

2016 Watermaster Evaluation

Cypress Creek and Sulphur River Basins

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Why are we here?

- State law requires TCEQ to evaluate each basin that does not have a watermaster program at least once every five years.
- We must report the findings and make recommendations to the Commission.
- The findings and recommendations must be included in the Biennial Report to the Legislature.

Ways a Watermaster May be Established

- The Executive Director (ED) may appoint a watermaster to an established water division.
- A watermaster may be court appointed.
- The Commission may appoint a watermaster on its own motion if senior water rights have been threatened.
- Twenty-five (25) or more water right holders in a river basin or segment of a river basin may petition for a hearing on whether a watermaster should be appointed.

Functions of a Watermaster

- Allocate water between water right holders on the basis of seniority.
- Allocate water to maximize beneficial use.
- Minimize the potential impairment of senior water rights.
- Prevent waste or use in excess of quantities to which water right holders are entitled.

Functions of a Watermaster

- Monitor stream flows, reservoir levels, and water use
- Archive data
- Investigate complaints
- Respond quickly
- Report in real time

Evaluation Criteria

- In September 2011, the Commission established the following criteria to be considered during the evaluation process:
 - Has there been a court order to create a watermaster?
 - Have there been petitions requesting a watermaster?
 - Have senior water rights been threatened, based on either the history of senior calls or water shortages within the basin or the number of water right complaints received on an annual basis in each basin?

What are Senior Water Rights?

- “First in Time, First in Right”
 - Oldest (senior) water rights must be satisfied before the later (junior) water rights.
 - The priority date of a water right establishes that place in line of junior and senior water rights.

How Does a Priority Call Happen?

- If a water right is not getting the water they need which is authorized under their permit, they may make a priority call.
- The TCEQ will evaluate the call and make a determination as to whether or not suspending water rights will provide additional water that can be beneficially used.
- If the agency determines that suspensions would provide the water right with additional water, then junior water rights that are suspended will be notified.

Evaluation

- No court orders for the basins under consideration.
- No active or approved petitions.
- No priority calls.
 - Water shortages have existed due to the extreme drought conditions the State was facing.

Evaluation – Options

- Option 1 – No watermaster recommended for either basin.
- Option 2 – A watermaster program to include both basins under consideration.

Administration Costs

- State law requires that a water right holder in a Watermaster area pay an annual fee.
- Each account will have base fee, plus a fee based on permitted amounts and uses.

Examples of Costs

- Estimated operating costs for implementing a watermaster program in both basins (“Option 2”):
 - \$402,331 for the first year, and \$315,615 for each year thereafter
 - Similar costs based on the number and location of water rights
- The municipal cost per acre-foot (AF) last year in the current Concho River Watermaster Program is \$0.5860 per AF authorized in the water right.
 - *One AF is 325,851 gallons.*
- An irrigator would pay 80% of the municipal rate, which in the current Concho River Program is approximately \$0.47 per acre foot.

Feedback Requested

Comments must be Received at TCEQ By:
Friday, June 24, 2016 @ 5:00 p.m.

Mail comments to:

TCEQ, Water Availability Division

Watermaster Section, MC 160

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FAX: (512) 239-2214

Or e-mail comments to:

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More Information?

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