

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 18, 2009

Via Certified Mail

Re: Senior Priority Call on Surface Water in the Brazos River Basin

Dear Water Right Holder:

Due to continuing drought conditions, the Texas Commission on Environmental Quality (TCEQ) received a priority call from a senior water right holder in the Brazos River Basin. You were notified by a letter dated August 10, 2009, that your diversions of surface water should be suspended.

Conditions in the basin have improved. The TCEQ has determined the diversions suspended by that letter may now be permitted to resume temporarily for those rights which have not already diverted the full annual amount under their water right.

Water right holders must still comply with all of the terms contained in their permits, including stream flow restrictions and any other special conditions required by their authorization.

Drought contingency plans (DCP) should continue to be appropriately implemented. In accordance with your DCP, you are required to notify TCEQ when there are changes in your drought response stages. If you have any questions regarding implementation of your DCP, please visit the TCEQ website at the following link:
http://www.tceq.state.tx.us/permitting/water_supply/water_rights/contingency.html.

Water right holders should continue to take any additional actions necessary to conserve water and require your customers, if any, to do the same. The TCEQ has established a website specifically related to drought information that provides tips for water conservation, as well as other helpful information at:
<http://www.tceq.state.tx.us/agency/drought.html>.

TCEQ continues to monitor the situation. Should drought conditions worsen, suspensions of junior water rights may again be necessary. Therefore, the Executive Director of the TCEQ has implemented a process to inform water right holders whether diversions are authorized. Before any diversion, you must call the TCEQ Drought Hotline at **800-447-2827** or check the above-referenced drought web page, and you will be advised whether or not diversions in the lower Brazos River Basin may occur.

If you have any questions, you may contact the TCEQ Drought Hotline at the above number between 8:00 a.m. to 5:00 p.m., Monday through Friday.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark R. Vickery".

Mark R. Vickery, P.G.
Executive Director