brazos River	Watershed: Brazos River Basin	

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, Permit No. 2950, issued October 1, 1974, authorizes permittee to construct and maintain a dam and reservoir (Lake Limestone) on the Navasota River, to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for industrial purposes and 70,000 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum; and

WHEREAS, the applicant has requested an amendment to Permit No. 2950 to authorize the use of Lake Limestone for recreational purposes; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party.

NOW, THEREFORE, this amendment to Permit No. 2950 is issued to Brazos River Authority subject to the following terms and conditions:

1. USE

In addition to the present authorizations, permittee is authorized to use the impounded waters of Lake Limestone for nonconsumptive recreational purposes.

2. PRIORITY

The time priority of this amendment is May 6, 1974.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2950, except as herein amended.

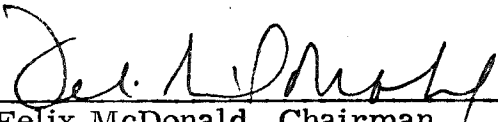
This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

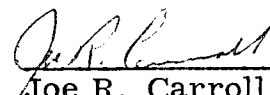
Permittee agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

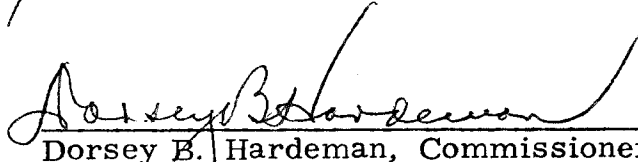
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION


Felix McDonald, Chairman



Joe R. Carroll, Commissioner


Dorsey B. Hardeman, Commissioner

Date Issued:

September 13, 1979

Attest:


Mary Ann Hefner, Chief Clerk

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Chief Clerk of the Texas Water Commission, do hereby certify that ~~the~~ foregoing is a true and correct copy of an instrument on file in permanent records of said Commission of the Department of Water Resources.

Given under my hand and the seal of the Texas Water Commission this the 19th day of September A.D., 1979.


Mary Ann Hefner, Chief Clerk

THE STATE OF TEXAS }
County of Robertson } I, MRS. MARY B. REAGAN, Clerk of the County Court
of said County, do hereby certify the foregoing instrument of writing with its Certificate of
Authentication, was filed for record in my office, the 20th day of September,
19 79, at 10 o'clock A M., and duly recorded the 20th day of September,
19 79n, at 4 o'clock P M., in the Public records of
said County, in Vol. 345 on pages 640.

WITNESS MY HAND and official seal of the County Court of this County at office in
Franklin, the day and year last above written.

By Mary B. Reagan Deputy
Clarke & Courts, Inc.—578-3M-15-1627

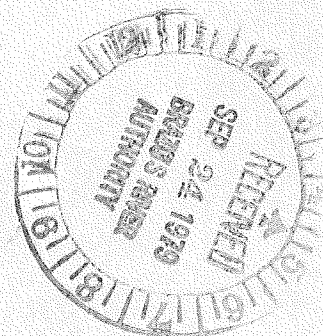
MARY B. REAGAN, Clerk
County Court, Robertson County, Texas

Ret.

Colonel Walter J. Wells
General Manager
Brazos River Authority
P. O. Box 7555
Waco, Texas 76710

Box 13087 Capitol Station • Austin, Texas

5.00 U.S.



PERMIT TO
APPROPRIATE STATE WATER

134222

APPLICATION NO. 3214A

PERMIT NO. 2950A

TYPE: Amendment

Permittee : Brazos River Authority

Address : P. O. Box 7555
Waco, Texas 76710

Received : June 4, 1979

Filed : September 4, 1979

Granted : September 4, 1979

Counties : Leon, Limestone
and Robertson

Watercourse : Navasota River, tribu-
tary of Brazos River

Watershed: Brazos River Basin

WHEREAS, the Texas Water Commission finds that jurisdiction of the application is established; and

WHEREAS, Permit No. 2950, issued October 1, 1974, authorizes permittee to construct and maintain a dam and reservoir (Lake Limestone) on the Navasota River, to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for industrial purposes and 70,000 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum; and

WHEREAS, the applicant has requested an amendment to Permit No. 2950 to authorize the use of Lake Limestone for recreational purposes; and

WHEREAS, a public hearing has been held and Brazos River Authority named as a party; and

WHEREAS, by law the Executive Director and the Public Interest Advocate of the Department of Water Resources are parties; and

WHEREAS, no person appeared to protest the granting of this application; and

WHEREAS, the issuance of this amendment granting this application is not adverse to any party.

NOW, THEREFORE, this amendment to Permit No. 2950 is issued to Brazos River Authority subject to the following terms and conditions:

1. USE

In addition to the present authorizations, permittee is authorized to use the impounded waters of Lake Limestone for nonconsumptive recreational purposes.

2. PRIORITY

The time priority of this amendment is May 6, 1974.

This amendment is issued subject to all terms, conditions and provisions contained in Permit No. 2950, except as herein amended.

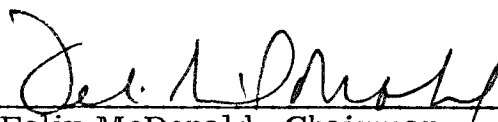
This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

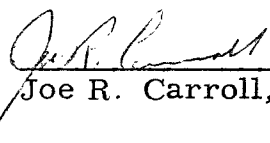
Permittee agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

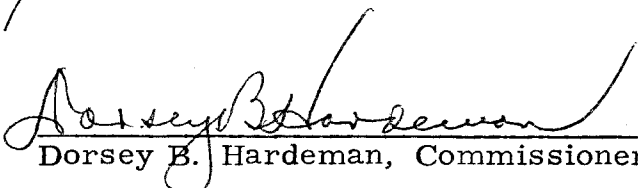
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION


Felix McDonald, Chairman

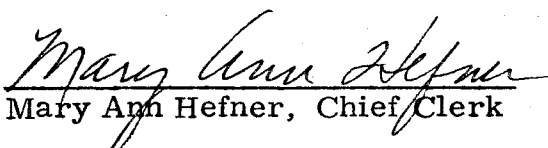

Joe R. Carroll, Commissioner


Dorsey B. Hardeman, Commissioner

Date Issued:

September 13, 1979

Attest:


Mary Ann Hefner, Chief Clerk

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Chief Clerk of the Texas Water Commission, do hereby certify that ~~the~~ *foregoing* is a true and correct copy of an instrument on file in permanent records of said Commission of the Department of Water.

THE STATE OF TEXAS }
COUNTY OF LEON }

I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 21st day of Sept., A.D. 19 79 at 10:00 o'clock A. M., and was duly recorded by me on the 21st day of Sept. A.D. 19 79 in Vol. 1 page 20, of the Water Rights Comm. Records of said County.

WITNESS MY HAND and the seal of the County Court of said County, at my office in Centerville, Texas, the day and year last above written.

By Jonsein Gesham, Deputy

ROY CARRIGAN
County Clerk Leon County, Texas

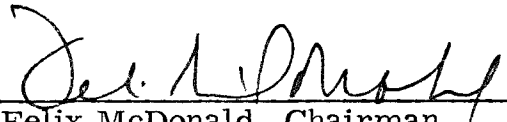
This amendment is issued subject to all superior and senior water rights in the Brazos River Basin.

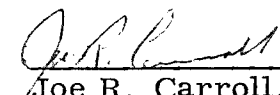
Permittee agrees to be bound by the terms, conditions and provisions contained herein and such agreement is a condition precedent to the granting of this amendment.

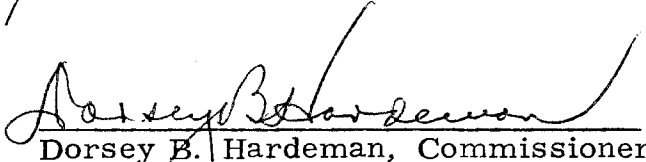
All other matters requested in the application which are not specifically granted by this amendment are denied.

This amendment is issued subject to the Rules of the Texas Department of Water Resources and to the right of continual supervision of State water resources exercised by the Department.

TEXAS WATER COMMISSION


Felix McDonald, Chairman

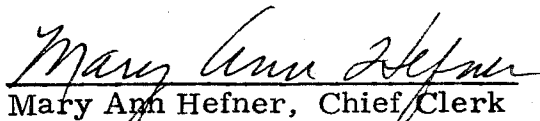

Joe R. Carroll, Commissioner


Dorsey B. Hardeman, Commissioner

Date Issued:

September 13, 1979


Attest:


Mary Ann Hefner, Chief Clerk

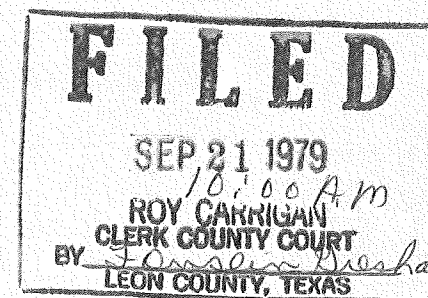
STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Chief Clerk of the Texas Water Commission, do hereby certify that ~~into~~ *foreign* is a true and correct copy of an instrument on file in permanent records of said Commission of the Department of Water Resources.

Given under my hand and the seal of the Texas Water Commission this the 19th day of September A. D., 19 79.


Mary Ann Hefner, Chief Clerk

134222



1/20

500 chg + Ret

Colonel Walter J. Wells
General Manager
Brazos River Authority
P. O. Box 7555
Waco, Texas 76710



TEXAS WATER COMMISSION



NOTICE OF HEARING
BEFORE THE TEXAS WATER COMMISSION
OF AN APPLICATION TO
APPROPRIATE PUBLIC WATERS OF THE
STATE OF TEXAS

No. 3214A

Notice is given that BRAZOS RIVER AUTHORITY
c/o Col. Walter J. Wells, General Manager
P. O. Box 7555
Waco, Texas 76710

applicant, seeks an amendment to Permit No. 2950 pursuant to §11.122, Texas Water Code, and Rule 156.04.10.001-.002 to correct an erroneous impounding capacity for Lake Limestone specified in Permit No. 2950 and to authorize the use of Lake Limestone for nonconsumptive recreational purposes.

Permit No. 2950, issued October 1, 1974, authorizes permittee to construct and maintain a dam and reservoir, known as Lake Limestone, on the Navasota River, tributary Brazos River, Brazos River Basin; to impound therein not to exceed 217,494 acre-feet of water at elevation 363 feet above mean sea level; and to divert and use therefrom not to exceed 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet per annum for irrigation, with a priority right of 70,194 acre-feet of water per annum. On September 4, 1979, the Commission authorized the use of Lake Limestone for recreational purposes.

Based on updated field surveys of sediment ranges, the applicant requests authority to amend Permit No. 2950 to reflect that the actual impounding capacity of Lake Limestone at elevation 363 above mean sea level is 225,400 acre-feet of water rather than 217,494 acre-feet of water, all being more fully set out in the application.

Application No. 3214A was accepted for filing on September 4, 1979, and a hearing thereon will be held by the Commission in the Stephen F. Austin State Office Building at 1700 North Congress Avenue in Austin, Texas, on October 30, 1979, at 10 o'clock a.m. Any person who intends to offer prepared testimony at the public hearing shall prefile the testimony with the Chief Clerk of the Commission not less than five days prior to the hearing, and shall serve copies of prepared testimony on the applicant, the Executive Director and Public Interest Advocate of the Department of Water Resources and all other persons who have filed written protests or written requests not less than eight days prior to the hearing. The Commission may authorize the late filing of prepared testimony upon a showing of good cause and extenuating circumstances. Any person who desires to receive prepared testimony shall file a written protest or a written request with the Commission not less than eight days prior to the hearing.

Those opposing the granting of this application may appear at the hearing and/or, not less than eight days before the hearing date, may file written protests with the Commission and serve copies on the applicant with proof of service to be provided to the Commission. Written protests shall contain the name and address of the protestant's interest, location of protestant's diversion point(s) or property, if applicable and any amendments or adjustments to the application which would result in a withdrawal of the protest. The written protest will be noted by the Commission but will not be considered as evidence

since the right to cross-examine is absent. No protestant will be admitted as a party to the proceeding unless the protestant complies with Commission Rule 155.04.00.001 which requires a justiciable interest and actual or representative presence at the hearing. Due to the technical nature of the hearing, it may be advisable for the protestant to have an expert witness, such as an engineer, available at the hearing. Persons desiring further information in connection with this application may contact Lynn L. Zimmerman, P. O. Box 13087, Capitol Station, Austin, Texas 78711.

Mary Ann Hefner, Chief Clerk
TEXAS WATER COMMISSION

Date: September 10, 1979

This notice is published at the expense of the applicant and not the
State of Texas.

STATE OF TEXAS
COUNTY OF _____

Before me, the undersigned authority, on this day personally
appeared _____, the _____
_____ of the _____,
a newspaper regularly published in _____
County (Counties), Texas, and having general circulation in
_____ County (Counties), Texas,
who being by me duly sworn deposes and says that the foregoing
attached notice was published in said newspaper on the following
date(s), to wit: _____.

Subscribed and sworn to before me this the _____ day of
_____, 19____, to certify which witness my
hand and seal of office.

Notary Public in and for
_____ County, Texas

B22

TEXAS WATER RIGHTS COMMISSION



AN ORDER approving final plans and specifications for construction of Sterling C. Robertson Dam under Permit No. 2950 of BRAZOS RIVER AUTHORITY.

On May 5, 1975, came on to be considered before the Texas Water Rights Commission the matter of approving final plans and specifications relating to Permit No. 2950 of Brazos River Authority.

Permittee has filed final construction plans and specifications relating to the authorized construction. Having reviewed the plans and specifications, the Commission finds that they are in order and should be approved.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS WATER RIGHTS COMMISSION that the final plans and specifications be and the same are hereby in all things approved.

IT IS FURTHER ORDERED that the approval of the plans and specifications be so marked thereon and they be stamped for identification with the date of entry of this order.

The construction work shall be under the continuous supervision of permittee's consulting engineer who shall make periodic reports of construction progress to the Commission.

This order shall not be construed as in any way amending, modifying or changing the terms, conditions and provisions of Permit No. 2950, as granted, except as may be specifically provided herein.

Executed and entered of record, this the 7th day of May, 1975.

TEXAS WATER RIGHTS COMMISSION

/s/ Joe D. Carter
Joe D. Carter, Chairman

/s/ Burke Holman
Burke Holman, Commissioner

ATTEST:

/s/ Mary Ann Hefner
Mary Ann Hefner, Secretary

/s/ Dorsey B. Hardeman
Dorsey B. Hardeman, Commissioner

STATE OF TEXAS X
 X
COUNTY OF TRAVIS X

I, Mary Ann Hefner, Secretary of the Texas Water Rights Commission, do hereby certify that the foregoing and attached is a true and correct copy of an order of said Commission, the original of which is filed in the permanent records of said Commission.

Given under my hand and the seal of the Texas Water Rights Commission, this the 7th day of May, A.D. 1975.

Mary Ann Hefner
Mary Ann Hefner, Secretary

2058

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214

PERMIT NO. 2950

TYPE: Regular

Permittee : Brazos River Authority

Address : P. O. Box 7555
Waco, Texas 76710

Received : March 19, 1974

Filed : May 6, 1974

Granted : July 29, 1974

Counties : Leon, Robertson and
Limestone

Watercourse : Navasota River

Watershed: Brazos River Basin

WHEREAS, the Texas Water Rights Commission finds that jurisdiction of the application is established, due notice and publication thereof having been accomplished, and hearing having been held, all in accordance with the Texas Water Code and the Rules and Regulations of the Commission.

NOW, THEREFORE, this permit to appropriate State water is issued to Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Permittee is authorized to construct, and before acquiring any right hereunder shall construct, a dam and reservoir on the Navasota River and impound therein not to exceed 217,494 acre-feet of water at 363 feet above mean sea level. Station 63 + 00 on the centerline of the dam is N 42° 30' W, 4000 feet from the SW corner of the Hugh L. White Survey, Abstract No. 908, Leon County, Texas, approximately 22 miles NE of Franklin, Texas.

2. USE

- (a) Permittee is authorized the priority right to use 70,194 acre-feet of water from the Upper Navasota Reservoir for beneficial use. The permittee may include the amount of this priority right in computing the sum of priority rights for purposes of the system operation authorized by the Commission's order of July 23, 1964, as amended.
- (b) Permittee is authorized to divert and use not to exceed 500 acre-feet of water from the Navasota River for initial construction of the dam.

3. DIVERSION

The permittee is authorized to use the bed and banks of the Navasota and Brazos Rivers for the purpose of conveying all or part of the water authorized to be appropriated under this permit to authorized points of diversion and use downstream including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Permit No. 2661.

4. TIME LIMITATIONS

Construction or installation of all works herein authorized or required shall be in accordance with plans approved by the Commission and shall be commenced within 2 years and completed 5 years from date of issuance of this permit unless extended by the Commission.

5. SYSTEM OPERATION

The permittee is authorized to include the Upper Navasota Reservoir in its system operation as authorized by the Commission's order of July 23, 1964, as amended. For purposes of the system operation authorized by the Commission's order of July 23, 1964, the permittee is authorized to divert and use from the Upper Navasota Reservoir 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet of water per annum for industrial purposes, and 70,000 acre-feet of water per annum for irrigation purposes, provided that all diversions from the Upper Navasota Reservoir exceeding 70,194 acre-feet in any one calendar year shall be charged against the sum of the amounts designated as priority rights in the other tributary reservoirs included in the system operation authorized by the Commission's order of July 23, 1964, as amended.

6. SPECIAL CONDITIONS

- (a) The permittee shall provide the facilities necessary (including pumps) to pass water through the dam at all times, including the period of construction and initial filling of the reservoir.
- (b) Permittee shall establish and maintain a streamflow measuring station upstream from the reservoir at a site approved by the Commission. Records of low flow at this station and at the dam-site will be maintained during the period prior to the beginning impoundment of water in the reservoir and will be used, together with other pertinent data, to establish a correlation acceptable to the Commission between low flow at the upstream station and low flow at the damsite. Low flow in paragraph (c) below refers to simulated low flow at the damsite determined on the basis of this correlation.
- (c) Permittee will pass through the dam all low flow up to 6 cubic feet per second (low flow greater than 6 cubic feet per second will be passed through to serve superior downstream water rights as deemed necessary by the Commission) and will supplement low flow by making releases from reservoir storage to maintain a minimum release at the dam of 2 cubic feet per second until such time that low flow has ceased. Daily readings of the required upstream gaging station will be made whenever reservoir releases are less than 6 cubic feet per second.
- (d) The permittee shall install and maintain a continuous lake level measuring station for Upper Navasota Reservoir and maintain the following records:
 - (1) Reservoir content;
 - (2) Low flow releases; and

- (3) Diversions and releases indicating quantities and uses to be charged against the priority right of this reservoir, and quantities and uses (if any) to be charged against the Brazos River Authority system operation.

All records shall be compiled monthly and reported to the Commission annually and at other times as required.

- (e) The permittee shall survey and monument an appropriate number of sediment ranges prior to impoundment of water. A set of drawings showing the location and profile of each range shall be submitted to the Commission along with a revised elevation-area-capacity table based on the surveyed ranges.
- (f) Revised elevation-area-capacity tables based on new sediment surveys conducted at not greater than 15-year intervals following the first filling of the reservoir shall be submitted to the Commission.

This permit is issued subject to all superior and senior water rights in the Brazos River Basin.

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

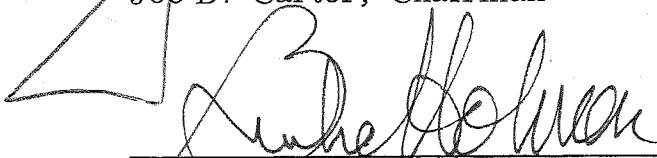
All other matters requested in the application which are not specifically granted by this permit are denied.

This permit is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

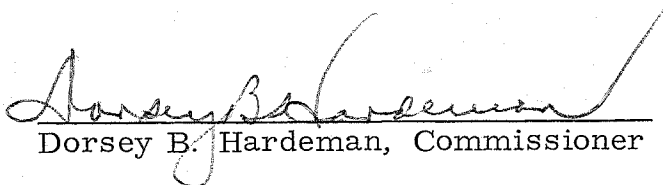
TEXAS WATER RIGHTS COMMISSION



Joe D. Carter, Chairman



Burke Holman, Commissioner



Dorsey B. Hardeman, Commissioner

Date Issued:

October 1, 1974

Attest:



Audrey Strandtman, Secretary

3 of 3

VOL. 294 PAGE 560

FILED: 10-15-1974 10am REC. 10-15-1974 2pm

BY GALLOWAY, Co. Clk Robertson Co. Texas

BY Rouman, Turkey DEPUTY.

THE STATE OF TEXAS }
County of Robertson } I, MRS. KATHERINE GALLOWAY, Clerk of the County Court
of said County, do hereby certify the foregoing instrument of writing with its Certificate of
Authentication, was filed for record in my office, the 15th day of Oct.
19 74, at 10 o'clock A M., and duly recorded the 15th day of Oct.
19 74, at 2 o'clock PM., in the Public records of
said County, in Vol. 294 on pages 558.

WITNESS MY HAND and official seal of the County Court of this County at office in
Franklin, the day and year last above written.

By *Barbara Hurley* Deputy

MRS. KATHERINE GALLOWAY, Clerk
County Court, Robertson County, Texas

3.50 chg
Colonel Walter J. Wills
Gen. Manager
Brayos River Authority
P.O. Box 7555
Waco 76710

6079
PERMIT TO
APPROPRIATE STATE WATER

498
APPLICATION NO. 3214

PERMIT NO. 2950

TYPE: Regular

Permittee : Brazos River Authority

Address : P. O. Box 7555
Waco, Texas 76710

Received : March 19, 1974

Filed : May 6, 1974

Granted : July 29, 1974

Counties : Leon, Robertson and
Limestone

Watercourse : Navasota River

Watershed: Brazos River Basin

WHEREAS, the Texas Water Rights Commission finds that jurisdiction of the application is established, due notice and publication thereof having been accomplished, and hearing having been held, all in accordance with the Texas Water Code and the Rules and Regulations of the Commission.

NOW, THEREFORE, this permit to appropriate State water is issued to Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Permittee is authorized to construct, and before acquiring any right hereunder shall construct, a dam and reservoir on the Navasota River and impound therein not to exceed 217,494 acre-feet of water at 363 feet above mean sea level. Station 63 + 00 on the centerline of the dam is N 42° 30' W, 4000 feet from the SW corner of the Hugh L. White Survey, Abstract No. 908, Leon County, Texas, approximately 22 miles NE of Franklin, Texas.

2. USE

- (a) Permittee is authorized the priority right to use 70,194 acre-feet of water from the Upper Navasota Reservoir for beneficial use. The permittee may include the amount of this priority right in computing the sum of priority rights for purposes of the system operation authorized by the Commission's order of July 23, 1964, as amended.
- (b) Permittee is authorized to divert and use not to exceed 500 acre-feet of water from the Navasota River for initial construction of the dam.

3. DIVERSION

The permittee is authorized to use the bed and banks of the Navasota and Brazos Rivers for the purpose of conveying all or part of the water authorized to be appropriated under this permit to authorized points of diversion and use downstream including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Permit No. 2661.

4. TIME LIMITATIONS

499

Construction or installation of all works herein authorized or required shall be in accordance with plans approved by the Commission and shall be commenced within 2 years and completed 5 years from date of issuance of this permit unless extended by the Commission.

5. SYSTEM OPERATION

The permittee is authorized to include the Upper Navasota Reservoir in its system operation as authorized by the Commission's order of July 23, 1964, as amended. For purposes of the system operation authorized by the Commission's order of July 23, 1964, the permittee is authorized to divert and use from the Upper Navasota Reservoir 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet of water per annum for industrial purposes, and 70,000 acre-feet of water per annum for irrigation purposes, provided that all diversions from the Upper Navasota Reservoir exceeding 70,194 acre-feet in any one calendar year shall be charged against the sum of the amounts designated as priority rights in the other tributary reservoirs included in the system operation authorized by the Commission's order of July 23, 1964, as amended.

6. SPECIAL CONDITIONS

- (a) The permittee shall provide the facilities necessary (including pumps) to pass water through the dam at all times, including the period of construction and initial filling of the reservoir.
- (b) Permittee shall establish and maintain a streamflow measuring station upstream from the reservoir at a site approved by the Commission. Records of low flow at this station and at the dam-site will be maintained during the period prior to the beginning impoundment of water in the reservoir and will be used, together with other pertinent data, to establish a correlation acceptable to the Commission between low flow at the upstream station and low flow at the damsite. Low flow in paragraph (c) below refers to simulated low flow at the damsite determined on the basis of this correlation.
- (c) Permittee will pass through the dam all low flow up to 6 cubic feet per second (low flow greater than 6 cubic feet per second will be passed through to serve superior downstream water rights as deemed necessary by the Commission) and will supplement low flow by making releases from reservoir storage to maintain a minimum release at the dam of 2 cubic feet per second until such time that low flow has ceased. Daily readings of the required upstream gaging station will be made whenever reservoir releases are less than 6 cubic feet per second.
- (d) The permittee shall install and maintain a continuous lake level measuring station for Upper Navasota Reservoir and maintain the following records:
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 - (2) Low flow releases; and

- 500
- (3) Diversions and releases indicating quantities and uses to be charged against the priority right of this reservoir, and quantities and uses (if any) to be charged against the Brazos River Authority system operation.

All records shall be compiled monthly and reported to the Commission annually and at other times as required.

- (e) The permittee shall survey and monument an appropriate number of sediment ranges prior to impoundment of water. A set of drawings showing the location and profile of each range shall be submitted to the Commission along with a revised elevation-area-capacity table based on the surveyed ranges.
- (f) Revised elevation-area-capacity tables based on new sediment surveys conducted at not greater than 15-year intervals following the first filling of the reservoir shall be submitted to the Commission.

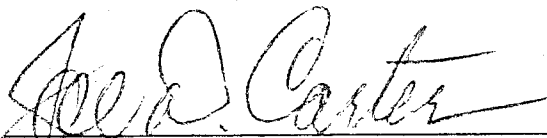
This permit is issued subject to all superior and senior water rights in the Brazos River Basin.

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

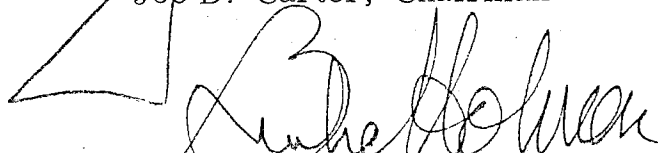
All other matters requested in the application which are not specifically granted by this permit are denied.

This permit is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

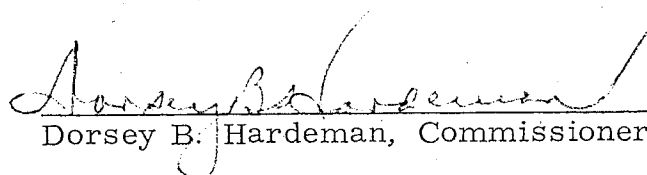
TEXAS WATER RIGHTS COMMISSION



Joe D. Carter, Chairman



Burke Holman, Commissioner

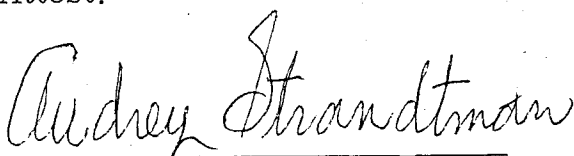


Dorsey B. Hardeman, Commissioner

Date Issued:

October 1, 1974

Attest:



Audrey Strandtman, Secretary

The State of Texas }

County of Limestone

I, DENA PRUITT, Clerk of the County Court of Limestone County, do hereby certify that the foregoing instrument, with its certificate of authentication, was filed in my office the 15 day of Oct., 1974, at 8 o'clock A. M., and duly recorded the 16 day of Oct., 1974, at 4 o'clock P. M., in Deed Record of said County, in Volume 591, Page 498.

WITNESS MY HAND and the Seal of the County Court of said County, at my office in Groesbeck, Texas, the day and year last written.

By Starlet Ross, Deputy

DENA PRUITT
Clerk, County Court, Limestone County, Texas

STATE OF TEXAS
COUNTY OF TRAVIS

I, Audrey Strandtman, Secretary of the Texas Water Rights Commission, do hereby certify that the foregoing permit is a true and correct copy of an instrument on file in the permanent records of said Commission.

Given under my hand and the seal of the Texas Water Rights Commission this the 17th day of October A.D., 1974

Audrey Strandtman
Audrey Strandtman, Secretary

501
Cont.

6079

498

Permit to
appropriate State Water

FILED FOR RECORD
at 8 o'clock a M.

OCT 15 1974

Dena Pruitt, Co. Clerk
LIMESTONE COUNTY, TEXAS

Colonel Walter J. Wells
General Manager
Brazos River Authority
Box 7555
Waco

76710

11-50

108800

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214

PERMIT NO. 2950

TYPE: Regular

Permittee : Brazos River Authority

Address : P. O. Box 7555
Waco, Texas 76710

Received : March 19, 1974

Filed : May 6, 1974

Granted : July 29, 1974

Counties : Leon, Robertson and
Limestone

Watercourse : Navasota River

Watershed: Brazos River Basin

WHEREAS, the Texas Water Rights Commission finds that jurisdiction of the application is established, due notice and publication thereof having been accomplished, and hearing having been held, all in accordance with the Texas Water Code and the Rules and Regulations of the Commission.

NOW, THEREFORE, this permit to appropriate State water is issued to Brazos River Authority, subject to the following terms and conditions:

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2. USE

(a) Permittee is authorized the priority right to use 70,194 acre-feet of water from the Upper Navasota Reservoir for beneficial use. The permittee may include the amount of this priority right in computing the sum of priority rights for purposes of the system operation authorized by the Commission's order of July 23, 1964, as amended.

(b) Permittee is authorized to divert and use not to exceed 500 acre-feet of water from the Navasota River for initial construction of the dam.

3. DIVERSION

The permittee is authorized to use the bed and banks of the Navasota and Brazos Rivers for the purpose of conveying all or part of the water authorized to be appropriated under this permit to authorized points of diversion and use downstream including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Permit No. 2661.

4. TIME LIMITATIONS

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- (3) Diversions and releases indicating quantities and uses to be charged against the priority right of this reservoir, and quantities and uses (if any) to be charged against the Brazos River Authority system operation.

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- (f) Revised elevation-area-capacity tables based on new sediment surveys conducted at not greater than 15-year intervals following the first filling of the reservoir shall be submitted to the Commission.

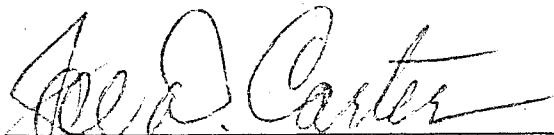
This permit is issued subject to all superior and senior water rights in the Brazos River Basin.

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

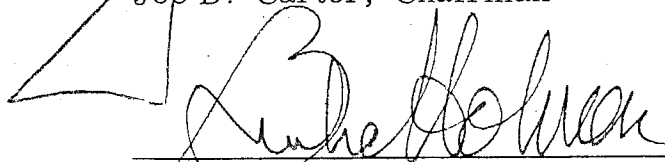
All other matters requested in the application which are not specifically granted by this permit are denied.

This permit is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

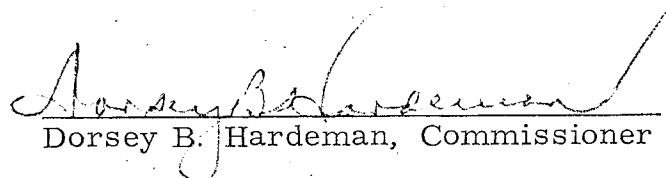
TEXAS WATER RIGHTS COMMISSION



Joe D. Carter, Chairman



Burke Holman, Commissioner



Dorsey B. Hardeman, Commissioner

Date Issued:

October 1, 1974

Attest:

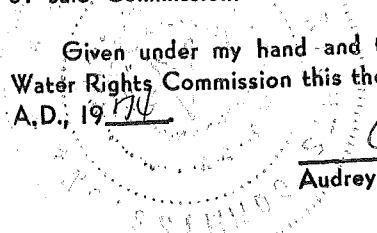


Audrey Strandtman, Secretary

STATE OF TEXAS
COUNTY OF TRAVIS

I, Audrey Strandtman, Secretary of the Texas Water Rights Commission, do hereby certify that ~~the foregoing permit~~ is a true and correct copy of an instrument on file in the permanent records of said Commission.

Given under my hand and the seal of the Texas Water Rights Commission this the 11th day of October, A.D., 1974


Audrey Strandtman
Audrey Strandtman, Secretary

THE STATE OF TEXAS }
COUNTY OF LEON }

I, ROY CARRIGAN, Clerk of the County Court, in and for Leon County, Texas, do hereby certify that the foregoing instrument of writing, with its Certificate of Authentication, was filed for record and duly recorded the 16th day of October A. D. 19 74, in the Water Rights Comm. Records of said County in Volume 1, Page 9.

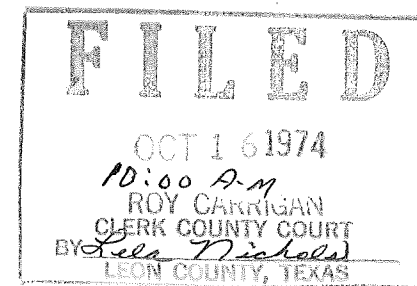
WITNESS MY HAND AND SEAL of the County Court, of Leon County, at office in Center-ville, Texas the day and year above written.

By Lela Nichols, Deputy

ROY CARRIGAN, COUNTY CLERK
LEON COUNTY, TEXAS

108800

vol. 1/9



TEXAS WATER COMMISSION



D-1

AN ORDER authorizing system operation of certain reservoirs in the Brazos River Basin.

BE IT ORDERED BY THE TEXAS WATER COMMISSION:

Section 1. The Commission has this day granted to Brazos River Authority Permits, numbered 2107, 2108, 2109, 2110 and 2111, to impound and divert water respectively from the Proctor Reservoir on the Leon River, the Belton Reservoir on the Leon River, the Stillhouse Hollow Reservoir on the Lampasas River, the Somerville Reservoir on Yegua Creek and the DeCordova Bend Reservoir on the main stem of the Brazos River. Brazos River Authority is the holder of Permit No. 1262, authorizing it to impound and divert water from the Possum Kingdom Reservoir on the main stem of the Brazos River. In this order DeCordova Bend and Possum Kingdom are sometimes called main stem reservoirs; Belton, Stillhouse Hollow, Proctor and Somerville are sometimes called tributary reservoirs.

Section 2. Brazos River Authority proposes and has requested permission of the Commission to operate the four tributary reservoirs as elements of a system under which releases from tributary reservoirs could be coordinated with releases from main stem reservoirs to achieve most effective conservation and beneficial use of available stored waters.

Section 3. The Commission recognizes that, when reservoirs are suitably located with regard to each other and with regard to water users, operation of such reservoirs as elements of a system, rather than as individual reservoirs, offers opportunities for more effective conservation and beneficial utilization of the available water resources. The Commission recognizes also that the effectiveness of system operation of reservoirs depends on the ability to

make releases of water from those reservoirs in the system in which supply is relatively abundant in order to reduce the need for releases from reservoirs where the supply is short.

Section 4. The Commission, by this order, grants to the Brazos River Authority permission to manage and operate the tributary reservoirs as elements of a system, coordinating releases from the tributary reservoirs with releases from the main stem reservoirs to minimize waste, and to conserve water in reservoirs in which the supply is short by making releases from tributary reservoirs in which the supply is more abundant. Pursuant to such operation, Brazos River Authority is authorized to make diversions from tributary reservoirs in excess of the acre-foot quantity limitations set out in the individual permits upon the amounts of water which may be diverted for municipal, industrial and irrigation purposes respectively, so long as the total amount of water released from all such tributary reservoirs in any year for each purpose does not exceed the cumulative authorized total for such purpose.

Section 5. To assure that the system operation authorized by this order will not impair the ability of each tributary reservoir to supply water for local needs within its tributary watershed, such tributary reservoir shall be excluded from system operation during any period of time in which Authority's permitted storage space in any such reservoir is less than 30 percent full. In such event, no releases shall be made from such reservoir except for local needs so long as other needs can be met from other reservoirs.

Section 6. This order is subject to all lawful vested rights of others entitled to waters of the Brazos River Basin.

Section 7. This order is subject to revocation or modification by the Commission with or without hearing on the Commission's own motion, upon application by the Brazos River Authority, or upon

application by any party whose interests or rights are affected by this order or by the system operation authorized hereunder.

This order shall be in full force and effect from the 23rd day of July, 1964, the date of its passage, and it is so ordered.

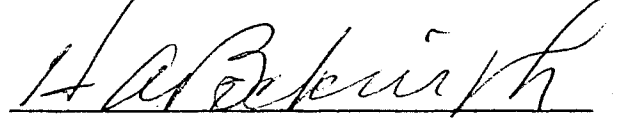
TEXAS WATER COMMISSION



Joe D. Carter, Chairman

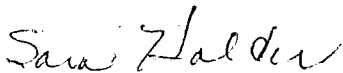


O. F. Dent, Commissioner



H. A. Beckwith, Commissioner

ATTEST:

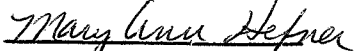


Sara Holder, Asst. Secretary

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Heiner, Secretary of the Texas Water Rights Commission, do hereby certify that *the foregoing* is a true and correct copy of an instrument on file in permanent records of said Commission.

Given under my hand and the seal of the Texas Water Rights Commission this the 10th day of September, A.D., 1975.


Mary Ann Heiner, Secretary

TEXAS WATER RIGHTS COMMISSION



AN ORDER amending the System
Operation of certain reser-
voirs in the Brazos River
Basin dated July 23, 1964.

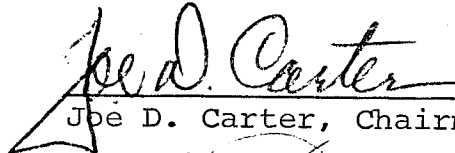
BE IT ORDERED BY THE TEXAS WATER RIGHTS COMMISSION:

The System Operation Order to the Brazos River Authority en-
tered on July 23, 1964, is amended by adding the reservoirs to be
constructed under Permits Nos. 2366 and 2367.


All other of the terms and conditions of the System Operation
Order for the Brazos River Authority shall remain the same.

Executed and entered this the 23rd day of July, 1968.


TEXAS WATER RIGHTS COMMISSION


Joe D. Carter, Chairman


O. F. Dent, Commissioner


W. E. Berger, Commissioner

ATTEST:


Audrey Strandtman, Secretary

STATE OF TEXAS
COUNTY OF TRAVIS

I, Mary Ann Hefner, Secretary of the Texas
Water Rights Commission, do hereby certify that
the foregoing is a true and correct copy
of an instrument on file in permanent records
of said Commission.

Given under my hand and the seal of the Texas
Water Rights Commission this the 10th day
of September A.D., 1975.


Mary Ann Hefner, Secretary

D-4

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214

PERMIT NO. 2950

TYPE: Regular

Permittee : Brazos River Authority

Address.: P. O. Box 7555
Waco, Texas 76710

Received : March 19, 1974

Filed : May 6, 1974

Granted : July 29, 1974

Counties : Leon, Robertson and
Limestone

Watercourse : Navasota River

Watershed: Brazos River Basin

WHEREAS, the Texas Water Rights Commission finds that jurisdiction of the application is established, due notice and publication thereof having been accomplished, and hearing having been held, all in accordance with the Texas Water Code and the Rules and Regulations of the Commission.

NOW, THEREFORE, this permit to appropriate State water is issued to Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Permittee is authorized to construct, and before acquiring any right hereunder shall construct, a dam and reservoir on the Navasota River and impound therein not to exceed 217,494 acre-feet of water at 363 feet above mean sea level. Station 63 + 00 on the centerline of the dam is N 42° 30' W, 4000 feet from the SW corner of the Hugh L. White Survey, Abstract No. 908, Leon County, Texas, approximately 22 miles NE of Franklin, Texas.

2. USE

- (a) Permittee is authorized the priority right to use 70,194 acre-feet of water from the Upper Navasota Reservoir for beneficial use. The permittee may include the amount of this priority right in computing the sum of priority rights for purposes of the system operation authorized by the Commission's order of July 23, 1964, as amended.
- (b) Permittee is authorized to divert and use not to exceed 500 acre-feet of water from the Navasota River for initial construction of the dam.

3. DIVERSION

The permittee is authorized to use the bed and banks of the Navasota and Brazos Rivers for the purpose of conveying all or part of the water authorized to be appropriated under this permit to authorized points of diversion and use downstream including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Permit No. 2661.

4. TIME LIMITATIONS

Construction or installation of all works herein authorized or required shall be in accordance with plans approved by the Commission and shall be commenced within 2 years and completed 5 years from date of issuance of this permit unless extended by the Commission.

5. SYSTEM OPERATION

The permittee is authorized to include the Upper Navasota Reservoir in its system operation as authorized by the Commission's order of July 23, 1964, as amended. For purposes of the system operation authorized by the Commission's order of July 23, 1964, the permittee is authorized to divert and use from the Upper Navasota Reservoir 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet of water per annum for industrial purposes, and 70,000 acre-feet of water per annum for irrigation purposes, provided that all diversions from the Upper Navasota Reservoir exceeding 70,194 acre-feet in any one calendar year shall be charged against the sum of the amounts designated as priority rights in the other tributary reservoirs included in the system operation authorized by the Commission's order of July 23, 1964, as amended.

6. SPECIAL CONDITIONS

- (a) The permittee shall provide the facilities necessary (including pumps) to pass water through the dam at all times, including the period of construction and initial filling of the reservoir.
- (b) Permittee shall establish and maintain a streamflow measuring station upstream from the reservoir at a site approved by the Commission. Records of low flow at this station and at the dam-site will be maintained during the period prior to the beginning impoundment of water in the reservoir and will be used, together with other pertinent data, to establish a correlation acceptable to the Commission between low flow at the upstream station and low flow at the damsite. Low flow in paragraph (c) below refers to simulated low flow at the damsite determined on the basis of this correlation.
- (c) Permittee will pass through the dam all low flow up to 6 cubic feet per second (low flow greater than 6 cubic feet per second will be passed through to serve superior downstream water rights as deemed necessary by the Commission) and will supplement low flow by making releases from reservoir storage to maintain a minimum release at the dam of 2 cubic feet per second until such time that low flow has ceased. Daily readings of the required upstream gaging station will be made whenever reservoir releases are less than 6 cubic feet per second.
- (d) The permittee shall install and maintain a continuous lake level measuring station for Upper Navasota Reservoir and maintain the following records:
 - (1) Reservoir content;
 - (2) Low flow releases; and

- (3) Diversions and releases indicating quantities and uses to be charged against the priority right of this reservoir, and quantities and uses (if any) to be charged against the Brazos River Authority system operation.

All records shall be compiled monthly and reported to the Commission annually and at other times as required.

- (e) The permittee shall survey and monument an appropriate number of sediment ranges prior to impoundment of water. A set of drawings showing the location and profile of each range shall be submitted to the Commission along with a revised elevation-area-capacity table based on the surveyed ranges.
- (f) Revised elevation-area-capacity tables based on new sediment surveys conducted at not greater than 15-year intervals following the first filling of the reservoir shall be submitted to the Commission.

This permit is issued subject to all superior and senior water rights in the Brazos River Basin.

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

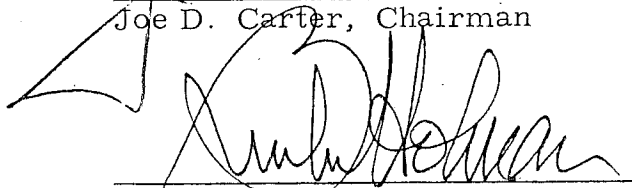
All other matters requested in the application which are not specifically granted by this permit are denied.

This permit is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

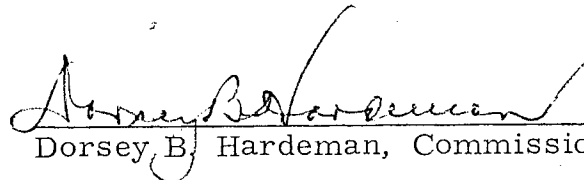
TEXAS WATER RIGHTS COMMISSION



Joe D. Carter, Chairman



Burke Holman, Commissioner



Dorsey B. Hardeman, Commissioner

Date Issued:

October 1, 1974

Attest:




Audrey Strandtman, Secretary

STATE OF TEXAS X
 X
COUNTY OF TRAVIS X

I, Mary Ann Hefner, Secretary of the Texas Water Rights Commission, do hereby certify that the attached is a true and correct copy of Permit No. 2950 which is on file in the permanent records of the said Commission. I do further certify that the project referred to in the permit as the Upper Navasota Reservoir is now known as the Sterling C. Robertson Dam and Lake Limestone pursuant to notification to the Commission by the Brazos River Authority by letter dated April 22, 1975, in accordance with the requirement of Commission Rule 810.4C.

Given under my hand and the seal of the Texas Water Rights Commission this the 10th day of September A. D., 1975.



Mary Ann Hefner, Secretary

D-5

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 2882

PERMIT NO. 2661

TYPE: Regular

Permittee : Brazos River Authority

Address : P. O. Box 7555
Waco, Texas

Received : October 15, 1970

Filed : November 9, 1970

Granted : December 16, 1970

County : Fort Bend

Watercourse : Brazos River and Tributaries

Watershed: Brazos River

WHEREAS, the Texas Water Rights Commission has caused due notice, publication and hearing of the application to be made and finds that jurisdiction has been established;

NOW, THEREFORE, this permit to use the public waters of the State of Texas is hereby issued to Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Proctor Reservoir as authorized by Permit No. 2107; Belton Reservoir as authorized by Permit No. 2108; Stillhouse Hollow Reservoir as authorized by Permit No. 2109; Somerville Reservoir as authorized by Permit No. 2110; Laneport Reservoir as authorized by Permit No. 2366; North San Gabriel Reservoir as authorized by Permit No. 2367; Possum Kingdom Reservoir as authorized by Permit No. 1262; DeCordova Bend Reservoir (Lake Granbury) as authorized by Permit No. 2111A.

2. USE

Permittee is authorized to divert and use in the San Jacinto-Brazos Coastal Basin, 200,000 acre-feet of water per annum from the aforesaid reservoirs, said water to be used as follows: 30,000 acre-feet of water per annum for municipal purposes; and 170,000 acre-feet of water per annum for industrial purposes.

3. DIVERSION

(a) Point of Diversion: At two points on the left or east bank of the Brazos River, as follows: N 36° 52' W, 17,425 feet from the SW corner of the Jno. Foster 2-1/2 League Survey, Fort Bend County, Texas, approximately 8 miles northwest of Rosenberg, Texas, and N 83° 19' W, 27,310 feet from the SE corner of the Thos. Barnett Survey, Fort Bend County, Texas, approximately 11 miles southeast of Richmond, Texas, being those points of diversion previously authorized by Permit Nos. 1040 and 1299, respectively.

(b) Maximum Diversion Rate: As authorized by Permit Nos. 1040, 1299 and 1558.

4. SPECIAL CONDITIONS

- (a) Nothing in this permit shall be construed as authorizing an appropriate right in excess of those presently held by Permittee as evidenced by the aforementioned Permits. Those public waters diverted pursuant to this permit shall consist wholly of waters previously authorized to be diverted by Permittee, which waters shall be released from upstream storage and transported to the points of diversion as hereafter specified.
- (b) Permittee is authorized to use the beds and banks of the Lampasas River, Leon River, Little River, North San Gabriel River and San Gabriel River, and the beds and banks of Yegua Creek and the Brazos River for the purpose of transporting stored waters from the place of storage to the points of diversion from the Brazos River.
- (c) Permittee shall measure and keep records of daily releases made from reservoirs and daily diversions made from each authorized point of diversion for each authorized purpose under this permit, and shall report to the Commission annually in such form and manner as the Commission may from time to time prescribe:
 - (1) All releases of water from storage from each reservoir covered by this permit for each purpose authorized under this permit;
 - (2) All diversions and the locations of same made under provisions of this permit for each authorized purpose.

This permit is issued subject to all superior and senior water rights in the Brazos River Basin.

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

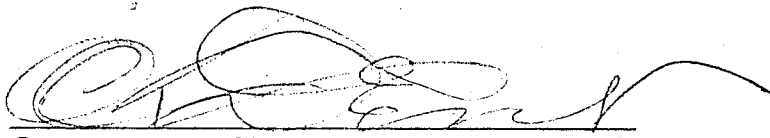
All other matters requested in the application which are not specifically granted by this permit are denied.

This permit is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

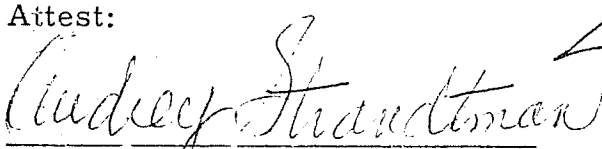
TEXAS WATER RIGHTS COMMISSION

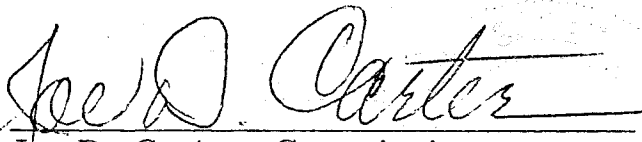
Date Issued:

June 14, 1971


O. F. Dent, Chairman

Attest:


Audrey Strandtman, Secretary


Joe D. Carter, Commissioner


Leslie R. Neal, Commissioner

PERMIT TO
APPROPRIATE STATE WATER

APPLICATION NO. 3214

PERMIT NO. 2950

TYPE: Regular

Permittee : Brazos River Authority

Address : P. O. Box 7555
Waco, Texas 76710

Received : March 19, 1974

Filed : May 6, 1974

Granted : July 29, 1974

Counties : Leon, Robertson and
Limestone

Watercourse : Navasota River

Watershed: Brazos River Basin

WHEREAS, the Texas Water Rights Commission finds that jurisdiction of the application is established, due notice and publication thereof having been accomplished, and hearing having been held, all in accordance with the Texas Water Code and the Rules and Regulations of the Commission.

NOW, THEREFORE, this permit to appropriate State water is issued to Brazos River Authority, subject to the following terms and conditions:

1. IMPOUNDMENT

Permittee is authorized to construct, and before acquiring any right hereunder shall construct, a dam and reservoir on the Navasota River and impound therein not to exceed 217,494 acre-feet of water at 363 feet above mean sea level. Station 63 + 00 on the centerline of the dam is N 42° 30' W, 4000 feet from the SW corner of the Hugh L. White Survey, Abstract No. 908, Leon County, Texas, approximately 22 miles NE of Franklin, Texas.

2. USE

- (a) Permittee is authorized the priority right to use 70,194 acre-feet of water from the Upper Navasota Reservoir for beneficial use. The permittee may include the amount of this priority right in computing the sum of priority rights for purposes of the system operation authorized by the Commission's order of July 23, 1964, as amended.
- (b) Permittee is authorized to divert and use not to exceed 500 acre-feet of water from the Navasota River for initial construction of the dam.

3. DIVERSION

The permittee is authorized to use the bed and banks of the Navasota and Brazos Rivers for the purpose of conveying all or part of the water authorized to be appropriated under this permit to authorized points of diversion and use downstream including points of diversion and use in the San Jacinto-Brazos Coastal Basin as authorized by Permit No. 2661.

4. TIME LIMITATIONS

Construction or installation of all works herein authorized or required shall be in accordance with plans approved by the Commission and shall be commenced within 2 years and completed 5 years from date of issuance of this permit unless extended by the Commission.

5. SYSTEM OPERATION

The permittee is authorized to include the Upper Navasota Reservoir in its system operation as authorized by the Commission's order of July 23, 1964, as amended. For purposes of the system operation authorized by the Commission's order of July 23, 1964, the permittee is authorized to divert and use from the Upper Navasota Reservoir 70,000 acre-feet of water per annum for municipal purposes, 77,500 acre-feet of water per annum for industrial purposes, and 70,000 acre-feet of water per annum for irrigation purposes, provided that all diversions from the Upper Navasota Reservoir exceeding 70,194 acre-feet in any one calendar year shall be charged against the sum of the amounts designated as priority rights in the other tributary reservoirs included in the system operation authorized by the Commission's order of July 23, 1964, as amended.

6. SPECIAL CONDITIONS

- (a) The permittee shall provide the facilities necessary (including pumps) to pass water through the dam at all times, including the period of construction and initial filling of the reservoir.
- (b) Permittee shall establish and maintain a streamflow measuring station upstream from the reservoir at a site approved by the Commission. Records of low flow at this station and at the dam-site will be maintained during the period prior to the beginning impoundment of water in the reservoir and will be used, together with other pertinent data, to establish a correlation acceptable to the Commission between low flow at the upstream station and low flow at the damsite. Low flow in paragraph (c) below refers to simulated low flow at the damsite determined on the basis of this correlation.
- (c) Permittee will pass through the dam all low flow up to 6 cubic feet per second (low flow greater than 6 cubic feet per second will be passed through to serve superior downstream water rights as deemed necessary by the Commission) and will supplement low flow by making releases from reservoir storage to maintain a minimum release at the dam of 2 cubic feet per second until such time that low flow has ceased. Daily readings of the required upstream gaging station will be made whenever reservoir releases are less than 6 cubic feet per second.
- (d) The permittee shall install and maintain a continuous lake level measuring station for Upper Navasota Reservoir and maintain the following records:
 - (1) Reservoir content;
 - (2) Low flow releases; and

- (3) Diversions and releases indicating quantities and uses to be charged against the priority right of this reservoir, and quantities and uses (if any) to be charged against the Brazos River Authority system operation.

All records shall be compiled monthly and reported to the Commission annually and at other times as required.

- (e) The permittee shall survey and monument an appropriate number of sediment ranges prior to impoundment of water. A set of drawings showing the location and profile of each range shall be submitted to the Commission along with a revised elevation-area-capacity table based on the surveyed ranges.
- (f) Revised elevation-area-capacity tables based on new sediment surveys conducted at not greater than 15-year intervals following the first filling of the reservoir shall be submitted to the Commission.

This permit is issued subject to all superior and senior water rights in the Brazos River Basin.

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

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

This permit is issued subject to the rules and regulations of the Texas Water Rights Commission and to its right of continual supervision.

TEXAS WATER RIGHTS COMMISSION

/s/ Joe D. Carter

Joe D. Carter, Chairman

/s/ Burke Holman

Burke Holman, Commissioner

/s/ Dorsey B. Hardeman

Dorsey B. Hardeman, Commissioner

Date Issued:

October 1, 1974

(SEAL)

Attest:

/s/ Audrey Strandtman

Audrey Strandtman, Secretary



BRAZOS RIVER AUTHORITY

4400 COBBS DRIVE P. O. BOX 7555 TELEPHONE AREA CODE 817 776-1441

WACO, TEXAS - 76710

April 22, 1975

Mr. Gene Richardson
Texas Water Rights Commission
P. O. Box 13207, Capitol Station
Austin, Texas 78711

Re: Permit No. 2950


Dear Mr. Richardson:

In accordance with Section 810.4C, Texas Water Rights Commission Rules and Regulations, 1973, the official name has now been given to the dam and reservoir formerly referred to as the Upper Navasota Reservoir as permitted by the referenced permit.

By official action of the Authority's Board of Directors, the dam and reservoir have been named Sterling C. Robertson Dam and Lake Limestone. A certified copy of the Board's actions in this regard is enclosed for your information and files.

Please let us know if any additional actions are needed relative to this matter.

Yours truly,


PEYTON H. PULLEN, P.E.
Construction Division
Manager

PHP:dp

Encl.

COPY

RESOLUTION

BE IT RESOLVED by the Board of Directors of Brazos River Authority that the dam and lake to be built by the Brazos River Authority on the upper Navasota River in Limestone, Robertson and Leon Counties (in accordance with Texas Water Rights Commission Permit No. 2950) shall be named as follows:

The official name of the dam shall be


"Sterling C. Robertson Dam"

The official name of the lake shall be

"Lake Limestone"

I, Jack Wooley, Assistant Secretary of the Brazos River Authority, hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board of Directors of Brazos River Authority at its regular quarterly Board meeting held in Waco, Texas, on April 14, 1975.

WITNESS MY HAND this 17th day of April, 1975.


Assistant Secretary
Brazos River Authority

1
2
3
4 REPORTER'S CERTIFICATE
5
6

7 THE STATE OF TEXAS I

8 COUNTY OF TRAVIS I
9
10

11 I, CAROL FULWILER, a Notary Public in and for
12 Travis County, Texas, do hereby certify that the
13 captioned matter(s) was(were) heard before the
14 Texas Water Rights Commission as hereinbefore set
15 out and a correct transcription of my shorthand
16 notes taken upon said occasion and reduced to
17 typewriting by me or under my direction are herein
18 reflected.
19

20 Given under my hand and seal of office this
21 the 25th day of June, A.D. 1974.
22
23

24 
25

CAROL FULWILER

Notary Public in and for
Travis County, Texas