

Bryan W. Shaw, Ph.D., *Chairman*  
Carlos Rubinstein, *Commissioner*  
Toby Baker, *Commissioner*  
Zak Covar, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 15, 2013

### **CERTIFIED MAIL**

Somervell County Water District  
PO Box 1386  
Glen Rose, TX 76043-1386

Re: Water Use Permit No. 5744

As you are aware, Texas is experiencing widespread drought conditions. Even though portions of Texas have experienced recent rain events, drought conditions persist and no substantial relief is projected. You were previously notified that the Executive Director issued an Order suspending certain diversions in the Brazos River Basin below Lake Possum Kingdom. On December 5, 2012, the Commission voted to affirm that Order and modified it to include the requirements under 30 TAC Chapter 36.5. Your surface water right for **municipal use** was not suspended at that time for public health, safety, and welfare reasons, even though all or part of your water right is junior to the priority call. You provided information under 30 TAC Chapter 36.5 indicating that your current surface water diversion rate is greater than the minimum rate you need to protect public health, safety, and welfare.

**Based on your response, I have issued a modified order adjusting the diversion rate under your surface water right that is junior to February 14, 1942 until further notice. At the present time you are ordered to reduce your surface water diversion rate from the Paluxy River under your surface water right to 7,000 gpm. That order is included in this mailing. Should conditions change such that you need to increase the diversion rate for your surface water right to protect public health, safety, and welfare, please contact Ms. Melissa Keller, TCEQ Water Rights Liaison at 512-239-1768.**

Consistent with the January 8, 2013 Order, now included in the January 15, 2013 Order, suspended water rights may divert or impound water when flows at certain United States Geological Survey (USGS) gages are above specific levels. In addition, during this suspension, you may continue to divert water which was stored under the provisions of the attached Order, under the terms and conditions of your water right.

A hearing before the Commission will be held to affirm, modify, or set aside the order. This matter is scheduled for consideration at the Commission Agenda on January 30, 2013 at 9:30 a.m. at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.

Somervell County Water District

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January 15, 2013

The TCEQ continues to monitor the situation closely. Water is a precious resource – all Texans are encouraged to conserve, especially during times of drought. Should senior needs not be fulfilled as a result of these suspensions, please be aware that TCEQ may take additional actions to enforce the priority call. If conditions improve, we may be able to lift restrictions.

You may find additional drought information on TCEQ's drought web page at: <http://www.tceq.texas.gov/response/drought> or by contacting the TCEQ Drought Hotline at 1-800-447-2827. You may also contact your TCEQ Regional Office or Ms. Melissa Keller at 512-239-1768 should you have additional questions on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Zak Covar". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Zak Covar  
Executive Director

Enclosure

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### **CERTIFIED MAIL**

City of Robinson  
Public Works Dept.  
111 W Lyndale Avenue  
Robinson, TX 76706-5658

Re: Water Use Permit No. 5085

As you are aware, Texas is experiencing widespread drought conditions. Even though portions of Texas have experienced recent rain events, drought conditions persist and no substantial relief is projected. You were previously notified that the Executive Director issued an Order suspending certain diversions in the Brazos River Basin below Lake Possum Kingdom. On December 5, 2012, the Commission voted to affirm that Order and modified it to include the requirements under 30 TAC Chapter 36.5. Your surface water right for **municipal use** was not suspended at that time for public health, safety, and welfare reasons, even though all or part of your water right is junior to the priority call. You provided information under 30 TAC Chapter 36.5 indicating that your current surface water diversion rate is greater than the minimum rate you need to protect public health, safety, and welfare.

**Based on your response, I have issued a modified order adjusting the diversion rate under your surface water right that is junior to February 14, 1942 until further notice. At the present time you are ordered to reduce your surface water diversion rate under your surface water right to 1,250 gpm. That order is included in this mailing. Should conditions change such that you need to increase the diversion rate for your surface water right to protect public health, safety, and welfare, please contact Ms. Melissa Keller, TCEQ Water Rights Liaison at 512-239-1768.**

Consistent with the January 8, 2013 Order, now included in the January 15, 2013 Order, suspended water rights may divert or impound water when flows at certain United States Geological Survey (USGS) gages are above specific levels. In addition, during this suspension, you may continue to divert water which was stored under the provisions of the attached Order, under the terms and conditions of your water right.

A hearing before the Commission will be held to affirm, modify, or set aside the order. This matter is scheduled for consideration at the Commission Agenda on January 30, 2013 at 9:30 a.m. at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.

City of Robinson  
Page 2  
January 15, 2013

The TCEQ continues to monitor the situation closely. Water is a precious resource – all Texans are encouraged to conserve, especially during times of drought. Should senior needs not be fulfilled as a result of these suspensions, please be aware that TCEQ may take additional actions to enforce the priority call. If conditions improve, we may be able to lift restrictions.

You may find additional drought information on TCEQ's drought web page at: <http://www.tceq.texas.gov/response/drought> or by contacting the TCEQ Drought Hotline at 1-800-447-2827. You may also contact your TCEQ Regional Office or Ms. Melissa Keller at 512-239-1768 should you have additional questions on this matter.

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January 15, 2013

### **CERTIFIED MAIL**

City of Clifton  
PO Box 231  
Clifton, TX 76634-0231

Re: Certificate of Adjudication No. 12-2291 & Water Use Permit No. 5551

As you are aware, Texas is experiencing widespread drought conditions. Even though portions of Texas have experienced recent rain events, drought conditions persist and no substantial relief is projected. You were previously notified that the Executive Director issued an Order suspending certain diversions in the Brazos River Basin below Lake Possum Kingdom. On December 5, 2012, the Commission voted to affirm that Order and modified it to include the requirements under 30 TAC Chapter 36.5. Your surface water right for **municipal use** was not suspended at that time for public health, safety, and welfare reasons, even though all or part of your water right is junior to the priority call. You provided information under 30 TAC Chapter 36.5 indicating that your current surface water diversion rate is greater than the minimum rate you need to protect public health, safety, and welfare.

**Based on your response, I have issued a modified order adjusting the diversion rate under your surface water right that is junior to February 14, 1942 until further notice. At the present time you are ordered to reduce your combined surface water diversion rate from the North Bosque River under your surface water rights to 4.0 cfs. This diversion rate includes any water you divert for the City of Meridian under its Water Use Permit 5899. That order is included in this mailing. Should conditions change such that you need to increase the diversion rate for your surface water right to protect public health, safety, and welfare, please contact Ms. Melissa Keller, TCEQ Water Rights Liaison at 512-239-1768.**

Consistent with the January 8, 2013 Order, now included in the January 15, 2013 Order, suspended water rights may divert or impound water when flows at certain United States Geological Survey (USGS) gages are above specific levels. In addition, during this suspension, you may continue to divert water which was stored under the provisions of the attached Order, under the terms and conditions of your water right.

City of Clifton  
Page 2  
January 15, 2013

A hearing before the Commission will be held to affirm, modify, or set aside the order. This matter is scheduled for consideration at the Commission Agenda on January 30, 2013 at 9:30 a.m. at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.

The TCEQ continues to monitor the situation closely. Water is a precious resource – all Texans are encouraged to conserve, especially during times of drought. Should senior needs not be fulfilled as a result of these suspensions, please be aware that TCEQ may take additional actions to enforce the priority call. If conditions improve, we may be able to lift restrictions.

You may find additional drought information on TCEQ's drought web page at: <http://www.tceq.texas.gov/response/drought> or by contacting the TCEQ Drought Hotline at 1-800-447-2827. You may also contact your TCEQ Regional Office or Ms. Melissa Keller at 512-239-1768 should you have additional questions on this matter.

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January 15, 2013

### **CERTIFIED MAIL**

City of Meridian  
PO Box 306  
Meridian, TX 76665-0306

Re: Water Use Permit No. 5899

As you are aware, Texas is experiencing widespread drought conditions. Even though portions of Texas have experienced recent rain events, drought conditions persist and no substantial relief is projected. You were previously notified that the Executive Director issued an Order suspending certain diversions in the Brazos River Basin below Lake Possum Kingdom. On December 5, 2012, the Commission voted to affirm that Order and modified it to include the requirements under 30 TAC Chapter 36.5. Your surface water right for **municipal use** was not suspended at that time for public health, safety, and welfare reasons, even though all or part of your water right is junior to the priority call. You provided information under 30 TAC Chapter 36.5 indicating that your current surface water diversion rate is greater than the minimum rate you need to protect public health, safety, and welfare.

**Based on your response, I have issued a modified order adjusting the diversion rate under your surface water right that is junior to February 14, 1942 until further notice. At the present time you are ordered to reduce your combined surface water diversion rate from the North Bosque River under your surface water rights to 4.0 cfs. This diversion rate is in combination with the the City of Clifton's diversion rate under its water rights. That order is included in this mailing. Should conditions change such that you need to increase the diversion rate for your surface water right to protect public health, safety, and welfare, please contact Ms. Melissa Keller, TCEQ Water Rights Liaison at 512-239-1768.**

Consistent with the January 8, 2013 Order, now included in the January 15, 2013 Order, suspended water rights may divert or impound water when flows at certain United States Geological Survey (USGS) gages are above specific levels. In addition, during this suspension, you may continue to divert water which was stored under the provisions of the attached Order, under the terms and conditions of your water right.

City of Meridian  
Page 2  
January 15, 2013

A hearing before the Commission will be held to affirm, modify, or set aside the order. This matter is scheduled for consideration at the Commission Agenda on January 30, 2013 at 9:30 a.m. at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.

The TCEQ continues to monitor the situation closely. Water is a precious resource – all Texans are encouraged to conserve, especially during times of drought. Should senior needs not be fulfilled as a result of these suspensions, please be aware that TCEQ may take additional actions to enforce the priority call. If conditions improve, we may be able to lift restrictions.

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