



## TCEQ GENERAL INFORMATION

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External Relations Division  
GI-640b • November 2024

# Public Meetings on Water Right Permit Applications

## Purpose of this Meeting

This public meeting provides information about a water right permit application and allows members of the public to ask questions of the applicant and TCEQ and provide formal comments on the application.

## What is a Water Right

State water is defined as the water of every river, natural stream, and lake; every bay and arm of the Gulf of Mexico; and the stormwater, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watercourse in the state. State water also includes the underflow of a river.

If a person wants to divert, use, or store state water—or use the bed and banks of a watercourse to convey water—a state water right permit is required, unless the water is being used for one of several specifically exempt uses.

Water rights are subject to the prior appropriation doctrine “first in time is first in right,” and are assigned priority dates that determine their place in line for available water. Permits with earlier priority dates (senior water rights) are entitled to water before permits with later dates (junior water rights).

## How TCEQ Reviews Water Right Applications

An application review involves two steps: an Administrative Review and then a Technical Review. During the Administrative Review, TCEQ staff reviews the application to make sure the applicant has completed all required administrative items. If the application includes the required information, the application is considered administratively complete, which establishes the priority date for new water rights.

Once staff determine an application is administratively complete, technical review begins. The technical review includes:

1. A Conservation Review that looks at whether the applicant’s adopted Water Conservation and Drought Contingency Plans met the requirements in TCEQ’s rules and whether the application is consistent with the State and Regional Water Plans.
2. An Instream Review that looks at whether the application would affect instream uses in rivers.
3. A Hydrology Review that looks at whether there is enough water in the river or stream to support a new permit and whether other water rights would be affected by the application.
4. A Dam Safety review if one is required.

Once the technical review is complete, a draft permit and public notice are prepared. For new water rights, notice is mailed to all water right holders in the river basin and published in a newspaper. For more information on water right permits visit [www.tceq.texas.gov/goto/w-rights](http://www.tceq.texas.gov/goto/w-rights).

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## **Issues TCEQ Cannot Consider for Water Right Permit Applications**

TCEQ does not have the authority to consider the project location or cost, wastewater discharges, or potential effects on *property values*, *future use plans*, or *zoning* when determining whether to approve or deny a water right permit application. Applicants must comply with local government requirements for zoning. **Traffic patterns, roadway design, and traffic safety** are regulated by the Texas Department of Transportation.

## **For More Information**

For questions about the permitting process, call or email our Public Education Program at 800-687-4040 or [pep@tceq.texas.gov](mailto:pep@tceq.texas.gov).

You can also view pending permit applications, find information on public meetings and contested case hearings, provide comments, request accommodations, and more on our website at [www.tceq.texas.gov/goto/participation](http://www.tceq.texas.gov/goto/participation).