

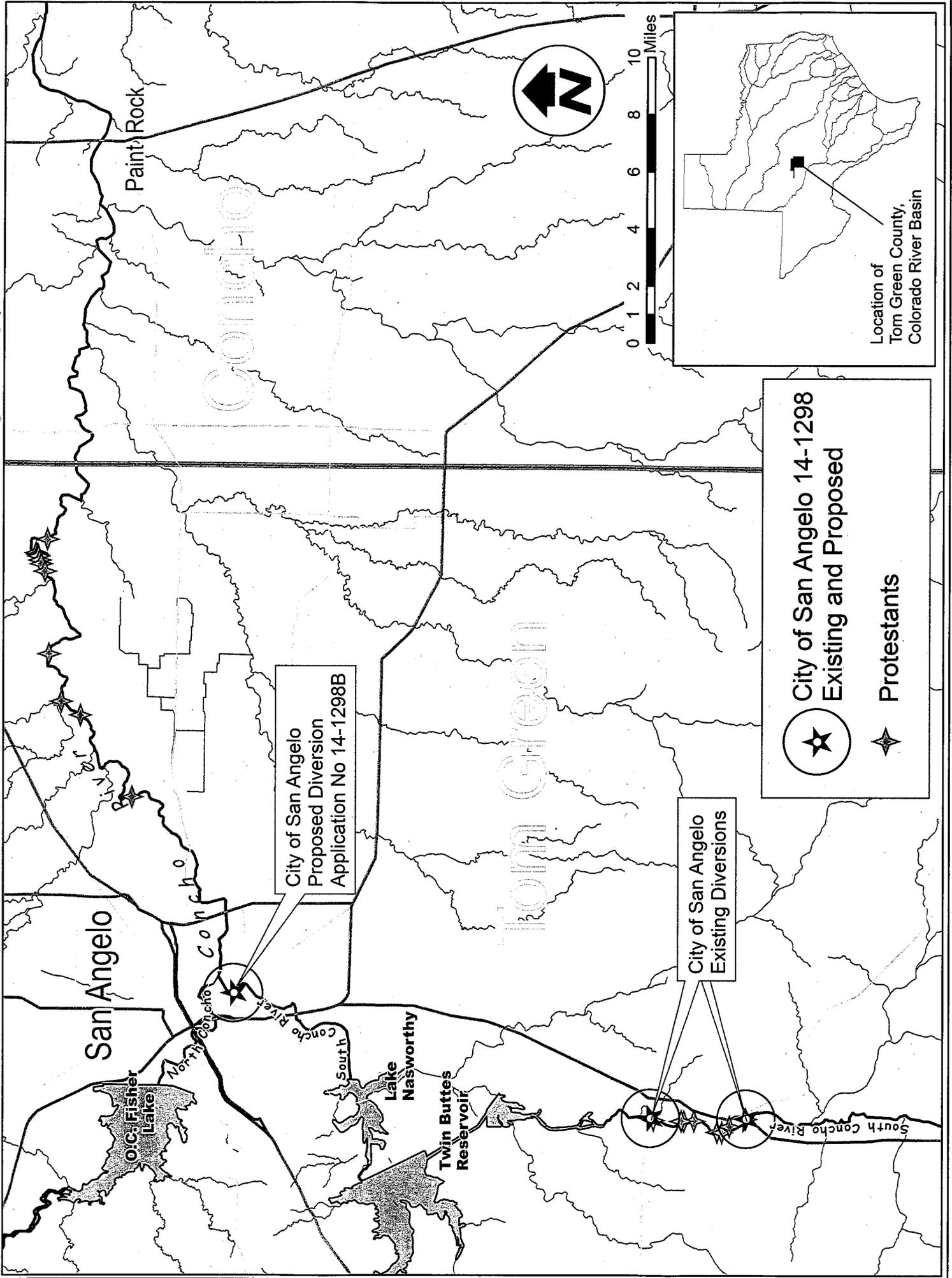
Concho River, being the same point authorized by Certificate of Adjudication No. 14-1325, and adding the City of San Angelo Municipal Water System Service Area as the place of use in Tom Green County. The City owns a portion of Certificate of Adjudication No. 14-1298 which authorizes diversion and use of not to exceed 252.1 acre-feet of water per year from three points on the South Concho River, tributary of the Concho River, tributary of the Colorado River, Colorado River Basin for agricultural and municipal purposes. There are multiple time priorities and diversion rates for the water. The commission will consider hearing requests, responses, and other relevant filings. (Ron Ellis, Robin Smith)



Ron Ellis, Project Manager
Water Rights Permitting Team

Enclosure

cc: Kellye Rila
Lann Bookout
Iliana Delgado
Chris Loft
Scott Swanson, Conservation
Kaci Myrick, Environmental
Kathy Alexander, Hydrology
Robin Smith



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF AN APPLICATION TO AMEND A CERTIFICATE OF ADJUDICATION

APPLICATION NO. 14-1298B

The City of San Angelo has applied for an amendment to Certificate of Adjudication No. 14-1298 to add a downstream diversion point on the west bank of the South Concho River, Colorado River Basin and add a place of use in Tom Green County. More information on the application and how to participate in the permitting process is given below.

APPLICATION. City of San Angelo (City), P.O. Box 1751, San Angelo, Texas 76902-1751, Applicant, seeks an amendment to Certificate of Adjudication No. 14-1298 pursuant to Texas Water Code §11.122 and Texas Commission on Environmental Quality (TCEQ) Rules 30 Texas Administrative Code (TAC) §§295.1, et seq. Limited notice is being mailed to the interjacent water right holders of record between the existing and proposed diversion points in the Colorado River Basin pursuant to 30 TAC §295.158 (c)(2)(D).

The City owns a portion of Certificate of Adjudication No. 14-1298 which authorizes diversion and use of not to exceed 252.1 acre-feet of water per year from three points on the South Concho River, tributary of the Concho River, tributary of the Colorado River, Colorado River Basin for agricultural and municipal purposes. There are multiple time priorities and diversion rates for the water. The Certificate contains a special condition requiring the owner to establish a place of use before diverting the water.

Applicant seeks to amend its portion of Certificate of Adjudication No. 14-1298 to add a downstream diversion point on the west bank of the South Concho River, being the same point authorized by Certificate of Adjudication No. 14-1325, and adding the City of San Angelo Municipal Water System Service Area as the place of use in Tom Green County.

The proposed diversion point is located on the west bank of the South Concho River bearing S85°E, 1,700 feet from the northwest corner of the Emil Hermes Survey No. 174, Abstract No. 349 in Tom Green County, also being at Latitude 31.447°N, Longitude 100.426°W.

No increase in diversion rate or amount of water diverted is being requested.

The Commission will review the application as submitted by the applicant and may or may not grant the application as requested.

The application was received on October 3, 2005. Additional information and fees for the application were received March 6, and 13, 2006. The application was accepted for filing and declared administratively complete on June 7, 2006.

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 by August 21, 2006. 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 by August 21, 2006. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by August 21, 2006.

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;" and (4) a brief and specific description of how you would be affected by the application in a way not common to the general public. You may also submit any proposed conditions to the requested amendment which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TCEQ Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the requested amendment and may 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. 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 Office of Public Assistance at 1-800-687-4040. General information regarding the TCEQ can be found at our web site at www.tceq.state.tx.us. Si desea información en Español, puede llamar al 1-800-687-4040.

Issued: July 31, 2006

AMENDMENT TO A
CERTIFICATE OF ADJUDICATION

CERTIFICATE NO. 14-1298B

TYPE: §11.122

Owner:	City of San Angelo	Address:	P.O. Box 1751 San Angelo, Texas 76902-1751
Filed:	June 7, 2006	Granted:	
Purposes:	Agricultural (Irrigation) and Municipal	County:	Tom Green
Watercourse:	South Concho River, Tributary of the Concho River, Tributary of the Colorado River	Watershed:	Colorado River Basin

WHEREAS, the City of San Angelo owns a portion of Certificate of Adjudication No. 14-1298 which authorizes diversion and use of not to exceed 252.1 acre-feet of water per year from three points on the South Concho River, tributary of the Concho River, tributary of the Colorado River, Colorado River Basin for agricultural and municipal purposes; and

WHEREAS, the time priority to divert and use 128.1 acre feet of water per year is July 29, 1914 from diversion point 1 and October 8, 1931 to divert and use 124 acre-feet of water per year from diversion points 2 and 3; and

WHEREAS, Applicant seeks to amend its portion of Certificate of Adjudication No. 14-1298 to add a downstream diversion point on the west bank of the South Concho River, being the same point authorized by Certificate of Adjudication No. 14-1325, and to add the City of San Angelo Municipal Water System Service Area in Tom Green County as the place of use; and

WHEREAS, the proposed diversion point is located on the west bank of the South Concho River bearing S85°E, 1,700 feet from the northwest corner of the Emil Hermes Survey No. 174, Abstract No. 349 in Tom Green County, also being at Latitude 31.447°N, Longitude 100.426°W; and

WHEREAS, no increase in diversion rate or amount of water diverted is being requested; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, the Owner submitted an accounting plan, the *City of San Angelo Water Rights Accounting Plan*; and

WHEREAS, review of the *City of San Angelo Water Rights Accounting Plan* has been conducted by staff, including the Concho Watermaster, and it is agreed that the plan will serve to clearly define a diversion process for the City and will give the Watermaster the ability to adjust for possible effects in the System; and

WHEREAS, the Executive Director recommends that the existing accounting plan be modified further by the Watermaster as needed to incorporate any additional accounting requirements necessary to ensure efficient administration of water rights; and

WHEREAS, this amendment, if granted, will be subject to the requirements and orders of the Concho Watermaster; and

WHEREAS, the Executive Director recommends special conditions be included in the amendment; and

WHEREAS, fourteen requests for a contested case hearing were received for this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No 14-1298, designated Certificate of Adjudication No. 14-1298B, is issued to City of San Angelo, subject to the following terms and conditions:

1. USE

In addition to the previous use authorization to divert and use not to exceed 252.1 acre-feet of water per year from the South Concho River, tributary of the Concho River, tributary of the Colorado River, Colorado River Basin for agricultural (irrigation) purposes in Tom Green County, Owner is also authorized to use the water for municipal purposes within the City of San Angelo's Municipal Water System service area in Tom Green County.

2. DIVERSION

In addition to the previous diversion points, Owner is authorized to divert from a downstream diversion point located on the west bank of the South Concho River bearing S85°E, 1,700 feet from the northwest corner of the Emil Hermes Survey No. 174, Abstract No. 349 in Tom Green County, also being at Latitude 31.447°N, Longitude 100.426°W.

3. TIME PRIORITY

A. The time priority for the right to divert and use the first 128.1 acre-feet of water per year from the diversion point authorized by this amendment is July 29, 1914 except that it is junior in priority to the interjacent water right holders of record between the two existing diversion points and downstream diversion point authorized by this amendment as they existed on the filing date of this amendment, June 7, 2006.

- B. The time priority for the right to divert and use 124 acre-feet of water from the diversion point authorized by this amendment is October 8, 1931, except that it is junior in priority to the interjacent water right holders of record between the two existing diversion points and downstream diversion point authorized by this amendment as they existed on the filing date of this amendment, June 7, 2006.

4. CONSERVATION

Owner shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every wholesale water contract entered into, on or after the effective date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water must have water conservation requirements so that each successive wholesale customer in the resale of the water is required to implement water conservation measures.

5. SPECIAL CONDITIONS

- A. Owner shall install a measuring device which accounts for, within 5% accuracy, the quantity of water diverted. Owner shall allow representatives of the TCEQ Concho Watermaster reasonable access to the property to inspect the measuring device.
- B. Owner shall contact the Concho Watermaster prior to the diversion of water authorized by this amendment.
- C. Owner shall only divert the 252.1 acre-feet of water per year at the downstream diversion point authorized by this amendment when there are inflows to Lone Wolf Reservoir. This amendment does not authorize the diversion of stored water. Owner shall not store the 252.1 acre-feet of water in Lone Wolf Reservoir for subsequent diversion and use unless Owner applies for and is granted the authorization to do so.
- D. Owner shall only divert at the downstream diversion point authorized by this amendment that portion of the 252.1 acre-feet of water that would have been available at the existing upstream diversion points.
- E. In order to provide sufficient flow for instream uses of the Concho River, diversion shall be limited to times when streamflow at USGS gage No. 08136000 equals or exceeds the following values

Monthly Flows (cfs)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0.9	1.0	1.7	1.3	2.3	2.3	1.7	1.3	1.7	1.3	1.3	1.0

- F. The *City of San Angelo Water Rights Accounting Plan* may be modified at any time by the Watermaster or the Executive Director in pursuance of their statutory

duties under Chapter 11 of the Water Code, with prior notice to the Owner, if any modifications are deemed necessary. Should the accounting plan be modified, the modified accounting plan will supercede the accounting plan that was in effect prior to the modifications.

- G. This amendment is issued contingent upon the Owner's maintenance of and compliance with the *City of San Angelo Water Rights Accounting Plan*. Any modifications to the *City of San Angelo Water Rights Accounting Plan* shall be approved by the Concho Watermaster or any other Executive Director staff. Any modification of the plan that changes the certificate terms must be in the form of an amendment to the certificate. Should the Owner fail to maintain the accounting plan or notify the Executive Director of any modifications to the plan, Owner shall immediately cease diversion operations and either apply to amend the certificate, or voluntarily forfeit this amendment. If Owner fails to amend the accounting plan or forfeit this amendment, the Commission may begin proceedings to cancel the amendment. The Commission shall be notified immediately by the Owner upon modification of the accounting plan and provided with copies of the appropriate documents effectuating such changes.
- H. In order to minimize entrainment and impingement of aquatic organisms, Owner shall install a screen with a mesh size of 0.25 inches or smaller on the diversion structures at the new diversion point. A mesh size of 0.25 inches is the maximum allowable mesh size for the protective screen on an intake structure according to general permit established by the U.S. Army Corps of Engineers, Regulatory Branch, Fort Worth District.

This amendment is issued subject to all terms, conditions, and provisions contained in Certificate of Adjudication No. 14-1298, as amended, except as specifically amended herein.

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

Owner 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 Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

For the Commission

Date Issued:

Texas Commission on Environmental Quality
INTEROFFICE MEMORANDUM

January 3, 2007

To: Kathy Hopkins, Application Manager
Water Rights Permitting Team

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

From: Bruce Humphrey, Hydrologist
Surface Water Availability & Interstate Compacts Team

Subject: City of San Angelo
COA 14-1298
CN 600251615
Application 14-1298B to Amend COA No. 14-1298
South Concho River, Colorado River Basin
Tom Green County

WATER AVAILABILITY ANALYSIS

Application Summary

The applicant owns Certificate of Adjudication No. 14-1298A authorizing the diversion and use of not to exceed 252.1 acre-feet of water per annum for agricultural and municipal purposes. There are three diversion points on the South Concho River, tributary of the Concho River, tributary of the Colorado River, Colorado River Basin, in Tom Green County. The 252.1 acre-feet of water per annum is not appurtenant to any land and is subject to amendment to establish a place of use prior to its diversion. The 252.1 acre-feet is separated into two amounts (128.1 and 124.0) with differing priority dates (July 29, 1914 and October 8, 1931 respectively) and differing diversion rates. The 128.1 acre-feet diverts at 15.11cfs and the 124.0 acre-feet diverts at 2.67cfs or 1.0cfs determined by the diversion point.

Applicant seeks to amend Certificate of Adjudication No. 14-1298A to add a downstream diversion point on the west bank of the South Concho River, being the same point authorized by Certificate of Adjudication No. 14-1325, and adding the City of San Angelo Municipal Water System Service Area as the place of use in Tom Green County. No increase in the existing diversion rates or amounts is being requested.

Water Availability Analysis

The Commission's Water Availability Model (WAM) for the Colorado River Basin protects existing water rights based on the prior appropriation doctrine. The period of record for the Colorado WAM is 1940 through 1998. The priority date of this application is July 6, 2006. Resource Protection Staff recommend limiting diversions to times when flow, measured at USGS gage 08136000, equals or exceeds the following values in cubic feet per second.

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
1.3	1.5	2.5	2.0	3.5	3.5	2.5	2.0	2.5	2.0	2.0	1.5

The application was modeled using the Full Authorization Simulation, in which all basin rights utilize their maximum authorized amount and return flows are not included. For modeling purposes, the diversions were modeled as a run-of-river water right at the point authorized by Certificate of Adjudication No. 14-1325.

"No Injury" Rule Analysis

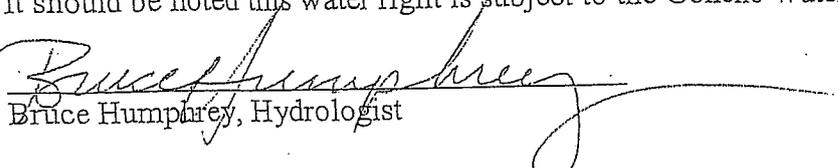
An analysis was performed to evaluate the affects of the requested amendment on existing water rights. Reported reliabilities of all water rights in the basin were compared before and after the relocation of the diversion points. Evaluation of the results indicates that the proposed amendment has no practical impact on the reliability of other water rights in the basin.

Conclusion

Since the amendment has no practical impact, staff can support the granting of this application provided the amendment contains the following special conditions:

1. Owner's diversion of 252.1 acre-feet of water at the diversion point authorized in this amendment is dependant upon the presence of inflows at the Lone Wolf Reservoir and this water may not be diverted from storage. Owner may not store the 252.1 acre-feet of water in the Lone Wolf Reservoir for subsequent diversion and use unless owner applies for and is granted the authorization to do so.
2. Owner may only divert at the new diversion point that portion of the 252.1 acre-feet of water that would have been available at the existing upstream points.
3. Prior to diversion at the new diversion point, owner shall submit to and have approved by the Executive Director a daily accounting plan that accounts, by priority date, for all diversions from the requested diversion point under all of the owner's authorizations to divert from that point as well as a method to determine the amount of flow available at the upstream point and a method to ensure that inflows to Lone Wolf reservoir are occurring at the time of diversion. The accounting plan shall be submitted and maintained in an electronic format and shall be made available to the Executive Director upon request.

It should be noted this water right is subject to the Concho Watermaster.


Bruce Humphrey, Hydrologist

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Kathy Hopkins, Application Manager
Water Rights Permitting Team

January 15, 2008

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

From: Kathy Alexander, Hydrologist
Surface Water Availability & Interstate Compacts Team

Subject: City of San Angelo
COA 14-1298
CN 600251615
South Concho River, Colorado River Basin
Tom Green County

WATER AVAILABILITY REVIEW ADDENDUM

Water Availability Review and Conclusion

In a memo dated January 15, 2008, Resource Protection staff modified the previously recommended flow restriction and limited diversions to times when the flow downstream of Nasworthy Dam equals or exceeds the following values (in cfs):

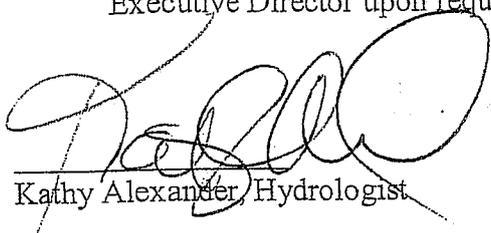
Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0.9	1.0	1.7	1.3	2.3	2.3	1.7	1.3	1.7	1.3	1.3	1.0

Staff compared pre- and post- application reliabilities of basin water rights using the modified instream flow requirement and found that the amendment would have no practical impact on basin water rights. In addition, staff reviewed the *City of San Angelo Water Rights Accounting Plan* and found it acceptable. Staff can support the amendment as requested provided the amendment contains Resource Protection staff's recommended instream flow requirement and the following special conditions in lieu of hydrology staff's previously recommended special conditions:

1. Owner shall only divert the 252.1 acre-feet of water at the downstream diversion point authorized by this amendment when there are inflows at Lone Wolf Reservoir. This amendment does not authorize the diversion of stored water. Owner shall not store the 252.1 acre-feet of water in Lone Wolf Reservoir for subsequent diversion and use unless Owner applies for and is granted the authorization to do so.
2. Owner shall only divert at the downstream diversion point authorized by this amendment that

portion of the 252.1 acre-feet of water that would have been available at the existing upstream diversion points.

3. Owner shall only divert water at the downstream diversion point in accordance with the *City of San Angelo Water Rights Accounting Plan*. Any future changes to this accounting plan must be approved by the Executive Director. Owner shall maintain electronic records (in spreadsheet or database format) of the accounting plan and shall submit them to the Executive Director upon request.



Kathy Alexander, Hydrologist

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Kathy Hopkins, Application Manager
Water Rights Team
Water Rights Permitting & Availability Section

Date: July 3, 2006

Through: Bill Billingsley, Team Leader *BB 7/3/06*
Resource Protection Team
Water Rights Permitting & Availability Section

wes
7/3/06 Wendy Gordon, Ph.D., Aquatic Scientist
Resource Protection Team
Water Rights Permitting & Availability Section

JK
07/03/06 From: Joel Klumpp, Aquatic Scientist
Resource Protection Team
Water Rights Permitting & Availability Section

Subject: City of San Angelo
ADJ 1298
CN 600251615
Application No. 14-1298B to Amend Certificate of Adjudication No. 14-1298
South Concho River, Colorado River Basin
Tom Green County

Environmental reviews of water right applications are conducted in accordance with §11.042, §11.147, §11.1491, §11.150, and §11.152 of the Texas Water Code and with TCEQ administrative rules which include 30 TAC §297.53 through §297.56. These statutes and rules require the TCEQ to consider the possible impacts of the granting of a water right on fish and wildlife habitat, water quality, and instream uses associated with the affected body of water. Possible impacts to bays and estuaries are also addressed.

APPLICATION SUMMARY

Certificate of Adjudication No. 14-1298, as amended, authorizes the owner to divert and use up to 252.1 acre-feet of water per annum from three points on the South Concho River, tributary of the Concho River, tributary of the Colorado River. The maximum diversion rate, in combination with other owners, at diversion point 1 is 15.11 cfs (6,800 gpm); the maximum diversion rate at diversion point 2 is 2.67 cfs (1,200 gpm); and the maximum diversion rate at diversion point 3 is 1.00 cfs (450 gpm). The purpose of these diversions is for municipal and agricultural purposes in Tom Green County. The certificate, as amended, also authorizes the owner to maintain two existing dams and reservoirs on the South Concho River. The City of San Angelo seeks to amend Certificate of Adjudication No. 14-1298 to add a diversion point approximately 21 river miles downstream from the existing diversion points. The city also seeks to add the City of San Angelo Municipal Water System as the place of use. The maximum diversion rate at the proposed diversion point is 15.11 cfs (6,800 gpm).

ENVIRONMENTAL ANALYSIS: INSTREAM USES

Aquatic and Riparian Habitats: According to the *Handbook of Texas Online*, the Concho River flows for fifty-eight miles through flat and rolling terrain in Tom Green and Concho counties to its confluence with the Colorado River. The surrounding soils are generally dark and calcareous stony clays and loams, dark brown to red brown calcareous sandy clays and loams and red brown to gray brown sandy and clay loams. Vegetation along the river consists of water-tolerant hardwoods and conifers, grasses, scrub brush, creosote bush, cacti, oak, juniper and mesquite. USGS topographic maps show numerous small dams in this reach of the river. According to the Texas Parks and Wildlife Department (TPWD), the Concho water snake (*Nerodia paucimaculata*), a threatened species, is present in Tom Green County.

The City of San Angelo seeks to add a diversion point approximately 21 river miles downstream from the existing diversion points. The authorized diversion points are upstream of Twin Buttes Reservoir and Lake Nasworthy; the proposed diversion point is downstream of these reservoirs. During times of low flow, inflows to these reservoirs may not be physically available at the proposed diversion point without sufficient releases and conveyance from the reservoirs to the downstream point. Since the application does not request a bed and banks authorization under Section 11.042 of the Texas Water Code, the City of San Angelo's proposal constitutes a potential new environmental impact to the South Concho River downstream of Twin Buttes Reservoir and Lake Nasworthy. Therefore, flow restrictions to maintain the instream uses of the South Concho River are warranted for this amendment.

Streamflow, which is strongly correlated with many critical physicochemical characteristics of rivers such as water temperature, channel geomorphology and habitat diversity, can be considered the master variable that limits the distribution and abundance of riverine species and regulates the ecological integrity of flowing water systems (Poff et al 1997). Maintaining the natural flow regime or variability plays a critical role in sustaining native biodiversity and ecosystem integrity in rivers (Poff et al 1997). TCEQ default methodology for determining flow restrictions is the Lyon's Method. The Lyon's method recommends minimum flows of 40% of the median monthly flows for October through February and 60% of the median monthly flows for March through September in order to protect aquatic habitat. This methodology produces flow numbers for each month of the year to mimic natural flow patterns. The nearest active USGS gage (Concho River at San Angelo) is located approximately 1.2 miles downstream of the City of San Angelo's proposed diversion point. This USGS Gage (No. 08136000) was used in calculating the monthly medians for the period of record from 1964-2005 (Table 1). This period of record was chosen since construction of the dam at Twin Buttes Reservoir was completed February 13, 1963.

Table 1. Monthly Median Flows (cfs) at USGS Gage No. 08136000

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
3.1	3.4	4.4	3.4	5.6	5.5	4.2	3.6	4.5	4.5	4.6	3.8

Applying the Lyon's Method results in the following monthly flow recommendations (Table 2).

Table 2. Recommended Monthly Flows (cfs) at USGS Gage No. 08136000

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1.0	1.5	2.5	2.0	3.5	3.5	2.5	2.0	2.5	2.0	2.0	1.5

Implementation of the recommended flow restrictions as measured at USGS Gage No. 08136000 should provide sufficient maintenance flows to the aquatic and riparian habitats in this segment of the Concho River.

Water Quality: The permittee's proposed diversion point is located on the South Concho River, approximately 0.8 river miles from the confluence of the South Concho River with the North Concho River. According to the *Atlas of Texas Surface Waters*, this portion of the South Concho River is designated as Segment No. 1421. According to the 2004 Texas Water Quality Inventory and 303(d) List, the designated uses of Segment No. 1421 are high aquatic life use, contact recreation, general use, fish consumption and public water supply. Available water quality data indicate that the contact recreation, general use, fish consumption and public water supply uses are all fully supported. However, the public water supply use is threatened due to elevated levels of sulfate, chloride, nitrate plus nitrite nitrogen, total dissolved solids and excessive algal growth. Increased drinking water treatment costs may result due to the threats to the public water supply use. The aquatic life use is not supported in the upper reaches of this segment. Segment No. 1421 is on the 2004 303(d) list due to an impaired macrobenthos community.

For determining minimum flows that would sustain water quality, the seven day, two-year low flow (7Q2) is used. The 7Q2 is often considered the lowest allowable flow which provides adequate assimilation of pollutants, and it is the low flow value used in water quality modeling for Texas Pollutant Discharge Elimination System (TPDES) permitting. The 7Q2 is statistically derived from historical daily gaged flow data. The most recent 7Q2 value calculated by the Water Quality Assessment Team of the TCEQ for the Concho River at USGS Gage No. 08136000 is 1.3 cfs for the period of 1975-2003. Since the recommended monthly flow values are greater than the 7Q2 value of 1.3 cfs for all months except for January, adequate water quality maintenance should be provided during these months. However, during the month of January, the monthly flow recommendation is less than the 7Q2 value, and therefore may not provide adequate flow to protect water quality. In order to provide sufficient flow to maintain water quality, diversions during the month of January should be limited to times when streamflow of the Concho River at USGS Gage No. 08136000 equals or exceeds 1.3 cfs.

Bay and Estuary Freshwater Inflows: Freshwater inflows are critical for maintaining the historical productivity of bays and estuaries along the Gulf Coast. The proposed project is located greater than 200 river miles from the Gulf of Mexico. Therefore, adding a diversion point downstream of the existing diversion points and adding the City of San Angelo Municipal Water System as the place of use to the existing certificate should have minimal impact to the Colorado River's estuary system.

Recreational Uses: According to the TPWD publication, *An Analysis of Texas Waterways*, the upper section of the Concho River downstream of San Angelo is scenic, containing high steep banks lined with elm, willow and mesquite. In this section the river is narrow and shallow, yet a minimum amount of water for recreational use is available at all times. Flow is largely regulated by three major reservoirs located on the three upper forks of the Concho. The Concho River flows predominately through rolling hills and semi-arid ranch and farm land. The proposed amendment to the certificate should have negligible impacts to the recreational uses of the river.

SUMMARY

The owner seeks to amend Certificate of Adjudication No. 14-1298 to add a diversion point approximately 21 river miles downstream from the existing diversion points and add the City of San Angelo Municipal Water System as the place of use.

Resource Protection staff recommend the following special conditions be included into the proposed amendment to Certificate of Adjudication 14-1298:

1. In order to provide sufficient flow for instream uses of Concho River, diversions should be limited to times when streamflow at USGS Gage No. 08136000 equals or exceeds the following values:

Recommended Monthly Flows (cfs)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1.3	1.5	2.5	2.0	3.5	3.5	2.5	2.0	2.5	2.0	2.0	1.5

2. In order to minimize entrainment and impingement of aquatic organisms, the owner shall install a screen with a mesh size of 0.25 inches or smaller on the diversion structures at the new diversion point. A mesh size of 0.25 inches is the maximum allowable mesh size for the protective screen on an intake structure according to general permit guidelines established by the U.S. Army Corps of Engineers, Regulatory Branch, Fort Worth District.

This instream use assessment was conducted using current TCEQ operation procedures and policies and available data and information. The recommendations in this environmental analysis are intended for the protection of instream uses and do not necessarily provide protection to downstream water rights; that analysis is addressed in the hydrology memo and further restrictions may be applicable as necessary. Authorizations granted to the permittee by the water rights permit shall comply with all rules of the Texas Commission on Environmental Quality, and other applicable State and Federal authorizations.

LITERATURE CITED

Ellis, L.T., W. Pohl and R. Tyler. 1997-2001. Handbook of Texas Online. Texas State Historical Association.

Poff, N.L., J.D. Allan, M.B. Bain, J.R. Karr, K.L. Pretegaard, B.D. Richter, R.E. Sparks, and J.C. Stromberg. 1997. The Natural Flow Regime. *Bioscience* 47:769-784.

TCEQ. 2004. 2004 Texas Water Quality Inventory and 303(d) List. Texas Commission on Environmental Quality.

TCEQ. 2004. Atlas of Texas Surface Waters: Maps of the Classified Segments of Texas Rivers and Coastal Basins. Publication No. GI-316. Texas Commission on Environmental Quality. Austin, Texas.

TPWD. 1979. An Analysis of Texas Waterways. Texas Parks and Wildlife Department.

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Kathy Hopkins, Application Manager
Water Rights Team
Water Rights Permitting & Availability Section

Date: January 15, 2008

Through: Bill Billingsley, Team Leader *BT 1/15/08*
Resource Protection Team
Water Rights Permitting & Availability Section

*WGG
1/15/08* Wendy Gordon, Ph.D., Aquatic Scientist
Resource Protection Team
Water Rights Permitting & Availability Section

From: Chris Loft, Aquatic Scientist
Resource Protection Team
Water Rights Permitting & Availability Section

Subject: City of San Angelo
ADJ 1298
CN 600251615
Water Right Application No. 14-1298B
South Concho River, Colorado River Basin
Tom Green County

Environmental reviews of water right applications are conducted in accordance with §11.042, §11.147, §11.1491, §11.150, and §11.152 of the Texas Water Code and with TCEQ administrative rules which include 30 TAC §297.53 through §297.56. These statutes and rules require the TCEQ to consider the possible impacts of the granting of a water right on fish and wildlife habitat, water quality, and instream uses associated with the affected body of water. Possible impacts to bays and estuaries are also addressed.

ENVIRONMENTAL ANALYSIS ADDENDUM

Certificate of Adjudication No. 14-1298, as amended, authorizes the owner to divert and use up to 252.1 acre-feet of water per annum from three points on the South Concho River, tributary of the Concho River, tributary of the Colorado River. The maximum diversion rate, in combination with other owners, at diversion point 1 is 15.11 cfs (6,800 gpm); the maximum diversion rate at diversion point 2 is 2.67 cfs (1,200 gpm); and the maximum diversion rate at diversion point 3 is 1.00 cfs (450 gpm). The purpose of these diversions is for municipal and agricultural purposes in Tom Green County. The certificate, as amended, also authorizes the owner to maintain two existing dams and

reservoirs on the South Concho River. The City of San Angelo seeks to amend Certificate of Adjudication No. 14-1298 to add a diversion point approximately 21 river miles downstream from the existing diversion points. The city also seeks to add the City of San Angelo Municipal Water System as the place of use. The maximum diversion rate at the proposed diversion point is 15.11 cfs (6,800 gpm).

In the July 3, 2006 environmental analysis memo, Resource Protection staff recommended the following special condition:

In order to provide sufficient flow for instream uses of the Concho River, diversions should be limited to times when streamflow at USGS Gage No. 08136000 equals or exceeds the following values:

Recommended Monthly Flows (cfs)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1.3	1.5	2.5	2.0	3.5	3.5	2.5	2.0	2.5	2.0	2.0	1.5

However, during a June 21, 2007 meeting the applicant requested that the outlet of Lake Nasworthy Dam be used as the reference location for streamflow restrictions. Resource Protection staff recalculated streamflow restrictions for Lake Nasworthy using a drainage area ratio of 0.66 and have subsequently modified Special Condition No. 1 as follows:

In order to provide sufficient flows for the maintenance of instream uses, diversions should be limited to times when streamflow at the Lake Nasworthy dam outlet equals or exceeds the following values in cubic feet per second:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0.9	1.0	1.7	1.3	2.3	2.3	1.7	1.3	1.7	1.3	1.3	1.0

All other analyses and recommendations in the July 3, 2006 environmental memorandum remain unchanged unless specifically addressed in this addendum.


Chris Loft
Resource Protection Team

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Kathy Hopkins, Project Manager
Water Rights Permitting Team
Water Supply Division

Date: March 21, 2006

Thru: Bill Billingsley, Team Leader 3/22/06
Resource Protection Team
Water Supply Division BS

Kristin Wang, Senior Water Conservation Specialist
Resource Protection Team
Water Supply Division KCW 3/21/06

From: E. Scott Swanson, Water Conservation Specialist
Resource Protection Team
Water Supply Division ESS 3/21/06

Subject: The City of San Angelo
ADJ 1298
CN600251615
Review of Water Conservation & Drought Contingency Plan for Administrative
Completeness

Certificate of Adjudication No. 14-1298 authorizes the owner to divert and use not to exceed 252.1 acre-feet of water per year from three points on the South Concho River, tributary of the Concho River, tributary Colorado River, Colorado River Basin for agricultural and municipal purposes. There are multiple time priorities and diversion rates for the water. The Certificate contains a special condition requiring the applicant to establish a place of use before diverting the water.

Applicant seeks to amend Certificate of Adjudication No. 14-1298 to add a diversion point on the west bank of the South Concho River being the same point authorized by Certificate of Adjudication No. 14-1325.

The Water Conservation and Drought Contingency Plan was reviewed by TCEQ staff and found to be administratively complete per 30 TAC Chapter 288.2, 288.3, 288.4, 288.5, 288.20 and 288.22.

The following standard water conservation language should be included in the permit:

"Owners shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every wholesale water contract entered into, on or after the effective date of this amendment, including any

contract extension or renewal, that each successive wholesale customer develop and implement conservation measures. If the customer intends to resell the water, then the contract for resale of the water must have water conservation requirements so that each successive wholesale customer in the resale of the water be required to implement water conservation measures.”

This applicant's request to add a diversion point is not encouraged or discouraged in the approved 2002 State Water Plan or the January 2001 Region "F" Water Plan. It is the Water Conservation Staff's opinion that this request is not included with the state or approved regional plans due to its insignificant impact. Therefore, it is the Staff's position that this project cannot be inconsistent with the approved 2002 State Water Plan or the January 2001 Region "F" Plan.

No further review is required by the Water Conservation Staff of the Resource Protection Team.

14-1298A
11/09/04 Pdox

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AMENDMENT TO
CERTIFICATE OF ADJUDICATION

Application No. 14-1298A

Certificate No. 14-1298A

Type: §11.122

Owner: City of San Angelo

Address: P. O. Box 1751
San Angelo, Texas 76902-1715

Filed: June 21, 2004

Granted: **OCT 27 2004**

Purpose: Agricultural (Irrigation) and
Municipal

County: Tom Green

Watercourse: South Concho River tributary
of the Concho River,
tributary of the Colorado River

Watershed: Colorado River Basin

WHEREAS, Certificate of Adjudication No. 14-1298 authorizes the City of San Angelo, Owner, to divert and use not to exceed 252.1 acre-feet of water per year from three points on the South Concho River, tributary of the Concho River, tributary of the Colorado River, Colorado River Basin, for agricultural (irrigation) purposes in Tom Green County; and

WHEREAS, the 252.1 acre-feet of water agricultural (irrigation) per year is not appurtenant to any land and is subject to amendment to establish a place of use prior to its diversion; and

WHEREAS, the three authorized diversion points are located as follows:

Diversion Point No. 1 - At a point on the north bank of the South Concho River on the perimeter of a fifty (50) acre-foot capacity reservoir located S 85° E, 855 feet from the northwest corner of the J. Zerbach Survey 1827; Abstract 4217, near Christoval, Texas, that is also authorized by Certificates of Adjudication Nos. 14-1280 through 14-1297, 14-1299 through 14-1303, 14-1314, 14-1403, and 14-1404,

Diversion Point No. 2 - At a point on the east bank of the South Concho River on the perimeter of an 8.44 acre-foot capacity reservoir located N 20° E, 600 feet from the southwest corner of the C. S. Jackson Survey 1823, Abstract 1539, approximately 4 miles north of Christoval, and

Diversion Point No. 3 - At a point on the east bank of the South Concho River located N 13° E, 1,500 feet from the southwest corner of the C. S. Jackson Survey 1823, Abstract 1539, approximately 4.2 miles north of Christoval; and

WHEREAS, Owner is authorized, with a time priority of July 29, 1914, to divert and use from Diversion Point No. 1 not to exceed 128.1 acre-feet of water per year at a maximum rate of 15.11 cfs (6,800 gpm) in combination with the other owners of Diversion Point No. 1 for agricultural (irrigation) purposes; and

WHEREAS, Owner is authorized, with a time priority of October 8, 1931, to divert and use, from Diversion Point No. 2 at a maximum rate of 2.67 cfs (1,200 gpm) and from Diversion Point No. 3 at a maximum rate of 1.0 cfs (450 gpm), not to exceed 124 acre-feet of water per year for agricultural (irrigation) purposes; and

WHEREAS, an application was received from the City of San Angelo to amend Certificate of Adjudication No. 14-1298 to add municipal use to the water currently authorized for agricultural (irrigation) purposes; and

WHEREAS, the Texas Commission on Environmental Quality finds that jurisdiction over the application is established; and

WHEREAS, no person protested the granting of this application; and

WHEREAS, the Commission has complied with the requirements of the Texas Water Code and Rules of the Texas Commission on Environmental Quality in issuing this amendment;

NOW, THEREFORE, this amendment to Certificate of Adjudication No. 14-1298, designated Certificate of Adjudication No. 14-1298A, is issued to the City of San Angelo, subject to the following terms and conditions:

1. USE

In lieu of the previous authorization to divert and use not to exceed a total of 252.1 acre-feet of water per year for agricultural (irrigation) purposes, Owner is now authorized to divert and use not to exceed 252.1 acre-feet of water per year for municipal and agricultural (irrigation) use.

2. TIME PRIORITY

The time priorities of this authorization remain July 29, 1914, for the diversion and use of 128.1 acre-feet of water per year from Diversion Point No. 1, and October 8, 1931, for the diversion and use of 124 acre-feet of water per year from Diversion Points Nos. 2 and 3.

3. CONSERVATION

Owners shall implement water conservation plans that provide for the utilization of those practices, techniques, and technologies that reduce or maintain the consumption of water, prevent or reduce the loss or waste of water, maintain or improve the efficiency in the use of water, increase the recycling and reuse of water, or prevent the pollution of water, so that a water supply is made available for future or alternative uses. Such plans shall include a requirement that in every wholesale water supply contract entered into on or after the date of this amendment, including any contract extension or renewal, that each successive wholesale customer develop and implement

conservation measures. If the customer intends to resell the water, then the contract for resale of the water must have water conservation requirements so that each successive wholesale customer in the resale of the water be required to implement water conservation measures.

4. SPECIAL CONDITION

Owner shall not divert and use the 252.1 acre-feet of water per year for municipal or agricultural (irrigation) purposes authorized by this amendment until Owner submits an application to amend Certificate of Adjudication No. 1298 to establish a place of use for the authorized water, and such application is subsequently granted.

This amendment is issued subject to all terms, conditions and provisions contained in Certificate of Adjudication No. 14-1298, except as specifically amended herein.

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

Certificate owner 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 Commission on Environmental Quality and to the right of continuing supervision of State water resources exercised by the Commission.

TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY



For the Commission

DATE ISSUED: OCT 27 2004

312

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 14-1298

OWNER: W. L. Slaughter and wife,
Maxine Slaughter
P. O. Box 5106
San Angelo, Texas 76901

COUNTY: Tom Green

PRIORITY DATE: July 29, 1914 and
October 8, 1931

WATERCOURSE: South Concho River

BASIN: Colorado River

WHEREAS, by final decree of the 51st District Court of Tom Green County, in Cause No. 44,900-A, In Re: The Adjudication of Water Rights in the Concho River Segment of the Colorado River Basin, dated June 14, 1979, a right was recognized under Certified Filing 291, Permit 1193 and Claims 970 and 975 authorizing D. R. Spears, et al and W. L. Slaughter and wife, Maxine Slaughter, to appropriate waters of the State of Texas as set forth below;

WHEREAS, by Transfer of Water Rights dated November 15, 1979, a copy of which is in Department Records, Maxine Slaughter acquired all of W. D. Ratliff's water right interests in Permit 1193;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Colorado River Basin is issued to W. L. Slaughter and wife, Maxine Slaughter, subject to the following terms and conditions:

1. IMPOUNDMENT

- A. Owners are authorized to maintain an existing dam and reservoir on the South Concho River and impound therein not to exceed 50 acre-feet of water. Point on the dam at the center of the stream is S 85° E, 855 feet from the northwest corner of the J. Zerbach Survey 1827, Abstract 4217, Tom Green County, Texas. This dam and reservoir are also authorized under Certificates of Adjudication 14-1280 through 14-1297, 14-1299 through 14-1303, 14-1314, 14-1403 and 14-1404.
- B. Owners are also authorized to maintain an existing dam and reservoir on the South Concho River and impound therein not to exceed 8.44 acre-feet of water. Point on the dam at the center of the stream is N 12° E, 1388 feet from the southwest corner of the C. S. Jackson Survey 1823, Abstract 1539, Tom Green County, Texas.

2. USE

- A. Owners are authorized to divert and use not to exceed 128.1 acre-feet of water per annum from the aforesaid 50 acre-foot capacity reservoir on the South Concho River (diversion point 1) to irrigate a maximum of 64 acres of land out of a 125.383 acre tract located in the C. S. Jackson Survey 1823, Abstract 1539, and the George Smith Survey 1825, Abstract 1951, Tom Green County, Texas, said 125.383 acre tract being described as follows:
 - (1) BEGINNING at a point in the North right-of-way line of F. M. Highway 2335 where it intersects the East bank of the South Concho River;
 - (2) THENCE S 83° 34' E, 2311.8 feet with the North ROW of said highway;
 - (3) THENCE S 83° 36' E, 377.1 feet with the North ROW of said highway to a point in the West ROW of the A. T. and S. F. R. R.;
 - (4) THENCE N 8° 25' E, 1402.5 feet with the West ROW of said railroad to a point;

CERTIFICATE OF ADJUDICATION 14-1298, PAGE 2 OF 3.

- (5) THENCE N 89° 14' E, 101.32 feet to a point;
 - (6) THENCE N 88° 52' E, 505.4 feet to a point;
 - (7) THENCE S 89° 49' E, 325.62 feet to a point in the West ROW line of U. S. Highway 277;
 - (8) THENCE with the West ROW line of U. S. Highway 277 and with the arc of a curve with a radius of 1196.0 feet, a central angle of 18° 44', a distance along the arc of 391.13 feet and the P. C. of said curve which bears N 33° 41' E, 389.4 feet;
 - (9) THENCE N 43° 2' E, 490.2 feet with the West ROW of U. S. Highway 277 to a point;
 - (10) THENCE S 89° 30' W, 267.4 feet to a point;
 - (11) THENCE S 79° 49' W, 1023.72 feet to a point;
 - (12) THENCE N 83° 22' W, 180.79 feet to a point;
 - (13) THENCE N 47° 49' W, 280.15 feet to a point;
 - (14) THENCE S 89° 30' W, 2331.97 feet to a point on the East bank of the South Concho River;
 - (15) THENCE with the meanders of the East bank of the South Concho River as follows: S 5° 30' E, 40.15 feet; S 1° 17' E, 101.12 feet; S 14° 14' W, 203.55 feet; S 13° 21' W, 202.32 feet; S 10° 1' W, 194.71 feet; S 0° 47' E, 187 feet; S 4° 59' W, 151 feet; S 17° 48' W, 46.8 feet to the Northwest corner of a 2.2 acre tract;
 - (16) THENCE E, 480.6 feet with the North line of the 2.2 acre tract to its Northeast corner;
 - (17) THENCE S 12° 51' W, 200 feet with the East line of the 2.2 acre tract to its Southeast corner;
 - (18) THENCE W, 498.4 feet with the South line of the 2.2 acre tract to a point on the East bank of the South Concho River;
 - (19) THENCE with the meanders of the East bank of the South Concho River as follows: S 17° 45' W, 62.8 feet; S 15° 32' W, 164.3 feet; S 19° 15' W, 275.9 feet to the place of beginning.
- B. Owners are also authorized to divert and use not to exceed 124 acre-feet of water per annum from the South Concho River (diversion points 2 and 3) to irrigate a maximum of 72.5 acres of land out of a 125.383 acre tract as described above.

3. DIVERSION

A. Location:

- (1) At a point on the north bank of the South Concho River which is S 85° E, 855 feet from the northwest corner of the J. Zerbach Survey 1827, Abstract 4217, Tom Green County, Texas. This diversion point is also authorized under Certificates of Adjudication 14-1280 through 14-1297, 14-1299 through 14-1303, 14-1314, 14-1403 and 14-1404.
- (2) At a point on the east bank of the South Concho River which is N 20° E, 600 feet from the southwest corner of the C. S. Jackson Survey 1823, Abstract 1539, Tom Green County, Texas.

- (3) At a point on the east bank of the South Concho River which is N 13° E; 1500 feet from the southwest corner of the C. S. Jackson Survey 1823, Abstract 1539, Tom Green County, Texas.

B. Rate:

Maximum diversion rate in combination with other owners of diversion point 1 is 15.11 cfs (6800 gpm). Maximum diversion rate for diversion point 2 is 2.67 cfs (1200 gpm). Maximum diversion rate for diversion point 3 is 1.00 cfs (450 gpm).

4. PRIORITY

The time priority of owners' rights are July 29, 1914 for the 128.1 acre-feet of water annually diverted from diversion point 1 and October 8, 1931 for the 124 acre-feet of water annually diverted from diversion points 2 and 3.

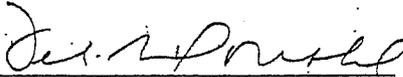
The locations of pertinent features related to this certificate are shown on Page 11 of the Concho River Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Department of Water Resources and the office of the County Clerk.

This certificate of adjudication is issued subject to all terms, conditions and provisions provided for in the final decree of the 51st District Court of Tom Green County, in Cause No. 44,900-A, In Re: The Adjudication of Water Rights in the Concho River Segment of the Colorado River Basin, dated June 14, 1979, and supersedes all rights of the owner asserted in that cause.

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 and is an undivided part of the above-described land within which irrigation is authorized. A transfer of any portion of the above-described land includes, unless otherwise specified, the portion of the water right which is appurtenant to the land transferred.

TEXAS WATER COMMISSION


Felix McDonald, Chairman

DATE ISSUED:

March 12, 1980

ATTEST:


Mary Ann Heffner, Chief Clerk

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
INTEROFFICE MEMORANDUM

TO: Records Management

DATE: May 25, 2006

Certificate of Adjudication No. 14-1298
 Tom Green County
 Colorado River Basin

FROM: Water Rights Permitting & Availability
Water Supply Division

SUBJECT: Change of Ownership

ADD: Verle A. Theriot, et ux (Judith C. Theriot) as part owners

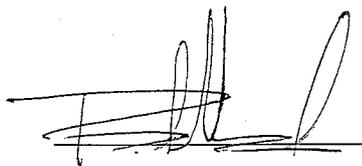
A previous interoffice memo, dated April 23, 2003, erroneously omitted Verle A. Theriot, *et ux*, as being part owners of the water rights under this certificate of adjudication.

Ownership of Record with Addresses and Remarks:

- | | |
|---|--|
| 1. Verle A. Theriot, et ux
P.O. Box 306
Christoval, Texas 76935 | 2. City of San Angelo
P.O. Box 1751
San Angelo, Texas 76902-1751 |
|---|--|

The ownership of the water rights under this certificate of adjudication is established, as follows:

- | | |
|------------|--|
| 1. Theriot | 50.00 ac/ft existing dam and reservoir on the South Concho River, <i>partial ownership</i>
8.40 ac/ft existing dam and reservoir on the South Concho River |
| 2. City | 128.10 ac/ft from 50 acre-foot reservoir for municipal & irrigation, no land, subject to amendment
124.00 ac/ft from the South Concho River for municipal & irrigation, no land, subject to amendment |


Data Entry Made: MC MAY 31 2006

WU & A Section: _____

Change Noted: _____

Central Records/Date: _____