

DOCKET NO. 2007-0973-WR

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IN THE MATTER OF THE  
WATER RIGHTS APPLICATION  
OF TEXAS MUNICIPAL POWER  
AGENCY WATER RIGHTS PERMIT  
NO. WRPERM 5858

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BEFORE THE TEXAS  
COMMISSION ON  
ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

**BRAZOS RIVER AUTHORITY'S REPLY TO  
TEXAS MUNICIPAL POWER AGENCY'S RESPONSE  
TO REQUEST FOR HEARING**

TO THE HONORABLE MEMBERS OF THE COMMISSION:

**COMES NOW**, the Brazos River Authority ("BRA") and, pursuant to 30 TAC 55.250-55.256, files its Reply to Texas Municipal Power Agency's ("TMPA") Response to Request for Hearing in the above-referenced matter. In support thereof, BRA submits the following:

**I. BACKGROUND**

In TMPA's Application No. 5858<sup>1</sup>, TMPA seeks to impound a total of 3515.4 acre-feet of unappropriated state water in 26 reservoirs with a total surface area of 478.3 acres and to use said unappropriated state water for in-place recreation, domestic and livestock, public parks, wildlife management and game preserves purposes in Grimes County. TMPA's Application No. 5858 was declared administratively complete on October 21, 2004, six (6) days later than BRA's pending Application No. 5851 for its System Operation Permit which seeks to appropriate, in part, the same unappropriated state water being sought by TMPA's Application No. 5858. Notice of TMPA's Application No. 5858 was published on February 23, 2005. On March 1, 2005 BRA

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<sup>1</sup> TMPA's Application No. 5858 as originally filed requested water rights to impound a total of 8,487.8 acre-feet of unappropriated state water in 31 reservoirs on multiple watercourses in the Brazos River Basin, Grimes County. On March 30, 2007 TMPA subsequently amended its application to its present request.

timely filed its protest of TMPA's Application No. 5858 and additionally requested that a contested case hearing be held.

## II. RESPONSE TO HEARING REQUESTS

TMPA's Application No. 5858 is subject to the procedures for evaluating hearing requests on applications declared administratively complete on or after September 1, 1999 in 30 Texas Administrative Code, Chapter 55, Subchapter G (Sections 55.250-55.256).

Title 30, Sections 55.251(b) and (c) of the Texas Administrative Code (30 TEX. ADMIN. CODE) specify that a hearing request must:

- (1) be in writing and be filed with the Office of the Chief Clerk during the public comment period;
- (2) give the name, address, and daytime telephone number of the person who files the request;
- (3) identify the person's personal justiciable interest affected by the application including a brief, but not specific, written statement explaining in plain language the requestor's location and distance relative to the activity that is the subject of the application and how and why the requestor believes he or she will be affected by the activity in a manner not common to members of the general public; and
- (4) request a contested case hearing.

A hearing request must comply with the requirement (1) above and must "substantially comply" with requirements (2) through (4). 30 TEX. ADMIN. CODE § 55.251(c).

A request for a contested case hearing must be granted if the request is made by an affected person and the request:

- (A) complies with the requirements of 30 TEX. ADMIN. CODE § 55.251;
- (B) is timely filed; and

(C) is pursuant to a right to hearing authorized by law.

30 TEX. ADMIN. CODE § 52.255(b)(2).

An “affected person” is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to the general public does not constitute a justiciable interest. 30 TEX. ADMIN. CODE § 52.255(a).

To determine whether a person is an affected person, all relevant factors must be considered, including but not limited to:

- (1) whether the interest claimed is one protected by the law under which the application will be considered;
- (2) distance restrictions or other limitations imposed by law on the affected interest;
- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- (4) the likely impact of the regulated activity on the health, safety, and use of property of the person;
- (5) the likely impact of the regulated activity on the use of the impacted natural resource by the person; and
- (6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

30 TEX. ADMIN. CODE § 55.256(c).

### **BRA’S Protest and Request for a Contested Case Hearing**

Both the Executive Director’s Response to the Hearing Request and the Office of Public Interest Counsel’s Response to Request for Hearing acknowledge that BRA’s request satisfies Commission requirements, demonstrates a sufficient protected legal interest, and that a contested case hearing should be granted. The Applicant, TMPA, however suggests that BRA’s hearing request is “vague at best” and “has provided no foundation for harm.”

BRA listed thirteen water rights that it asserts may be impaired if TMPA’s Application No. 5858 is granted including Certificate No. 12-5155 (Possum Kingdom

Lake); Certificate No. 12-5156 (Lake Granbury); Certificate No. 12-5157 (Lake Whitney); Certificate No. 12-5158 (Lake Aquilla); Certificate No. 12-5159 (Lake Proctor); Certificate No. 12-5160 (Lake Belton); Certificate No. 12-5161 (Lake Stillhouse Hollow); Certificate No. 12-5162 (Lake Georgetown); Certificate No. 12-5163 (Lake Granger); Certificate No. 21-5164 (Lake Somerville); Certificate No. 12-5165 (Lake Limestone); Permit No. 4146 (Lake Alan Henry); and Permit No. 2925A (proposed Allens Creek Reservoir).

BRA's protest and request for a contested case hearing substantially complies with the formalities of requesting a hearing in 30 TEX. ADMIN. CODE § 55.251(b) and (c) in that the hearing request was written, timely, contact information was provided, a justiciable interest was identified, and the request has not been withdrawn.

BRA is a governmental entity which has authority under state law over issues contemplated by TMPA's Application No. 5858 and, on this basis alone, is an affected person, pursuant to 30 TEX. ADMIN. CODE § 55.256(b) and (c). Additionally, BRA has listed thirteen senior water rights that may be impaired by TMPA's Application No. 5858 if granted. Pursuant to 30 TEX. ADMIN. CODE § 55.256(c), BRA is an affected person by showing that it has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. BRA requests that its request for a contested case hearing be granted.

### **III. BRA'S OBJECTION TO TMPA'S DRAFT PERMIT**

TMPA objects that BRA's protest is vague and provides no foundation for the possibility of harm alleged by the protest. In so objecting, TMPA attempts to impose greater requirements than those contained in either statutes or Commission rules. BRA's protest and hearing request was filed shortly after the application was declared

administratively complete, prior to the availability of a draft permit or other information regarding the Executive Director's processing or proposed action on the application. As such it is impossible to specifically identify the negative impacts and shortcomings of analysis that may be presented once the application has been processed. Now that the application has been processed, it is possible to identify objections more completely. BRA's objections to the draft permit include, but are not limited to, the following:

**a) Unpermitted Storage Facilities**

As indicated in the Executive Director's Response to Hearing Request the initial draft permit was mailed to TMPA and BRA on January 25, 2007. On March 30, 2007 TMPA amended its Application No. 5858 to withdraw its request to impound unappropriated state water in Ponds A3P2, A3P3, A2P1, A2P2 and A3P1. A revised draft permit was mailed to TMPA and BRA on April 18, 2007.

TMPA's original application requested the right to impound unappropriated state water in five (5) "end lakes". The Executive Director's Water Availability Analysis dated October 25, 2006, copy attached hereto as Exhibit A, concluded that because of the potential to affect downstream senior water rights, TMPA's request to impound water in the five (5) "end lakes" should be denied. These large five (5) "end lakes" would require 4972.4 acre-feet of unappropriated state water to be filled and according to the Executive Director's analysis would require an annual maximum amount of 3243 acre-feet to keep them full.

Yet, the Executive Director allowed these "end lakes" to be removed from TMPA's Application No. 5858 based on TMPA's certification that these five (5) large "end lakes" would not impound any state water. In light of TMPA's publicly announced plans to utilize the reclaimed mine as a regional recreational and wildlife facility, BRA

seriously doubts that almost 5,000 acre-feet of storage capacity represented by the “end lakes” will be left empty, or that it can be maintained with the overland flow of diffused surface water. Consequently, BRA disagrees with the conclusion that such “end lakes” will not impound state water. This gives rise to a serious contested fact issue to be addressed in the contested case hearing.

b) **BRA’s System Operation Permit Application**

BRA’s Application No. 5851 (System Operation Permit) is senior in priority to TMPA’s Application No. 5858. BRA’s Application No. 5851 for a System Operation Permit is presently being processed by the Executive Director. Approval of BRA’s proposed System Operation Permit is a critical component of potential water supplies to meet present and future water needs throughout the Brazos River Basin through 2060 especially in Regions G and H. Unappropriated state water being sought by BRA pursuant to BRA’s Application No. 5851 is, in part, the same unappropriated state water being sought by TMPA per its Application No. 5858. Even though BRA’s Application No. 5851 is senior to TMPA’s Application 5858, the Executive Director’s hydrology analysis does not take into account water that may be appropriated by BRA under its senior Application No. 5851. Thus, the hydrologic analysis supporting the conclusion that unappropriated water is available for TMPA’s application is seriously flawed. This issue, and how to address it, is appropriately dealt with in a contested case hearing.

c) **Environmental Flows**

The draft permit is silent with regard to protection of instream uses and environmental flows to the bays and estuaries. The staff analysis recommends conditions for suitable maintenance of the ponds, but gives little consideration to the necessity of maintaining instream flows. Perhaps significantly, the staff’s analysis was done well

before adoption of Senate Bill 3 during the past legislative session with its environmental flow requirements and requirements for set-asides to meet future flow requirements. This also is an appropriate issue for a contested case hearing.

**d) Enforceability and Administration**

The Executive Director's analysis regarding the lack of impact of the proposed appropriation on existing water rights is based upon the assumption that all water needed to satisfy senior water rights will be passed downstream and not impounded by TMPA's facilities. Yet, the draft permit's provisions are wholly insufficient to ensure that this will happen. Special Condition 4.C., which provides that the system of dams authorized shall have a means to release or pass all inflows of State Water that TMPA is not authorized to store, is a completely unworkable provision for the protection of downstream senior water rights in BRA's view. No indication is given of how TMPA is to determine what water should be passed for downstream rights; no accounting or reporting requirements are imposed; instead, TMPA is apparently left "on its honor" to pass flows that it is not legally entitled to impound. Both BRA and other existing water right holders (several of which now indicate an interest in TMPA's application) will be adversely impacted by this provision. It should be thoroughly developed and remedied through a contested case hearing.

**IV. ALTERNATIVE DISPUTE RESOLUTION**

If the Commission grants BRA's request for a contested case hearing TMPA has requested that this matter be referred to the Commission's Alternative Dispute Resolution ("ADR"). BRA is opposed to such a referral on the grounds that ADR at this point will be fruitless.

BRA has, for almost the past two years, repeatedly attempted to negotiate with TMPA without success or serious consideration by TMPA of BRA's objections or offers to settle. BRA has during this period repeatedly contributed the efforts of its engineering consultants to perform analysis of impacts to BRA's water rights and shared the results of that analysis with TMPA (and TMPA's engineering consultants) in a good faith effort to resolve the differences between BRA and TMPA. Multiple settlement alternatives have been advanced by BRA and rejected by TMPA. Negotiations have continued up to and including a meeting between TMPA, its consultants and attorneys and BRA, its consultants and attorneys as recently as September 24, 2007. At this point, TMPA's suggestion of referral to ADR simply looks like another delaying tactic to BRA. Therefore, BRA rejects the proposal. BRA is convinced that without the imminence of a contested case hearing, settlement is unlikely. BRA therefore requests that this matter be referred directly to SOAH for a contested case hearing.

#### **V. CONCLUSION**

For the reasons stated herein, BRA requests that the Commission (i) grant BRA's request for a contested case hearing; (ii) refer TMPA's Application No. 5858 to SOAH for a contested case hearing and (iii) that the contested case hearing be no more than six (6) months.

Respectfully Submitted,

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By:

  
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Douglas G. Caroom  
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ATTORNEYS REPRESENTING  
BRAZOS RIVER AUTHORITY

**Certificate of Service**

I hereby certify that on the 7th day of January 2008, a true and correct copy of BRAZOS RIVER AUTHORITY'S REPLY TO TMPA'S RESPONSE TO REQUEST FOR HEARING was filed with TCEQ's Office of the Chief Clerk and sent by first class mail, or facsimile to all persons on the attached mailing list.

  
DOUGLAS G. CAROOM

**MAILING LIST**  
**TEXAS MUNICIPAL POWER AGENCY**  
**DOCKET NO. 2007-0973-WR, PERMIT NO. WRPERM 5858**

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**Texas Commission on Environmental Quality**

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**INTEROFFICE MEMORANDUM**

To: **Iliana Delgado**  
**Water Rights Permitting Team**

**October 25, 2006**

Through: **Lann Bookout, Team Leader**  
**Surface Water Availability & Interstate Compacts Team**

From: **Stephen Densmore**  
**Surface Water Availability & Interstate Compacts Team**

Subject: **Texas Municipal Power Agency (TMPA)**  
**WRPERM5858**  
**CN600127567**  
**Navasota River Watershed,**  
**Brazos River Basin**

**WATER AVAILABILITY ANALYSIS**

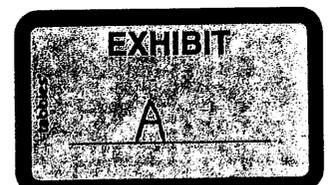
**Application Summary**

The applicant, Texas Municipal Power Agency, seeks authorization to impound state water in 31 pre-existing impoundments with a combine capacity of 8,487.8 acre-feet for in place recreational, domestic and livestock, wildlife use. The reservoirs were constructed during mining operations and are located in watersheds of the Navasota River a tributary of the Brazos River in Grimes County. The reservoirs are as follow:

Pond 1 is on Big Branch Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.6047°N, Longitude 96.0831°W, with a capacity of 82 acre-feet of water and a surface area of 16.8 acres.

Pond 5A is on Dry Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5772°N, Longitude 96.1061°W, with a capacity of 343 acre-feet of water and a surface area of 69.4 acres.

Pond 6A is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5611°N, Longitude 96.0944°W, with a capacity of 391 acre-feet of water and a surface area of 73.6 acres.



Pond 7A is on Dry Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5558°N, Longitude 96.1028°W, with a capacity of 862 acre-feet of water and a surface area of 79.7 acres.

Pond 9A is on an unnamed tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5625°N, Longitude 96.1478°W, with a capacity of 150 acre-feet of water and a surface area of 21.8 acres.

Pond 10A/B is on an unnamed tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5478°N, Longitude 96.1444°W, with a capacity of 954 acre-feet of water and a surface area of 108 acres.

Pond 12A is on an unnamed tributary of the Navasota River, tributary of the Brazos River. It is located being at Latitude 30.5533°N, Longitude 96.1472°W, with a capacity of 18.2 acre-feet of water and a surface area of 3.2 acres.

Pond 13A is on an unnamed tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5581°N, Longitude 96.1456°W, with a capacity of 16.2 acre-feet of water and a surface area of 2.8 acres.

Heifer Creek Pond is on Heifer Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5753°N, Longitude 96.1269°W, with a capacity of 18.8 acre-feet of water and a surface area of 7.0 acres.

Pond HR-2 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5914°N, Longitude 96.0839°W, with a capacity of 16.0 acre-feet of water and a surface area of 3.4 acres.

Pond HR-5 is on an unnamed tributary of Rock Lake Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5833°N, Longitude 96.1000°W, with a capacity of 16.6 acre-feet of water and a surface area of 1.6 acres.

Pond HR-6 is on Dry Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5803°N, Longitude 96.1086°W, with a capacity of 8.2 acre-feet of water and a surface area of 1.4 acres.

Pond HR-7 is on Heifer Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5742°N, Longitude 96.1264°W, with a capacity of 12.4 acre-feet of water and a surface area of 2.0 acres.

Pond A1P-2 is on an unnamed tributary of Heifer Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5297°N, Longitude 96.1250°W, with a

capacity of 316.0 acre-feet of water and a surface area of 20.3 acres.

Pond A2P-1 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5417°N, Longitude 96.0969°W, with a capacity of 436.0 acre-feet of water and a surface area of 22.3 acres.

Pond A2P-2 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5450°N, Longitude 96.0903°W, with a capacity of 1083.0 acre-feet of water and a surface area of 47.5 acres.

Pond B1P-2 is on an unnamed tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5619°N, Longitude 96.1422°W, with a capacity of 1.6 acre-feet of water and a surface area of 0.4 acres.

Pond B1P-3 is on an unnamed tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5617°N, Longitude 96.1350°W, with a capacity of 1.2 acre-feet of water and a surface area of 0.5 acres.

Pond B1P-4 is on an unnamed tributary of Heifer Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5700°N, Longitude 96.1258°W, with a capacity of 6.8 acre-feet of water and a surface area of 1.9 acres.

Pond B2P-1 is on Dry Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5733°N, Longitude 96.1117°W, with a capacity of 29.8 acre-feet of water and a surface area of 5.4 acres.

Pond B2P-2 is on an unnamed tributary of Rock Lake Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5739°N, Longitude 96.0961°W, with a capacity of 38.7 acre-feet of water and a surface area of 10.6 acres.

Pond B2P-6 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5800°N, Longitude 96.1025°W, with a capacity of 20.1 acre-feet of water and a surface area of 5.2 acres.

Pond B2P-7 is on Dry Creek, tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5672°N, Longitude 96.1089°W, with a capacity of 0.2 acre-feet of water and a surface area of 0.7 acres.

Pond A3P-1 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is at Latitude 30.5603°N, Longitude 96.0639°W, with a capacity of 1574 acre-feet of water and a surface area of 53.8 acres.

Pond A3P-2 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5589°N, Longitude 96.0672°W, with a capacity of 1862 acre-feet of water and a surface area of 59.9 acres.

Pond A3P-3 is on an unnamed tributary of Gibbons Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5581°N, Longitude 96.0744°W, with a capacity of 17.4 acre-feet of water and a surface area of 4.3 acres.

Pond G1P-1 is on Dinner Creek, tributary of the Navasota River, tributary of the Brazos River, in the Joseph T. Robinson Survey, Abstract 390. It is located S61°E, 12330 feet from the northwest corner of the Robinson Survey, also being at Latitude 30.5914°N, Longitude 96.1197°W, with a capacity of 3.4 acre-feet of water and a surface area of 1.1 acres.

Pond G1P-2 is on Heifer Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5844°N, Longitude 96.1272°W, with a capacity of 25.3 acre-feet of water and a surface area of 3.9 acres.

Pond G1P-3 is on an unnamed tributary of Dinner Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5800°N, Longitude 96.1328°W, with a capacity of 9.2 acre-feet of water and a surface area of 3.4 acres.

Pond G1P-4 is on an unnamed tributary of Dinner Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5733°N, Longitude 96.1367°W, with a capacity of 70.7 acre-feet of water and a surface area of 8.9 acres.

Pond G1P-5 is on an unnamed tributary of Dinner Creek, tributary of the Navasota River, tributary of the Brazos River. It is located at Latitude 30.5736°N, Longitude 96.1431°W, with a capacity of 104 acre-feet of water and a surface area of 10.3 acres.

The application was declared administratively complete on October 21, 2004.

### **Water Availability Analysis**

The Commission's water availability model (WAM) for the Brazos River Basin protects existing water rights based on the prior appropriation doctrine. Hydrology staff modeled this application using the full authorization simulation of the Brazos WAM, where all water rights use their maximum authorizations and return flows are not included. TCEQ Resource Protection staff determined that the application would have negligible effects on aquatic and riparian habitats and recommend no streamflow restrictions. Because of the method used in the model to estimate evaporation effects for small reservoirs and that many of the reservoirs were on the same

tributaries, staff was able to combine a number of the reservoirs for modeling purpose. Table 1 shows the reservoirs that were combined, the combined capacities, the combined drainage areas and results from the model simulation. Many of the reservoirs or combinations of reservoirs were 75 percent full over 50 percent of the time however three reservoir groups were full less than 5 percent of the time (see table 1). Groups 5 and 6 and reservoir A3P1 also did not refill after being drawn down during the "56" drought thus the percent of time that they are full could be influenced by the model assumption of starting reservoirs full. Also because the reservoirs do not refill, the reservoirs would have an effect on downstream senior water rights if they were allowed to fill, i.e. would require taking of already appropriated water. The amount of water needed to fill the lakes is 4,972.4 acre-feet and to keep them full would require an annual maximum amount of 3,243 acre-feet.

### **Conclusion**

Staff can recommend granting of this application authorizing the impoundment of state water in 26 of the 31 pre-existing reservoirs with a combine capacity of 3,515.4 acre-feet for in place recreational, domestic and livestock, and wildlife uses. Because of the potential to affect downstream senior water rights, staff recommends that the request to impound water in reservoirs A3P2, A3P3, A2P1, A2P2 and A3P1 should be denied. The permit needs to contain the following special conditions:

1. The dams should have a means to release or pass all inflows of State water that permittee is not authorized to store.

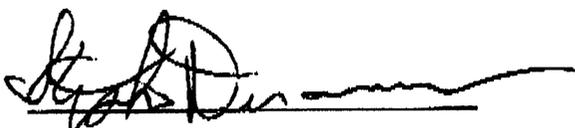
  
\_\_\_\_\_  
Stephen Densmore

Table 1.

Group No	Reservoirs	Sum Capacity Acre-feet	Sum Drainage Sq. miles	100% Full Mo.	75% Full	Average Evap. Acre-feet/yr	Max Evap Acre-feet/yr
1	5A,6A,7A,B2P1, B2P2,B2P6, B2P7, HR6	1693	2.6125	40%	92%	381.4	662.7
2	9A,10A,12A,13A, B1P3, B1P2	1141.2	1.283	21%	68%	235.6	436.6
3	G1P1,G1P2,G1P3, G1P4, G1P5	212.6	1.178	33%	68%	60.5	108.7
4	B1P4, HR7, Heifer	38	0.652	80%	98%	17.7	31.3
5	A3P2, A3P3	1879.4	0.63	2%	14%	243	480.6
6	A2P1,A2P2	1519	0.439	0.1%	4%	57.3	356.6
7	A3P1	1574	0.7375	0.9%	9%	143.3	404.9
8	1	82	0.1475	22%	56%	24.9	44.7
9	A1P2	316	0.514	24%	66%	80.2	149.7
10	HR2	16	0.3109	38%	64%	6.9	12.4
11	HR5	16.6	0.033	21%	47%	6.1	12.0

## HYDROLOGY UNIT ANALYSIS FACT SHEET

Applicants: TMPA  
Water Right: WRPERM 5858  
Stream: Unnamed Tributaries  
Basin: Brazos River Basin  
County: Grimes County  
Request Amount: 8,487.4 acre-feet of storage for in place recreational, domestic and livestock, wildlife use.

Input :

\*\*dis file

\*\*App 5858 TXU

FD585830 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585831 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585832 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585833 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585834 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585835 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585836 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585837 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585838 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD585839 BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
FD58583A BRHE68	0	BRBR59	YCSO62	DCLY63	NABR67
WP585830	1.178				
WP585831	.1475				
WP585832	2.6125				
WP585833	.7375				
WP585834	.63				
WP585835	.033				
WP585836	.3109				
WP585837	.439				
WP585838	.514				
WP585839	1.283				
WP58583A	.646				

\*\*dat file

**TMPA Permit 5858**  
**Brazos River Basin**

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\*CPID D/S CPDT(1) CPDT(2) INMETHOD CPIN EWA CL INWS

\*\* App 5858 TMPA 10/21/04 SD

CP585830	513233	6	375931	0.0
CP585831	531201	6	375931	0.0
CP585832	024603	6	375931	0.0000
CP585833	531331	6	375931	0.0000
CP585834	535432	6	375931	0.0000
CP585835	505331	6	375931	0.0000
CP585836	505336	6	375931	0.0000
CP585837	P53541	6	375931	0.0000
CP585838	CON144	6	375931	0.0000
CP585839	557011	6	375931	0.0000
CP58583A	024604	6	375931	0.0000

\*\* CPID AMT USE PRIORITY RETURN\_PARAMS WRID WRID2 OWNER STREAM  
 RIVER\_ORDER\_NUMBER CPID TERM SUBAREA

\*\*

\*\*APP 5858

WR585830	000.	IND340041021	1	0	0.0000	A585800	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58580	212.5	0.5228	0.8206	0	0				
WR585831	000.	IND340041021	1	0	0.0000	A585801	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58581	82.	0.5228	0.8206	0	0				
WR585832	000.	IND340041021	1	0	0.0000	A585802	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58582	1693.	0.5228	0.8206	0	0				
WR585833	000.	IND340041021	1	0	0.0000	A585803	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58583	1574.	0.5228	0.8206	0	0				
WR585834	000.	IND340041021	1	0	0.0000	A585804	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58584	1879.	0.5228	0.8206	0	0				
WR585835	000.	IND340041021	1	0	0.0000	A585805	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58585	16.0	0.5228	0.8206	0	0				
WR585836	000.	IND340041021	1	0	0.0000	A585806	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58586	16.0	0.5228	0.8206	0	0				
WR585837	000.	IND340041021	1	0	0.0000	A585807	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58587	1519.	0.5228	0.8206	0	0				
WR585838	000.	IND340041021	1	0	0.0000	A585808	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58588	316.0	0.5228	0.8206	0	0				
WR585839	000.	IND340041021	1	0	0.0000	A585809	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR58589	1141.2	0.5228	0.8206	0	0				
WR58583A	000.	IND340041021	1	0	0.0000	A585810	A5858	TEXAS MUNICIPAL POWER AGENCY	UNNAMED TRIB
WSR5858A	38.0	0.5228	0.8206	0	0				