

INTEROFFICE MEMORANDUM

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

Date: 1/28/81

Certificate of Adjudication No. 14-1444
Claim No. _____
Certified Filing No. _____
Application No. _____, Permit No. _____
Gillespie _____ County
Colorado River _____ Basin
Water Right Acres: 100.00 3743800

Delete Fred Mathisen as ~~XXXX~~ owner

Add K & S Supply Corporation as ~~XXXX~~ owner

Deed dated January 15, 1981 checked
has been and found to cover
all ~~XXXXX~~
of the
XXXX water right.

Ownership of Record with Addresses and Remarks:

K & S Supply Corporation

P. O. Box 13288

Houston, Texas 77019

Initiated by Mohan A. Reddy

Approved: J. M. McElreath Water Rights Adjudication Section

Change complied with:

Change noted:

2-6-81
Permits Control/Date
&
Reports Section

Water Use Section/Date

CH/2/6/81
Central Records/Date

FILED

FEB 6 1981

SYSTEM 200

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 14-1444

OWNER: Fred Mathisen
P. O. Box 673
Fredericksburg, TX 78624

COUNTY: Gillespie

PRIORITY DATE: 1915

WATERCOURSE: Palo Alto Creek

BASIN: Colorado River

WHEREAS, by final decree of the 261st District Court of Travis County, in Cause No. 289,208, In Re: The Adjudication of Water Rights in the Pedernales River Watershed of the Colorado River Basin, dated July 2, 1979, a right was recognized under Claim 1118 authorizing Fred Mathisen 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 Colorado River Basin is issued to Fred Mathisen, subject to the following terms and conditions:

1. IMPOUNDMENT

Owner is authorized to maintain a dam and reservoir on an unnamed tributary of Palo Alto Creek and impound therein not to exceed 60 acre-feet of water. Point on the dam at the center of the stream is N 55°E, 5460 feet from the southwest corner of the James McKay Survey 202, Abstract 497, Gillespie County, Texas.

2. USE

Owner is authorized to divert and use not to exceed 100 acre-feet of water per annum from Palo Alto Creek and an unnamed tributary of Palo Alto Creek to irrigate a maximum of 100 acres of land out of the part of the James McKay Survey 202, Abstract 497, Gillespie County, Texas, which lies within a 493.19 acre tract being described as follows:

- (1) BEGINNING at a steel bar and stone mound set in fence line for the Northeast corner of the James McKay Survey 202;
- (2) THENCE S 00°07'W, 750.4 varas to a fence corner post in the East line of Survey 202;
- (3) THENCE S 55°59'E, 217.1 varas to a fence corner post;
- (4) THENCE S 65°18'W, 419.6 varas to a fence corner post;
- (5) THENCE S 36°58'E, 246 varas to a fence corner post;
- (6) THENCE S 43°51'E, 93.8 varas to a fence corner post;
- (7) THENCE S 66°24'E, 331.7 varas to a steel post set for corner;
- (8) THENCE S 33°34'E, 123.6 varas to a steel post set for corner;
- (9) THENCE S 19°56'E, 426.4 varas to a steel post in the South line of Survey 376;
- (10) THENCE West, 686.6 varas to a fence corner post for the Northwest corner of Survey 27;
- (11) THENCE S 00°07'E, 114.6 varas to a fence corner post for the South Southeast corner of Survey 202;
- (12) THENCE S 89°35'W, 314 varas to a fence corner post;
- (13) THENCE N 00°09'E, 894.7 varas to a fence corner post on the North bank of Palo Alto Creek;

- (14) THENCE N 84°24'W, 80 varas to a fence corner post;
- (15) THENCE N 74°W, 180.7 varas to a fence corner post;
- (16) THENCE N 39°40'W, 88 varas to a fence corner post;
- (17) THENCE N 83°W, 160 varas to a fence corner post;
- (18) THENCE S 53°56'W, 602 varas to a fence corner post;
- (19) THENCE N 27°54'W, 478.8 varas to a fence corner post on high East bank of Palo Alto Creek;
- (20) THENCE N 89°06'W, 650.9 varas to a fence corner post in Southeast right-of-way of Highway No. 16;
- (21) THENCE N 35°24'E, 86 varas to a point in Southeast right-of-way of said highway;
- (22) THENCE N 37°59'E, 295 varas to a point in Southeast right-of-way of said highway;
- (23) THENCE N 40°42'E, 102 varas to a point in Southeast right-of-way of said highway;
- (24) THENCE N 46°15'E, 204 varas to a fence corner post;
- (25) THENCE S 88°44'E, 12 varas to a fence corner post;
- (26) THENCE N 47°E, 27.6 varas to a fence corner post;
- (27) THENCE N 01°30'E, 12 varas to a fence corner post;
- (28) THENCE N 44°56'E, 110.5 varas to a fence corner post;
- (29) THENCE N 24°03'E, 21 varas to a fence corner post;
- (30) THENCE N 34°29'E, 361 varas to a fence corner post in the North line of Survey 202;
- (31) THENCE East, 1531.2 varas to the place of beginning.

3. DIVERSION

A. Location:

- (1) At a point on the east bank of Palo Alto Creek which is N 11°E, 3340 feet from the southwest corner of the James McKay Survey 202, Abstract A-497, Gillespie County, Texas.
- (2) At a point on the north bank of Palo Alto Creek which is N 59°E, 4775 feet from the southwest corner of the aforesaid survey.
- (3) At a point on the north bank of Palo Alto Creek which is N 62°E, 5320 feet from the southwest corner of the aforesaid survey.
- (4) At a point on the south bank of Marshall Creek which is N 47°E, 4435 feet from the southwest corner of the aforesaid survey.
- (5) At a point on an unnamed tributary of Palo Alto Creek which is N 52°E, 5850 feet from the southwest corner of the aforesaid survey.

B. Maximum Rate: 0.89 cfs (400 gpm).

4. PRIORITY

The time priority of owner's right is 1915.

5. SPECIAL CONDITION

Owner shall maintain a suitable outlet in the dam authorized herein to allow the free passage of water that owner is not entitled to divert or impound.

The locations of pertinent features related to this certificate are shown on Page 5 of the Pedernales River Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Department of Water Resources and the office of the County Clerk.

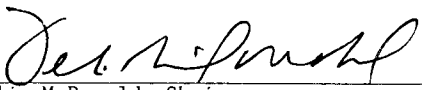
This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 261st District Court of Travis County, in Cause No. 289,208, In Re: The Adjudication of Water Rights in the Pedernales River Watershed of the Colorado River Basin, dated July 2, 1979, 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 Colorado River Basin.

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

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


TEXAS WATER COMMISSION


Felix McDonald, Chairman

DATE ISSUED: .

AUG 15 1980

ATTEST:


Mary Ann Hefner, Chief Clerk

RECEIVED
TCEQ
WATER SUPPLY DIV.
2015 SEP 4 AM 10 20
US: 39 IRRIGATION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
REPORT OF SURFACE WATER USED FOR THE TERMINATION OF THE TEMPORARY PERMIT
for

TYPE: 6

WATER RIGHT NO: 1444

B14/A2942

RECEIVED

SEP 24 2015

OWNER: K & S SUPPLY CORPORATION
PO BOX 130288
HOUSTON, TX 77219-0288

WATER RIGHTS PERMITTING

If you have a change in name, address or ownership, please indicate the changes on this form. NOTE: Changing ownership also requires recorded documents such as deed(s) and in case of inheritance, will, probate order, and will inventory. Per Texas statutes, a fee of \$100.00 will be charged for each transfer or name change.

Instructions for completing the form are enclosed. 1 Acre-Foot = 325,851 Gallons

	Maximum Diversion Rate (Specify: <input type="checkbox"/> CFS or <input type="checkbox"/> GPM)	Monthly Diverted Amount (acre-feet)	Monthly Consumed Amount (acre-feet)	Monthly Return Flow (acre-feet)
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
Total:		0	0	0

new any irrigation

Comments:

I have not owned this property for 20 years

Effective September 1, 2013, a person who fails to file is liable for a penalty each day in an amount not to exceed: (1) \$100 per day for a water right authorization of 5,000 acre-feet or less per year; or (2) \$500 per day for a water right authorizing more than 5,000 acre-feet per year.

For Irrigation Use Only: Indicate the number of acres irrigated, the months and the type of crops grown in the space below:

Crop: _____ Months: _____ Acres: _____

Crop: _____ Months: _____ Acres: _____

Return this form by September 30, 2015.

Signature: <i>Wayne Goettsche</i>	Date: <i>9/24/15</i>
Contact Name: <i>WAYNE GOETTSCHKE</i>	Telephone Number: <i>713 449 4350</i>
Print Name	

Return this form by September 30, 2015 to:

Texas Commission on Environmental Quality ♦ Water Rights Permitting MC 160 ♦ P.O. Box 13087 ♦ Austin TX 78711-3087

Forms may be submitted electronically to WUR@tceq.texas.gov

Telephone (512) 239-4691