

Texas Commission on Environmental Quality

Water Rights Application Notice (WRAN)  
Advisory Group

Water Supply Division, Water Rights Permitting and Availability Section  
November 19, 2007  
Building F, Room 2210  
1:30 PM

**Minutes**

For attendees, please see the sign in list.

- Approval of minutes and agenda from previous meeting.

The group approved the minutes for the November 5, 2007 WRAN meeting and the agenda for the current meeting.

- Review and Discussion of Proposed WRAN recommendations and comments.

The group discussed the following items:

1. The types of amendment application that would require the new notice procedure.
2. The TCEQ amendment application form should be changed to include the public interest criteria as outlined in the *Marshall* case for amendment subject to Water Code §11.122 (b).
3. The amendment application form should also include the option to request published and mailed notice to the water right holders in the basin.
4. If the applicant does not elect to publish and mail notice of the amendment, then a 30 day announcement of the application will be given to the described individuals for comments.
5. After technical review, technical memorandum by TCEQ which will address the public interest criteria and notice determination will be also be given

6. De minimus impacts, diversion amounts 500 acre-feet or less, will not require notice, but the announcement shall provide that unless an issue is raised in response to the announcement, no further notice will be given.
7. Notice will not routinely be required for corrections of clerical error and amendments that replace all existing provisions of a water right but do not add or delete any substantive change. The Executive Director may require notice even in an application of this nature, if special conditions warrant it.
8. If notice is required, the notice shall limit the issue the Commission will consider.
9. The Executive Director's decision on who will receive notice does not preclude the Executive Director recommending that those persons or class of persons is not an affected party for purposes of granted a contested.
10. If the Executive Director's decision is to not issue notice, then an announcement (which may include a final permit) will be sent to all persons who responded to the original announcement and the decision will be posted on the agency's web site.

For each of the items discussed the group recommended changes. The suggested revisions were agreed to by the group.

Todd will revise the draft proposal and send to the group for comments