

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

August 21, 2012

Re: Response to Priority Call in the San Saba River Watershed of the Colorado River Basin

Mr. Bob Davee
P.O. Box 1222
Hext, Texas 76868

Dear Ms. Davee:

On July 12, 2012, Texas Commission on Environmental Quality (TCEQ) staff received your correspondence requesting a priority call based on your domestic and livestock use of water from the San Saba River. Since that time, TCEQ staff have examined water rights and conducted investigations to determine whether suspension or adjustment of water rights upstream of your property would result in surface water that you could beneficially use at your location.

Staff conducted six field investigations in the San Saba River watershed between June 20, 2012 and July 30, 2012. Staff took flow measurements and photographs at each location. Staff identified dams located above your location that may affect river flows downstream.

Staff also reviewed all water rights above the location of your call, compiled permitted diversion amounts and rates, examined available actual water use data for the previous 10-year period, estimated loss rates, and reviewed on the ground investigation information to determine if suspension or adjustment of water rights would provide sufficient flows passing the location of your call.

We are currently investigating those upstream dams that may unlawfully impede the flow of water. If any of these dams are found to be unauthorized, staff will take enforcement action with the immediate objective being to release impounded flows and allow future inflows to pass for beneficial use downstream.

Evidence from staff's field investigations in early and mid July indicates dry conditions in the watershed and the presence of isolated pools. Under current stream conditions, suspension or adjustment of water rights would not be likely to generate sufficient flow to maintain connectivity between these pools and result in increased river flow at your location.

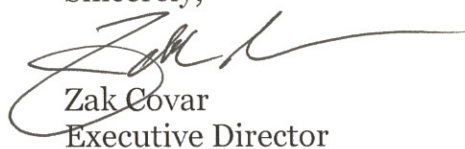
Mr. Bob Davee

Page 2

Consequently, I have determined that, at this time, based on the above information, suspension or adjustment of water rights would not result in surface water at your location in an amount that you could beneficially use, and at this time no suspension or adjustment will be made.

Please maintain contact with the TCEQ and provide weekly updates on flows and usage data to Ms. Amy Settemeyer at the TCEQ Central Office in Austin at 512-239-2588.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zak Covar', with a long horizontal flourish extending to the right.

Zak Covar
Executive Director