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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 23, 2009

Certified Mail

Dear Water Right Holder:

As you are aware, Texas is experiencing widespread drought conditions. The current drought has resulted in low or reduced stream flows. These conditions will likely impact senior and superior water rights holders. This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) may have to administer water rights on a priority basis within your area in the near future if the drought persists.

The TCEQ is responsible for protecting senior and superior water rights, as well as ensuring water rights holders divert state water only in accordance with their water rights permit authorization. In order to protect senior water rights holders, the TCEQ may need to curtail diversion of water on a water right priority basis within your basin. Texas water law specifies that, in times of shortage, water rights will be administered based on the priority date of each water right; that is, the earliest in time is the senior. If you would like information regarding the priority of your right, you may contact the Water Rights Permitting Team.

The Nueces, San Antonio, Guadalupe, Concho and the Rio Grande basins are also experiencing drought conditions but are administered via the TCEQ Watermaster Program. The Watermasters will continue to monitor and enforce water rights in their respective areas.

Since it is not possible to predict how long these low flow conditions will continue, you may wish to investigate alternative sources of water for your immediate needs.

General information about the drought may be found on the TCEQ's website at http://www.tceq.state.tx.us/nav/util_water/drought.html. This site will be updated as the drought continues.

If you have any questions regarding this issue, please contact the Water Rights Permitting Team at (512) 239-4691.

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Rubinstein".

Carlos Rubinstein
Deputy Executive Director
CR/kmr