

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

January 23, 2012

CERTIFIED MAIL

Re: Priority Call Amended in the Neches River Basin

Dear Water Right Holder:

By letter dated November 10, 2011, you were notified that certain non-municipal diversions with a priority date of August 13, 1913 or later in the Neches River Basin had been suspended due to a priority call on surface water from a senior water right holder.

The senior water right holder has now amended the priority call, and in response to the amended call, TCEQ is lifting the suspension of your water right. **You may resume diversion and impoundment according to the terms and conditions of your water right.**

Suspended water rights now include:

- Water right permits junior to the Lower Neches Valley Authority's (LNVA) rights in Sam Rayburn Reservoir and Lake B.A. Steinhagen to which LNVA is not subordinate. These LNVA rights have a priority date of **November 12, 1963**.
- Water right permits junior to LNVA's saltwater barrier permit, which has a priority date of **July 3, 2001**.
- Term water right permits and temporary water right permits.

Water rights for municipal uses, domestic uses, and power generation are excluded from this suspension.

The TCEQ continues to monitor the situation closely and strives to balance protection of senior and superior surface water rights while attempting to minimize the impact to junior water right holders, within TCEQ's authority. Please note that should drought conditions persist or worsen, additional suspensions of junior water rights may again be necessary.

In recognition of the severity of the drought, all water right holders should continue to take actions necessary to conserve water and require your customers, if any, to do the same. You can find drought information, conservation tips, and other helpful information at the TCEQ drought page at: <http://www.tceq.texas.gov/response/drought>.

If you are a municipal water right holder, to help avoid the potential need for future suspensions and to ensure there is enough water for public safety needs, we recommend that you continue to implement your drought contingency plan (DCP).

In accordance with your DCP, you are required to notify TCEQ when there are changes in their drought response stages. You can notify us by using the online form available on the TCEQ drought page referenced above. If you need assistance completing the form, would like to

Water Right Holder

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provide notification by phone, or need answers to any of your questions, you can call our Small Business and Local Government Assistance hotline at 1-800-447-2827.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark R. Vickery". The signature is fluid and cursive, with a large loop at the end of the last name.

Mark R. Vickery, P.G.

Executive Director

Texas Commission on Environmental Quality