



Treadwell Cattle Co

May 10, 2012

TCEQ

c/o Ms. Bridget Bohac

office of Chief Clerk, MC-105

PO Box 13087

Austin, TX 78711-3087

Re: TCEQ docket 2011-2287-WR & 2011-2288-WR

Office of the General Counsel

I have received the approved request for Bentwood CC's continuance in the above docket numbers from the Commissioner's meeting May 16 as continued until July 25. Granting the continuance was extraordinary, considering the continuance was contested, and the continuance would have no bearing on TCEQ procedure.

I am concerned that since Bentwood CC is currently being granted special permission to continue pumping, despite their contested situation, Bentwood has nothing to gain and everything to lose by having this matter heard on the Commissioner's agenda. I am further concerned by TCEQ boasting that should this contested permit proceed beyond the Commissioner's meeting and into a hearing venue, that the TCEQ will further shield Bentwood CC and protect Bentwood's provisional use of the contested permits.

Since both parties have passed their submission deadlines for briefs and supporting information and no further testimony will be heard by the Commissioners, Bentwood's 60 day continuance could have no bearing upon the outcome of the Commissioner's meeting regarding the above docket numbers. And since the nature of my complaint can't be solved between the two parties and Treadwell Cattle Co is also registered to permit 1313, there is no research scenario by which Bentwood CC can affect the Commissioner's actions.

According to Bentwood.com, Bentwood has their Big Partnership Tournament July 22, so the July 25 meeting guarantees 60 more days of golf course irrigation. The TCEQ hearings and contested permit system would appear like a noose if I were the applicant, but somehow the TCEQ system appears to be a shield for Bentwood.

Does the TCEQ Water Division want to be spotlighted for protecting publicly held water or private country clubs? Frankly, to guarantee the protection of Bentwood's provisional permit use (which is uncommon, especially in contested hearings) despite the potentiality of protestor introduced, factual, federally generated data (USGS reports-Protestor's exhibit A) contradicting the soundness of TCEQ's plan to relocate

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Bentwood's permit, makes me question TCEQ priorities. If docket 2011-2287-WR & 2011-2288-WR were more about the conservation of water and the fidelity of segment specific irrigation permits, than we would be meeting in Austin May 16 as planned. Any continuance should suspend Bentwood's use of the contested permits— until all the evidence can be destroyed, at least.

I want to request that the TCEQ decide this matter at the next available agenda opening. Water is being misappropriated, time is of the essence. I am requesting that TCEQ docket 2011-2287-WR & 2011-2288-WR be scheduled for the May 30 Commissioner's meeting instead of July 25.

Sincerely,



Brian Treadwell

Attached: FOI reply from City of San Angelo regarding any agreements between San Angelo and Bentwood for stored water use.



The City of San Angelo, Texas

Office of the City Attorney

106 S. Chadbourne

P.O. Box 1751, San Angelo, Texas 76902

Phone: (325) 657-4407

Fax: (325) 481-2695

Date: February 20, 2012

Brian Treadwell
5476 W. FM 2335
Christoval, TX 76935

Re: Public Information Request dated February 10, 2012

Dear Mr. Treadwell:

We received your public information request dated February 10, 2012 and in your request you ask for a copy of an agreement between the City of San Angelo and Bentwood Country Club for the use of "stored water" from Lake Nasworthy for irrigation.

According to Will Wilde, Director of Water Utilities Department of the City of San Angelo the city does not have any agreement with Bentwood Country Club concerning the use of "stored water" from Lake Nasworthy which would be associated with Bentwood's water permit 1313.

Should you have any questions or need further assistance, please don't hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Katherine Rainey".

Katherine Rainey, Paralegal
Office of the City Attorney
Ph. (325-657-4407) ext. 1414

Enc: