

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*

July 20, 2012

Re: Alert for Permitted State Surface Water Diversions

Dear Water Right Holder:

As you are aware, despite recent rains, Texas is experiencing widespread drought conditions. The Texas Commission on Environmental Quality (TCEQ) is closely monitoring the evolving situation. The current drought has resulted in low or reduced stream flows in many areas of the state, and these conditions could impact senior and superior water right holders. 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.

This letter is to inform you that the TCEQ may have to suspend or adjust water rights on a priority basis in some areas of the state.

Texas water law specifies that in times of shortage, permitted water rights will be administered based on the priority date of each water right; that is, the earliest in time is senior. Additionally, certain domestic and livestock use rights are superior in priority to permitted rights.

The TCEQ is responsible for protecting senior and superior water rights, as well as for ensuring water right holders divert state water only in accordance with their permits. In order to protect senior and superior water rights, the TCEQ may need to suspend or adjust diversion of water on a priority basis under 30 Texas Administrative Code (TAC), Chapter 36.

The Nueces, San Antonio, Guadalupe, Concho and the Rio Grande basins are administered by the TCEQ Watermaster Program. The Watermasters will continue to monitor and enforce water rights in those areas.

General information about the drought may be found on the TCEQ's website at: <http://www.tceq.texas.gov/response/drought>. 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 that reads "Richard A. Hyde".

Richard A. Hyde, P.E.  
Deputy Executive Director

Enclosure