

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*

May 5, 2011

Re: Alert for Permitted State Surface Water Diversions in the Colorado River Basin

Dear Water Right Holder:

By letter dated April 11, 2011, you were alerted that diversions of state surface water may be suspended or curtailed due to drought conditions. The Texas Commission on Environmental Quality (TCEQ) has now received a priority call on surface water from a senior water right holder. In accordance with the Texas Water Code (TWC), §5.013(a)(1), the TCEQ is responsible for enforcing water rights, which requires protecting senior surface water rights and must take action in response to the senior priority call.

The TCEQ is monitoring the situation closely and strives to balance protection of the senior surface water rights while attempting to minimize the impact to junior water right holders, within TCEQ's authority. Should senior needs continue to be unmet, please be aware that TCEQ may suspend certain diversions to protect the senior water rights.

The most senior water rights are served first during times of drought with domestic and livestock uses superior to any appropriated rights. Water rights are suspended or curtailed by priority date, with the most recently issued – or “junior” – priority users suspended before senior water rights in the area.

You may find additional drought information on TCEQ's drought web page, located at: <http://www.tceq.texas.gov/agency/drought.html> or by contacting the TCEQ Drought Hotline at 1-800-447-2827. You may also contact the Abilene Regional Office at 325-698-9674 or Ms. Amy Settemeyer, Water Rights Liaison, at the TCEQ Central Office in Austin at 512-239-2588 should you have additional questions on this matter.

Sincerely,

A handwritten signature in black ink that reads "Ramiro Garcia, Jr." in a cursive style.

Ramiro Garcia, Jr., Area Director  
Office of Compliance and Enforcement