

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



## NOTICE OF AN APPLICATION FOR A WATER USE PERMIT

### APPLICATION NO. 13524

Waterstone Creek, LLC seeks authorization to construct and maintain a dam and reservoir on the South Llano River, Colorado River Basin, impounding 12.02 acre-feet of water for recreational purposes in Edwards County. Applicant will utilize a Firm Water Contract with the Lower Colorado River Authority to account for storage in the reservoir. More information on the application and how to participate in the permitting process is given below.

**APPLICATION.** Waterstone Creek, LLC, Applicant, 11610 Bistro Lane, Houston, Texas 72082, has applied to the Texas Commission on Environmental Quality (TCEQ) for a Water Use Permit pursuant to Texas Water Code (TWC) § 11.121 and TCEQ Rules Title 30 Texas Administrative Code (TAC) §§ 295.1, *et seq.* Notice is being published and mailed to the water rights holders of record in the Colorado River Basin pursuant to Title 30 TAC § 295.151.

Waterstone Creek, LLC seeks authorization to construct and maintain a dam and reservoir on the South Llano River, Colorado River Basin, impounding 12.02 acre-feet of water, for recreational purposes in Edwards County, ZIP code 78880.

The centerline of the dam is located at Latitude 30.253005° N, Longitude 99.954751° W in Edwards County, in Zip Code 78880.

Applicant submitted a Firm Water Contract with the Lower Colorado River Authority to account for storage of state water in the reservoir.

Ownership of the land to be inundated is evidenced by a *General Warranty Deed* dated May 26, 2016, recorded as Volume 347, Page 477 in the Official Records of Edwards County.

The application and fees were received on September 6, 2018. Additional information was received on November 21 and November 26, 2018. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on January 10, 2019. Additional information was received on April 16, 2019.

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

[https://www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/wr-apps-pub-notice](https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/wr-apps-pub-notice)

Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

**PUBLIC COMMENT / PUBLIC MEETING.** Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. A

public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

**CONTESTED CASE HEARING.** The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions to the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the TCEQ will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**INFORMATION.** Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13524 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

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

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