

2012 Watermaster Evaluation for the Brazos and Colorado River Areas

Staff has completed the initial evaluation of the Brazos and Colorado areas and presents the following for comments by stakeholders. This is staff's initial draft for the Brazos Area.

Brazos Area:

In 2009 the TCEQ received a senior call that resulted in the suspension of water rights with a priority date of 1980 and later (except for municipal and power plant use) in the basin below Lake Whitney that resulted in the suspension of 88 water rights.

In 2011 the TCEQ received a priority call for water that resulted in suspension letters being sent to junior water right holders (except municipal and power plant uses) in May, June and August. There were 600 water rights suspended in the Brazos basin below Possum Kingdom reservoir as a result of the calls. In addition to the senior calls in the lower basin there were two (2) calls made by Domestic and Livestock (D&L) users. While there were no suspensions associated with these calls they were included as part of the evaluation.

Options based on the Brazos findings:

Option 1: Conditions were such in 2009 and 2011 that water users who felt their senior water rights were threatened placed senior calls which resulted in 88 and 600 suspensions, respectively. Water right holders in this area may petition the Commission for a watermaster.

Option 2: This option would establish a watermaster for the entire Brazos River and Brazos-Colorado Coastal Basins. This option is based on the senior calls of 2009 and 2011 in the lower basin that resulted in 88 and 600 suspensions, respectively, as well as the D&L calls and the shortage of water in the upper basin in 2011.

Option 2 Cost Estimate

The estimated operating costs for Option 2 would be **\$674,431.00** for the first year and approximately **\$500,709.00** each year thereafter. These figures are based on the current operating costs for the South Texas Watermaster Program which has similar numbers of water rights permits. For example Option 2 is based on 1245 water right permits and there are 1197 in the South Texas Program.

The estimated average cost per water right holder would be calculated on a cost per acre-foot of authorization based on the municipal and consumptive industrial rate, which is the highest. The current cost per acre-foot in South Texas is approximately **\$0.20 per acre-foot**. However, this rate may vary with use. For example, while a permit for municipal or consumptive industrial use would pay the **\$0.20 per acre-foot** a permit holder for irrigation use would pay 80% of the municipal rate, or **\$0.16** per acre-foot of authorization. There is also a base fee that has historically been **\$50.00**.

***Note:** These estimates would be subject to change should a full assessment be done based on the differences in the types of use in any given basin or portion of a basin in accordance with 30 TAC Section 304.62(a), Determination of Assessment Rates.*

Option 3: This option would establish a watermaster in the Brazos River and Brazos-Colorado Coastal Basins below Possum Kingdom Reservoir. This option is based on the senior calls of 2009 and 2011 in the lower basin that resulted in 88 and 600 suspensions, respectively.

Option 3 Cost Estimate

The estimated operating costs for Option 3 would be **\$595,977.00** for the first year and approximately **\$449,768.00** each year thereafter. These figures are based on the current operating costs for the South Texas Watermaster Program. Option 3 is based on 896 water right permits, and while there are 1197 in the South Texas Program, the cost per acre-foot would be comparable to the **\$0.20** and **\$0.16** described in Option 2. As in Option 2, there is also a base fee that again, has historically been **\$50.00**.

Note: *These estimates would be subject to change should a full assessment be done based on the differences in the types of use in any given basin or portion of a basin in accordance with 30 TAC Section 304.62(a), Determination of Assessment Rates.*

Option 4: Staff is soliciting input from the water right holders on potential options not covered in 2 and 3.