

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 26, 2013

The Honorable Daniel Neal
McCullouch County
199 Courthouse Square, Room 202
Brady, Texas 76825

Re: Water Rights Suspended in the San Saba River Watershed of the Colorado River Basin

Dear Judge Neal:

By letter dated April 5, 2013, you were alerted that the Texas Commission on Environmental Quality (TCEQ) may have to suspend or adjust water rights on a priority basis due to drought conditions. The TCEQ has received multiple priority calls on surface water from domestic and livestock water users in the San Saba River watershed of the Colorado River Basin. In accordance with the Texas Water Code (TWC), §5.013(a)(1), the TCEQ is responsible for enforcing water rights, which requires protecting senior and superior surface water rights, and must take action in response to the priority call.

With no immediate relief forecasted, the **TCEQ is now suspending or adjusting certain diversions in the San Saba River watershed.** Suspended or adjusted water rights include water right permits with a priority date of January 1, 1900 and later and term water right permits as indicated in the enclosed order. Temporary water right permits have also been suspended. Exempt domestic and livestock diversions are not subject to this suspension because they are superior in priority to permitted rights.

Multiple program areas at the TCEQ are actively engaged in the oversight of available water supplies statewide. We are working with municipalities that face potential shortfalls of available drinking water. There is a common understanding in all of our programmatic efforts that our decisions have profound impacts on the people of Texas. We are weighing our decisions judiciously, paying particular attention to those potential impacts.

Additionally, the TCEQ is soliciting your help in disseminating appropriate information to affected parties in the San Saba River watershed communities. If this drought cycle worsens, it will be very important that all residents living and working in the San Saba River watershed are well informed. 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. We have also activated the TCEQ Drought Hotline at 1-800-447-2827.

A hearing before the Commission on whether to affirm, modify, or set aside the suspension order is scheduled for consideration at the Commission Agenda on October 9, 2013, at 9:30 a.m. at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753. A copy of the suspension order is enclosed for your reference.

The Honorable Daniel Neal

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August 26, 2013

Should you have questions or need additional information, please contact L'Oreal W. Stepney, P.E., Deputy Director, Office of Water at 512-239-1321.

Sincerely,

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

Zak Covar
Executive Director

Enclosure

Bryan W. Shaw, Ph.D., *Chairman*
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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 26, 2013

The Honorable Richard Cordes
Menard County
P.O. Box 1038
Menard, Texas 76859

Re: Water Rights Suspended in the San Saba River Watershed of the Colorado River Basin

Dear Judge Cordes:

By letter dated April 5, 2013, you were alerted that the Texas Commission on Environmental Quality (TCEQ) may have to suspend or adjust water rights on a priority basis due to drought conditions. The TCEQ has received multiple priority calls on surface water from domestic and livestock water users in the San Saba River watershed of the Colorado River Basin. In accordance with the Texas Water Code (TWC), §5.013(a)(1), the TCEQ is responsible for enforcing water rights, which requires protecting senior and superior surface water rights, and must take action in response to the priority call.

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 26, 2013

The Honorable Charley Bradley
Schleicher County
P.O. Box 536
Eldorado, Texas 76936

Re: Water Rights Suspended in the San Saba River Watershed of the Colorado River Basin

Dear Judge Bradley:

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The Honorable Charley Bradley

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 26, 2013

The Honorable Allen Amos
Concho County
P.O. Box 158
Paint Rock, Texas 76866

Re: Water Rights Suspended in the San Saba River Watershed of the Colorado River Basin

Dear Judge Amos:

By letter dated April 5, 2013, you were alerted that the Texas Commission on Environmental Quality (TCEQ) may have to suspend or adjust water rights on a priority basis due to drought conditions. The TCEQ has received multiple priority calls on surface water from domestic and livestock water users in the San Saba River watershed of the Colorado River Basin. In accordance with the Texas Water Code (TWC), §5.013(a)(1), the TCEQ is responsible for enforcing water rights, which requires protecting senior and superior surface water rights, and must take action in response to the priority call.

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The Honorable Allen Amos

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August 26, 2013

The Honorable Byron Theodosis
San Saba County
Courthouse, 500 East Wallace
San Saba, Texas 76877

Re: Water Rights Suspended in the San Saba River Watershed of the Colorado River Basin

Dear Judge Theodosis:

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