

Lake Mineral Wells Pass-Through Plan
Certificate of Adjudication 12-4039
City of Mineral Wells, Texas
August 14, 2013

Background and Purpose

The City of Mineral Wells (City) owns and operates Lake Mineral Wells under Certificate of Adjudication 12-4039 (CA 12-4039) which authorizes the City to impound 7,065 acft in Lake Mineral Wells and to divert 1,680 acft/yr for municipal purposes at a November 15, 1920, priority date with an additional authorization to divert 840 acft/yr for municipal use at a March 22, 1943, priority date. TCEQ issued an Order on July 2, 2013 (TCEQ Order), that called for the suspension of the refilling of the junior portion of the City's water right subject to the senior call by the Dow Chemical company (with a priority date of February 14, 1942) during those days when streamflow as measured at the USGS gage located on the Brazos River near Glen Rose is below 106 cfs. The City has developed the following pass through plan (PTP) which describes how the City intends to comply with the TCEQ Order. **The City is currently not utilizing its junior portion of this water right, therefore it is not required to pass inflows under the order. However, this plan is submitted to address any future order where the priority date of the order may be senior to November 15, 1920 or the City begins to utilize their junior portion of this water right.**

City's Pass-Through Plan for Lake Mineral Wells

The City's recent use from Lake Mineral Wells is significantly less than their 1920 right to divert up to 1,680 acft/yr. Therefore the City does not anticipate using junior (1943) water from Lake Mineral Wells in 2013. However, to ensure a record exists to confirm that the City's diversions do not exceed their 1920 annual diversion quantity, the City will record daily diversions from Lake Mineral Wells in the attached Pass-Through Plan Accounting Document (PTPAD). If, in the future, it appears that the City may divert under their junior (1943) provision of CA 12-4039, they will notify TCEQ and modify the PTP and associated PTPAD to show compliance with the current TCEQ Order regarding senior calls in the Brazos River Basin.

City to Cooperate with Palo Pinto County Municipal Water District No. 1 on Pass-Through Plan

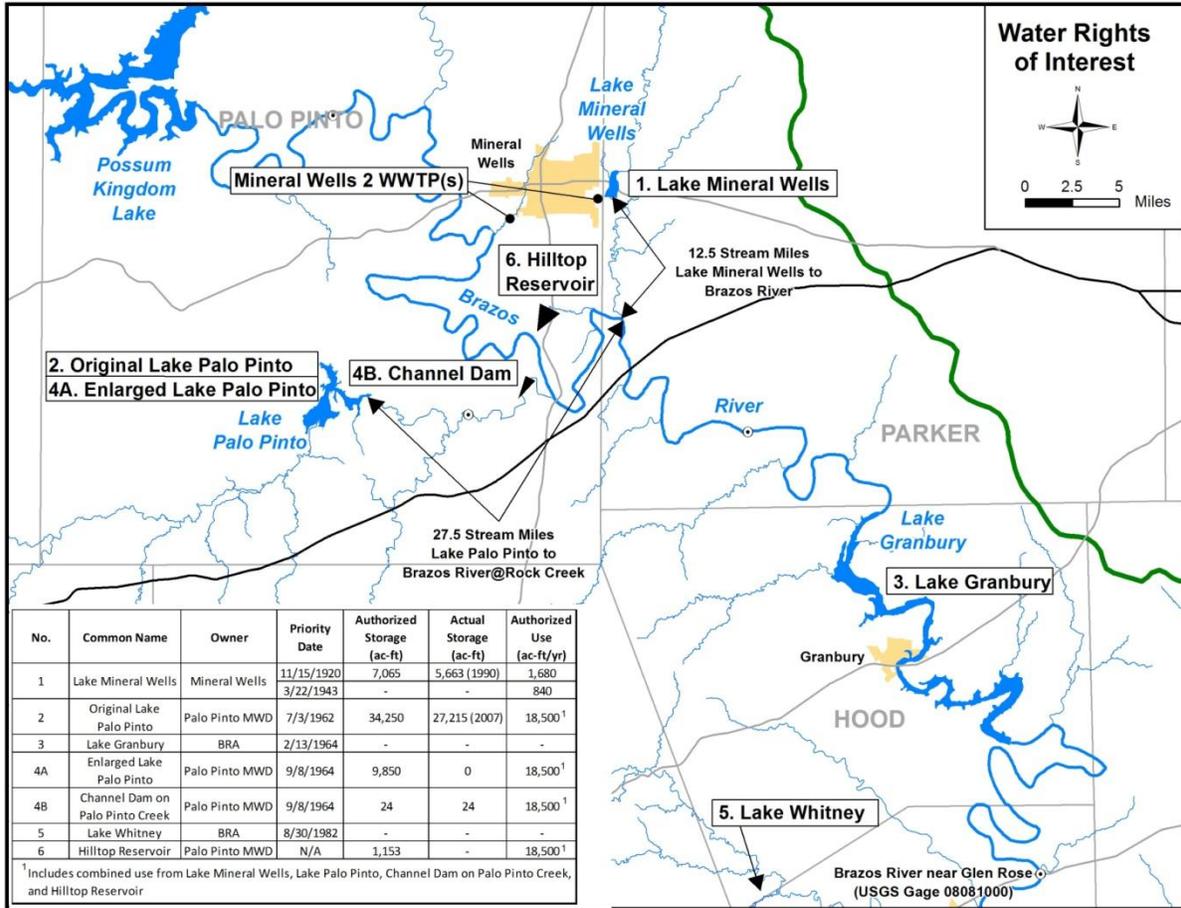
The City's recent water use together with the Palo Pinto County Municipal Water District No. 1's (District) recent water use, is well below their combined authorized diversion limit from all sources (including: Lake Palo Pinto, Palo Pinto Creek, Hilltop Reservoir and Lake Mineral Wells) of 18,500 acft/yr. Therefore, special condition 5.D in CA 12-4031 is not anticipated to impact this PTP in 2013.

To the extent the District is required to make pass-throughs for senior water rights under their Lake Palo Pinto, Palo Pinto Creek and Hilltop Reservoir water rights, if requested by the District, the City will work with the District to make releases from Lake Mineral Wells to help fulfill the District's required pass-through quantity. Currently the maximum discharge rate from Lake Palo Pinto is limited to about 17 cfs. The attached figure shows that the distance that water released from Lake Mineral Wells would need to travel to reach the main stem of the Brazos River is less than ½ the distance that water from Lake Palo Pinto would have to travel to the same location thereby reducing channel losses.

Contact:

For information regarding this PTP or PTPAD, contact:

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