

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 12, 2015

Bridget C. Bohac, Chief Clerk  
Office of the Chief Clerk  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC-105  
Austin, Texas 78711-3087

Re: Docket No. 2014-1658-WR  
Guadalupe-Blanco River Authority  
Hearing Requests filed on Water Rights Permit No. 12378

Dear Ms. Bohac:

Attached for filing please find an original and seven copies of the Executive Director's Response to Hearing Requests in the above referenced matter. Please feel free to contact me at [dinniah.tadema@tceq.texas.gov](mailto:dinniah.tadema@tceq.texas.gov) or (512) 239-0617 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dinniah C. Tadema".

Dinniah C. Tadema  
Staff Attorney  
Environmental Law Division

Enclosure

cc: Mailing List

**TCEQ DOCKET NO. 2014-1658-WR**

**APPLICATION BY GUADALUPE-  
BLANCO RIVER AUTHORITY  
PERMIT NO. 12378**

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**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

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**EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS**

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The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) respectfully submits this response to hearing requests filed in the application by Guadalupe-Blanco River Authority (GBRA) for new Water Use Permit No. 12378. Ten hearing requests were filed by the following entities: 1) Texas Parks and Wildlife Department (TPWD); 2) National Wildlife Federation (NWF); 3) Guadalupe River Chapter of Trout Unlimited (GRTU); 4) Texas Chapter of the Coastal Conservation Association (CCA Texas); 5) The Aransas Project (TAP); 6) New Braunfels Utilities (NBU); 7) City of Kerrville (Kerrville); 8) Upper Guadalupe River Authority (UGRA); 9) San Antonio Water System (SAWS); and 10) Kerr County.

The Executive Director respectfully recommends that the Commission grant five of the hearing requests, deny five hearing requests, and refer the matter to the State Office of Administrative Hearings (SOAH) for a contested case hearing.

Staff has prepared a map showing the location of water rights holders in the Guadalupe River Basin and the San Antonio River Basin and a map showing the location of hearing requestors located near the San Antonio Bay based on addresses and information provided in their hearing requests.<sup>1</sup>

Staff's maps are attached as Attachment A.

**I. BACKGROUND**

GBRA filed an application, for a water use permit to divert and use 75,000 acre-feet (AF) of water per year from the unappropriated flows of the Guadalupe River, Guadalupe River Basin, in Gonzales County, at a maximum diversion rate of 500 cubic feet per second (cfs) for municipal and industrial purposes within GBRA's statutory district (Hays, Comal, Guadalupe, Caldwell, Gonzales, DeWitt, Victoria, Kendall, Refugio, and Calhoun counties). GBRA requests a diversion reach that begins below the confluence of the Guadalupe and San Marcos Rivers and extends approximately 30 miles downstream to the Gonzales-Guadalupe County line.

GBRA also requests authorization to construct and maintain one or more off-channel reservoirs in Gonzales County with a combined maximum storage capacity of 125,000.

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<sup>1</sup> NWF did not provide an address for Chunky Monkey Seafood; however, an internet search revealed an address for Chunky Monkey Seafood at 403 Bay Street, Seadrift, Texas.

AF and to divert from any such reservoir water diverted from the Guadalupe River as well as water from other sources.

GBRA further requests an exempt interbasin transfer of the diverted water to the portions of the San Antonio River Basin, Colorado River Basin, Lavaca River Basin, Colorado-Lavaca Coastal Basin, Lavaca-Guadalupe Coastal Basin, and the San Antonio-Nueces Coastal Basin located within Hays, Comal, Guadalupe, Caldwell, Gonzales, DeWitt, Victoria, Kendall, Refugio, and Calhoun Counties.

## **II. PROCEDURAL HISTORY**

The Commission received this application on August 22, 2008. The application was declared administratively complete on December 23, 2009. Notice of the application was mailed by the Commission's Chief Clerk on July 29, 2013 to water right holders of record in the Guadalupe River Basin. The last date of publication of notice was August 6, 2013.

The hearing request period for this application closed on September 5, 2013. Ten hearing requests for a contested case hearing were timely received.

## **III. LEGAL AUTHORITY**

Pursuant to 30 Texas Administrative Code Section 55.251(b), the following may request a contested case hearing on water rights applications: 1) the Commission; 2) the Executive Director; 3) the applicant; and 4) affected persons when authorized by law. Affected persons are authorized to submit hearing requests for water rights applications under Texas Water Code Section 11.132(a). The Commission, on the request of any affected person shall hold a hearing on a water rights application. The procedures for determining whether a hearing requestor is an affected person and whether the hearing request is valid are set forth in 30 Texas Administrative Code Sections 55.250-55.256, which apply to water rights applications such as this one that were declared administratively complete after September 1, 1999.

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." 30 Tex. Admin. Code § 55.256(a). An interest "common to members of the general public does not qualify as a personal justiciable interest." 30 Tex. Admin. Code § 55.256(a).

Governmental entities with authority under state law over issues contemplated by the application may be considered affected persons. 30 Tex. Admin. Code § 55.256(b).

To determine whether a hearing requestor is an affected person, all relevant factors must be considered. 30 Tex. Admin. Code § 55.256(c). These factors include but are not limited to the following:

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).

A hearing request by a group or an association, must meet the requirements set forth in 30 Texas Administrative Code Section 55.252(a). The three requirements are: 1) at least one member of the group or association would have standing to request a hearing in his or her own right; 2) the interests the group or association seeks to protect are germane to the group's purpose; and 3) neither the claim asserted nor the relief sought would require the presence of the individual members. 30 Tex. Admin. Code § 55.252(a). In addition, the hearing request must substantially comply with the four requirements set forth in 30 Texas Administrative Code Section 55.251(c):

1. Give the name, address, and daytime telephone number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number and, where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
2. Identify the person's personal justiciable interest affected by the application including a brief, but 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;
3. Request a contested case hearing; and
4. Provide any other information specified in the public notice of application.

The request for a contested case hearing must be filed with the Commission's Chief Clerk during the public comment period. 30 Tex. Admin. Code § 55.251(d).

The Commission must grant a request for a contested case hearing made by an affected person if the request complies with the requirements of 30 Texas Administrative Code Section 55.251; is timely filed with the Chief Clerk; and is pursuant to a right to hearing authorized by law. 30 Tex. Admin. Code § 55.255(b)(2).

#### **IV. HEARING REQUESTS AND RECOMMENDATIONS**

A total of ten hearing requests were timely filed. An outline of each of these hearing requests and the Executive Director's recommendation on it follows. All of the hearing

requestors substantially complied with the procedural requirements of Section 55.251. However, five hearing requestors did not show that they were affected persons.

### ***A. Recommendation to Grant***

#### Texas Parks and Wildlife Department

TPWD requests a hearing to protect its ability to participate in the development of permit conditions to protect fish and wildlife resources. TPWD raises the following concerns in its hearing request: 1) the application and draft permit do not identify the specific location, configuration, and size of the proposed off-channel reservoirs; 2) the draft permit does not include any special conditions relative to protection of wildlife and habitat impacted by the proposed off-channel reservoirs; and 3) the draft permit contains no special conditions related to the protection of freshwater inflows.

TPWD's hearing request should be granted; TPWD is a statutory party to a water right permit application under Texas Water Code Section 11.147(f). Although Texas Water Code Section 5.115(b) provides that a state agency may not oppose a water right permit application, that section does not apply to an application filed before September 1, 2011. This application was filed in 2008; therefore, the hearing request should be granted.

#### Texas Chapter of the Coastal Conservation Association

CCA Texas is a non-profit marine conservation organization which among other interests works to ensure adequate freshwater reaches Texas's bays and estuaries. CCA Texas's objective is to conserve, promote, and enhance the present and future availability of coastal resources for the benefit and enjoyment of the general public.

CCA Texas states that Bart Reese is a member of CCA Texas, owns a home on Hynes Bay which is part of San Antonio Bay, and Mr. Reese regularly fishes on San Antonio Bay. CCA Texas alleges that Mr. Reese's enjoyment of his property and fishing in San Antonio Bay will be directly affected by GBRA's proposed diversions as those diversions will decrease the amount of and affect the timing of freshwater inflows to the bay and estuary, which can affect the health of this important habitat and nursery for aquatic life.

CCA Texas's hearing request should be granted because CCA Texas has shown it is an affected person. CCA Texas has provided the name of a CCA Texas member who has a property interest in and who recreates within close proximity to where the Guadalupe River empties into San Antonio Bay. Mr. Reese's interest in fishing on San Antonio Bay could be impacted by the application if granted. CCA Texas has provided information showing that Mr. Reese owns land riparian to coastal waters where the Guadalupe River flows into Hynes and San Antonio Bays. Since CCA Texas has shown that one of its members has a recreational interest in property he owns that could be affected by the application, it is an affected person. *See, Save Our Springs Alliance v. City of Dripping Springs*, 304 S.W. 3d 871, 879-882 (Tex. App. – Austin 2010, pet. denied)(finding that a plaintiff's environmental, scientific, or recreational interests alone do not confer standing in the absence of allegations that the plaintiff has an interest in property affected by the defendants' actions).

### New Braunfels Utilities

NBU was created by the City of New Braunfels to provide utility services to the citizens and customers of the City of New Braunfels; NBU is authorized to exercise complete control and authority of the electric, and sewer utilities systems serving the City of New Braunfels. NBU holds water rights, including, but not limited to Certificate of Adjudication Nos. 18-3823, 18-3824, and 18-3830 which contain a special condition subordinating NBU's water rights to any existing and future GBRA water right. NBU alleges that GBRA may use water from Canyon Reservoir as a supplemental source and potentially other existing surface water rights for its Mid-Basin Project which would impact NBU's water supplies given the subordination clause.

NBU's concern regarding GBRA's use of water from Canyon Reservoir as a supplemental source for its Mid-Basin Project is not germane to GBRA's pending application. The Executive Director does not usually recommend granting hearing requests of upstream water rights holders; however, due to the importance of the appropriation to the basin GBRA's application could potentially affect water rights holders within the Guadalupe River Basin. Therefore, the Executive Director recommends granting NBU's hearing request.

### City of Kerrville

Kerrville holds several water rights in the upper portion of the Guadalupe River Basin. Permit 5394B authorizes Kerrville to divert 2,169 AF of water per year from the Reservoir on the Guadalupe River included in Water Use Permit 3505 and Permit 5394A. Of the 2,169 AF, 761 AF are available on a firm yield basis with the remaining 1,408 AF available on a "run-of-river" basis. Special Condition E in Permit 5394B makes the authorizations in Permit 5394B subject to the maintenance of the June 8, 1987 Subordination Agreement, or amendments and extensions thereof, between the City of Kerrville, UGRA, and GBRA. The City states that the subordination agreement provides that GBRA will subordinate some of its hydropower water rights to the City so that the City can divert water pursuant to Permit 5394B at times when the entire flow of the Guadalupe River in Kerr County is required to be passed so as to honor GBRA's hydropower rights, but less than the entire flow is required to be passed in order to honor all other water rights. The City of Kerrville alleges that under Special Condition 6.L. of the Draft Permit, GBRA will be able to release and use water from Canyon Reservoir as a supplemental source, and other existing surface water rights for its Mid-Basin Project. The City of Kerrville further alleges that GBRA's use of its existing water rights as supplemental sources for the Draft Permit may impact Kerrville's water supplies authorized under Permit 5394B. Specifically, Kerrville's water supplies authorized by Permit 5394B will be impacted by the Draft Permit if GBRA intends to use its existing hydropower water rights as a supplemental source.

Kerrville's concerns regarding GBRA's use of its existing water rights as a supplemental source for the Mid-Basin Project is not germane to GBRA's pending application. The Executive Director does not usually recommend granting hearing requests of upstream water rights holders; however, due to the importance of the appropriation to the basin GBRA's application could potentially affect water rights holders within the Guadalupe

River Basin. Therefore, the Executive Director recommends granting Kerrville's hearing request.

#### Upper Guadalupe River Authority

UGRA is a conservation and reclamation district of the State of Texas and seeks a contested case hearing to confirm that issuance of GBRA's permit will not impair UGRA's existing water right. UGRA holds water right permit No. 5394D which authorizes it to divert not to exceed 2,000 AF of water per year on a firm yield basis from the Guadalupe River. UGRA alleges that if GBRA is allowed to use water impounded in Canyon Reservoir as a supplemental supply to make firm the supply of water for its Mid-Basin Project, then UGRA potentially could be required to pass water upstream of Canyon Reservoir in order to satisfy GBRA's Canyon Reservoir rights.

UGRA's concern regarding GBRA's use of water from Canyon Reservoir as a supplemental source for its Mid-Basin Project is not germane to GBRA's pending application. The Executive Director does not usually recommend granting hearing requests of upstream water rights holders; however, due to the importance of the appropriation to the basin GBRA's application could potentially affect water rights holders within the Guadalupe River Basin. Therefore, the Executive Director recommends granting UGRA's hearing request.

#### ***B. Recommendation to deny***

#### Guadalupe River Chapter of Trout Unlimited

GRTU is a non-profit, conservation organization which works to protect and enhance the trout fishery and habitat for fish and wildlife downstream of Canyon Dam. It does not own a water right on the Guadalupe River. GRTU states that it currently has an agreement with GBRA for releases from Canyon Lake, which it seeks to revise and extend. GRTU requests a hearing on the basis that it would like to preserve its opportunity to participate in TCEQ's decision making process should GRTU determine that the issuance of a permit would adversely affect the trout fishery or other interests of GRTU's members.

GRTU's hearing request should be denied because it has failed to meet all of the requirements for a group or association to request a hearing. GRTU failed to name one or more members of the conservation organization who would otherwise have standing to request a hearing in his or her own right under 30 Texas Administrative Code Section 55.252(a)(1). In addition, GRTU has failed to show how it is an affected person based on the factors found in 30 Texas Administrative Code Section 55.256(c).

#### National Wildlife Federation

NWF is a non-profit organization dedicated to protecting the ecosystems that are most critical to native wildlife in America. NWF alleges that GBRA's application has the potential to significantly and adversely affect the Guadalupe River and San Antonio Bay and the fish and wildlife resources they support as well as NWF members. NWF further alleges that the application has the potential to adversely affect additional fish and

wildlife habitat as a result of the requested authorization to construct one or more reservoirs.

Specifically, NWF alleges the following: 1) the requested diversion of up to 75,000 AF per year from the Guadalupe River will disrupt flows in the river and impair essential freshwater inflows to the estuary system; 2) the draft permit fails to effectively implement the newly adopted environmental flow standards; 3) the authorization of the reservoir construction is inconsistent with the requirements of the water code and fails to address the issue of mitigation for adverse impacts to fish and wildlife habitat; 4) the water conservation language in the draft permit fails to impose any meaningful requirement.

NWF names Wesley Blevins, the owner of a business called Chunky Monkey Seafood, as a member whose interests would be adversely affected. Mr. Blevins catches and sells shrimp and other organisms from San Antonio Bay and is concerned about adverse impacts on his business and personal interests and on fish and wildlife resources as a result of the requested permit.

NWF's hearing request should be denied because it has not shown that it is an affected person. NWF did not provide an address for Mr. Blevins' business, Chunky Monkey Seafood. An online search revealed that Chunky Monkey Seafood's address is 621 S. Main Street, Seadrift, Texas, which is located blocks away from San Antonio Bay rather than on San Antonio Bay. Mr. Blevins does not have a sufficient property interest on the bay to establish standing on behalf of NWF. *See, Save Our Springs Alliance v. City of Dripping Springs*, 304 S.W. 3d 871, 879-882 (Tex. App. – Austin 2010, pet. denied). Since Mr. Blevins does not have standing to request a hearing in his own right, NWF's hearing request should be denied. 30 Tex. Admin. Code § 55.252(a)(1).

#### The Aransas Project

TAP's mission is to advocate for adequate freshwater inflows into the bays, marshes, and the habitat of the whooping crane, and to protect the health of the bays, fisheries, and whooping cranes. TAP alleges that the interests it seeks to protect are protected by law under which the application is being considered. TAP argues that TCEQ must study the effects of the proposed permit on bays and estuaries and instream uses pursuant to Texas Water Code § 11.147. In addition, it argues that it has a distinct interest in protecting the injunctive relief it obtained in *The Aransas Project v. Bryan Shaw, et al.*, No. 2:10-CV-00075 (March 11, 2013). TAP further argues that there is a reasonable relationship between the interests of TAP's members in preserving whooping cranes, their habitat, and the health of the bays, and the activities that the draft permit purports to authorize. TAP alleges that reduced freshwater inflows increase salinity in the San Antonio Bay system, and that the increased water diversions requested in this application would have an impact on the interests of TAP's members by killing and injuring an increased number of whooping cranes as well as violating the ESA.

TAP alleges that three members would have individual capacity to request a contested case: 1) Al and Diane Johnson who own a ranch adjacent to the Aransas National Wildlife Refuge and 2) Debra Corpora who lives in Rockport and visits the Aransas

National Wildlife Refuge 8 to 10 times a year to see whooping cranes and conduct bird surveys. The Johnsons follow a pair of cranes and also constructed a small building on their ranch which they rent to visitors so they can see whooping cranes. The Johnsons allege that they will suffer harm to their economic and recreational interests if the activity proposed by the application affects their property, the whooping cranes, or their habitat. Ms. Corpora alleges that she would suffer emotional harm if there were fewer cranes and her recreational and educational interests would be harmed if the permit affects the whooping cranes or their habitat.

TAP's hearing request should be denied because it has not shown that it is an affected person. Based on the address provided on behalf of Al and Diane Johnson (owners of The Johnson Ranch and The Crane House Retreat at 501 N. Palmetto Street, Lamar, Texas 78382), it is unclear whether the Johnsons' property extends to Saint Charles Bay to establish a property interest on Saint Charles Bay. Even if the Johnsons' property extends to Saint Charles Bay, it is unlikely that their property will be affected by decreased inflows from the Guadalupe River as the Johnsons' property is separated by a peninsula and approximately 25 miles from the mouth of the Guadalupe River. Therefore, the Johnsons do not have a personal justiciable interest to establish standing on behalf of TAP.

Based on the address provided on behalf of Debra Corpora (718 N. Live Oak Street, Rockport, Texas), Ms. Corpora's residence is not on the bay but rather a few blocks from the coast and an additional 10 miles further from the Johnsons property and the Guadalupe River. Therefore, it is unlikely that Ms. Corpora's property will be affected by the decreased inflows from the Guadalupe River. Neither the Johnsons nor Ms. Corpora have a sufficient and personal justiciable interest to establish standing on behalf of TAP. Since neither the Johnsons nor Ms. Corpora would have standing to request a hearing in their own right, TAP's hearing request should be denied.

The Executive Director would further note that since the filing of TAP's protest letter, the Fifth Circuit Court of Appeals has reversed the Southern District Court's judgment granting TAP's injunctive relief. *See, The Aransas Project v. Bryan Shaw et al.*, No 13-40317, WL 7069024 (Dec. 15, 2014). Although, the Fifth Circuit held in its decision that TAP alleged sufficient facts concerning the components of standing to pursue the pending federal litigation, those components are broader than the requirements to establish standing in a state administrative hearing concerning water rights under 30 Tex. Admin. Code Chapter 55, Subchapter G because federal law does not require a recreational interest to be coupled with an affected property interest as required under state law pursuant to *Save Our Springs Alliance v. City of Dripping Springs*, 304 S.W. 3d 871, 879-882 (Tex. App. – Austin 2010, pet. denied)(finding that a plaintiff's environmental, scientific, or recreational interests alone do not confer standing in the absence of allegations that the plaintiff has an interest in property affected by the defendants' actions).

### Kerr County

Kerr County alleges that it will be impacted by the permit based on a Memorandum of Understanding that Kerr County entered into with GBRA dated November 22, 1999. Kerr County does not currently own any water rights in the Guadalupe River Basin. Kerr County states that GBRA agreed to reserve sufficient firm yield in Canyon Reservoir and assist Kerr County in obtaining permits to divert water from the Guadalupe River or its tributaries.

Kerr County's hearing request should be denied because it is not an affected person. Kerr County does not hold a water right in the Guadalupe River Basin, and its allegation that it would be affected based on its Memorandum of Understanding with GBRA is a tenuous interest at best. Kerr County's Memorandum of Understanding with GBRA is not an interest that is protected by the Texas Water Code in TCEQ's issuance of water rights permits. In addition a reasonable relationship does not exist between the interests Kerr County claims from their Memorandum of Understanding and TCEQ's issuance of water rights permits. It is also unlikely that the issuance of the draft permit will prevent GBRA from assisting Kerr County in obtaining future water in the Guadalupe River.

### San Antonio Water System

SAWS owns and operates a water supply, distribution system, and wastewater treatment facilities which provide water and wastewater services to customers in San Antonio and surrounding areas. SAWS owns water rights located in the San Antonio River Basin, but owns no water rights in the Guadalupe River Basin. SAWS states that it is currently evaluating an application to authorize conveyance of its groundwater based return flows through state watercourses for subsequent diversion and reuse downstream from GBRA's proposed diversion point.<sup>2</sup> SAWS alleges that its privately owned groundwater-based return flows would be impaired if TCEQ is relying on its groundwater-based return flows being present in state watercourses in evaluating the permit application. GBRA also alleges that GBRA's application will reduce the inflows into San Antonio Bay and potentially shift the burden of meeting the water needs of the whooping crane to SAWS's groundwater based return flows.

SAWS's hearing request should be denied because it has not shown it is an affected person. Specifically, SAWS is not a water rights holder in the Guadalupe River Basin; SAWS water rights are located in the San Antonio River Basin. The pending reuse application that SAWS refers to in its hearing request, has not been permitted. In addition, Staff did not include SAWS's groundwater based effluent in their models to determine that GBRA's permit would not impair freshwater inflows into the bays and estuaries. Further, since the filing of SAWS's protest letter, the Fifth Circuit Court of Appeals has reversed the Southern District Court's judgment granting TAP's injunctive relief. SAWS has failed to show that it is an affected person.

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<sup>2</sup> On August 30, 2013, the date SAWS filed its hearing request, it had not yet submitted its bed and banks application. SAWS's bed and banks application is currently pending before the TCEQ.

## V. CONCLUSION

The Executive Director recommends that the Commission grant the hearing requests of the following entities: 1) Texas Parks and Wildlife Department; 2) the Texas Chapter of Coastal Conservation Association; 3) New Braunfels Utilities; 4) City of Kerrville; and 5) Upper Guadalupe River Authority.

The Executive Director respectfully recommends that the Commission deny the hearing requests of the following entities: 1) Guadalupe River Chapter of Trout Unlimited; 2) National Wildlife Federation; 3) The Aransas Project; 4) Kerr County; and 5) SAWS.

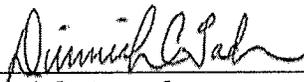
The Executive Director respectfully recommends that the Commission refer this matter to the State Office of Administrative Hearings for a contested case hearing based upon the reasons set forth in the Executive Director's recommendations herein.

Respectfully submitted,

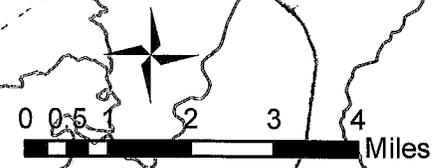
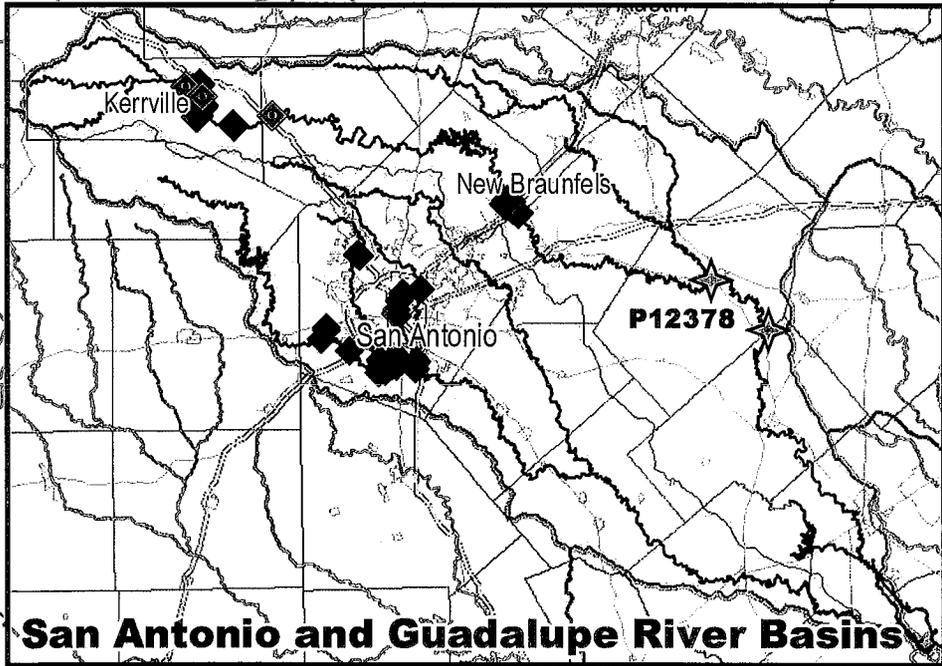
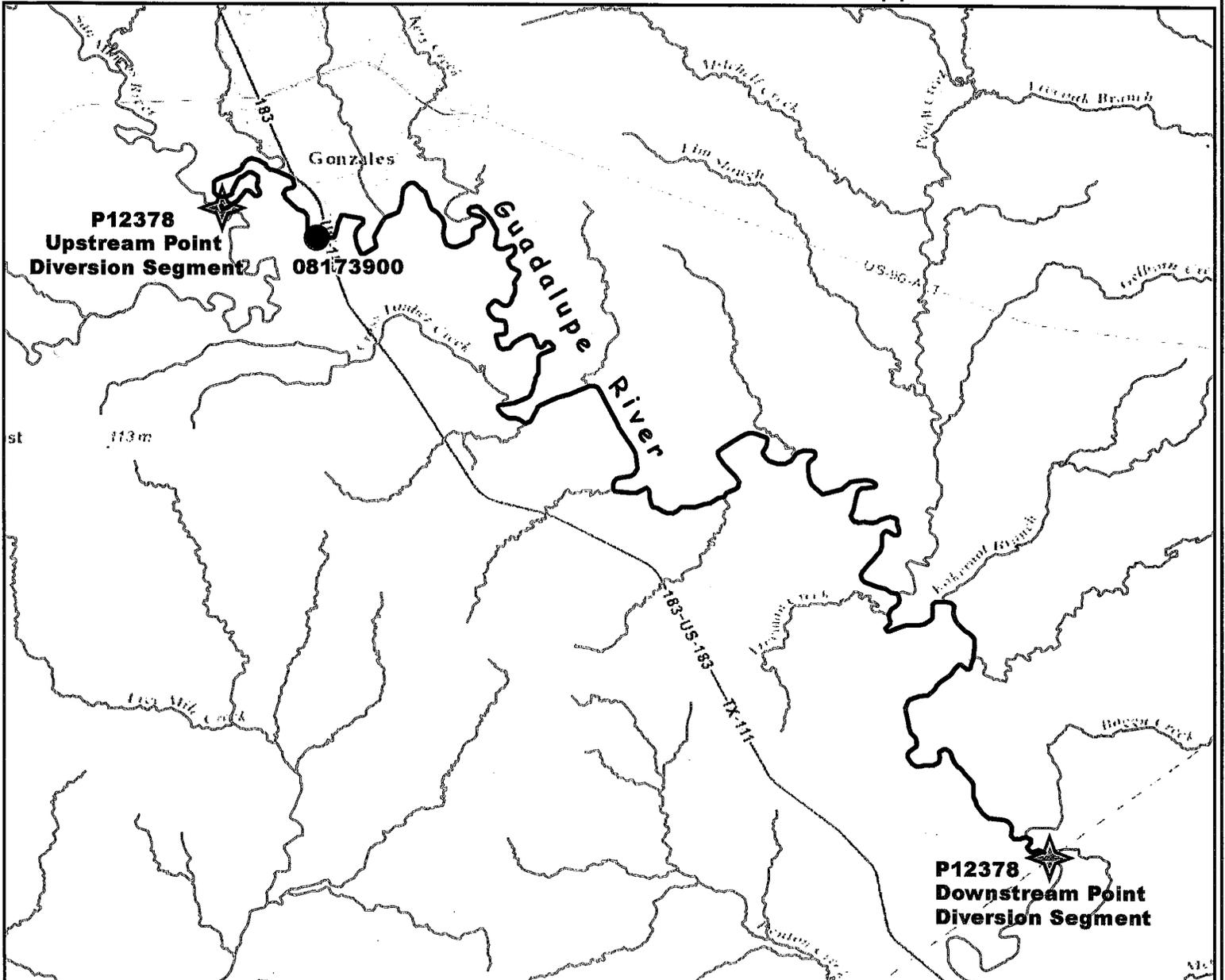
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

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# **Attachment A**



-  Application P12378 - Diversion Segment Endpoints
-  USGS Gage - 08173900
-  Diversion Segment - Guadalupe River
- Protestants with Water Rights**
  -  Upper Guadalupe River Authority
  -  City of Kerrville
  -  New Braunfels Utilities
  -  San Antonio Water System



## CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2015, the "Executive Director's Response to Hearing Requests" was filed with the Office of the Chief Clerk, Texas Commission on Environmental Quality, Austin, Texas was delivered via electronic mail, facsimile, hand delivery, interagency mail, or U.S. Mail to all persons on the attached mailing list



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Dinniah Tadema, Staff Attorney  
Environmental Law Division  
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**MAILING LIST**  
**LAKE CITIES MUNICIPAL UTILITY AUTHORITY**  
**DOCKET NO. 2014-0084-DIS; SOAH DOCKET NO. 582-14-3588**

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