

CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 03-4836      OWNER: City of Texarkana  
Texarkana Water & Sewer  
Systems  
P. O. Box 2008  
Texarkana, Texas 75501

COUNTIES: Bowie and Cass      PRIORITY DATES: March 5, 1951;  
February 17, 1957;  
September 19, 1967  
and May 18, 1981

WATERCOURSE: Sulphur River      BASIN: Sulphur River

WHEREAS, by final decree of the 202nd Judicial District Court of Bowie County, in Cause No. 86-C1702-202 In Re: The Adjudication of Water Rights in the Sulphur River Basin dated December 17, 1986 a right was recognized under Permit 1563C authorizing the City of Texarkana to appropriate waters of the State of Texas as set forth below;

WHEREAS, the United States of America, pursuant to the Flood Control Act of 24 July 1946 (Public Law 526, 79th Congress, 2nd Session), has constructed and operates and maintains the Wright Patman Dam and Reservoir on the Sulphur River in Cass and Bowie Counties;

WHEREAS, on the 16th day of September, 1968, the City of Texarkana entered into a contract (DACW-29-69-C-0019) with the United States of America for storage space of water in Wright Patman Reservoir;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Sulphur River Basin is issued to the City of Texarkana, subject to the following terms and conditions:

1. IMPOUNDMENT

Owner is authorized to impound water in a Reservoir (Wright Patman Reservoir) located on the Sulphur River which is owned by the United States of America and operated by the Corps of Engineers in accordance with the following impoundment schedule. The Dam is located in the Jesse M. C. Paxton Survey, Abstract 830 in Cass County; the A. H. Elliott Survey, Abstract 196; the W. D. Schocklie Survey, Abstract 528; the G. A. Sims Survey, Abstract 558; the T. & P. RR Company Survey, Abstract 595; the John T. Watson Survey, Abstract 649; the William White Survey, Abstract 679 and the Charles Caldwell Survey, Abstract 823 in Bowie County, Texas.

*Max elev. of role curve*

<u>Month</u>	<u>Maximum Impoundment and Elevation</u>
January	224.9 (265,300 acre-feet)
February	224.9 (265,300 acre-feet)
March	224.9 (265,300 acre-feet)
April	226.8 (325,300 acre-feet)
May	228.6 (385,800 acre-feet)
June	228.6 (386,900 acre-feet)
July	228.5 (380,800 acre-feet)
August	227.8 (355,700 acre-feet)
September	226.8 (324,900 acre-feet)
October	226.1 (302,000 acre-feet)
November	225.5 (282,600 acre-feet)
December	225.2 (273,600 acre-feet)

2. USE

- A. Owner is authorized to divert and use not to exceed 45,000 acre-feet of water per annum from the aforesaid reservoir for municipal purposes.
- B. Owner is also authorized to divert and use not to exceed 135,000 acre-feet of water per annum from the aforesaid reservoir for industrial purposes.
- C. Owner is further authorized to transfer water lawfully diverted under the provisions of Paragraphs A and B above, from Wright Patman Reservoir in the Sulphur River Basin, the basin of origin, for use in the Cypress Creek Basin and in the Red River Basin in the following amounts and for the indicated purposes:
  - (1) Not to exceed 4500 acre-feet of water per annum may be diverted from the Sulphur River Basin to the Cypress Creek Basin for municipal purposes.
  - (2) Not to exceed 4500 acre-feet of water per annum may be diverted from the Sulphur River Basin to the Cypress Creek Basin for industrial purposes.
  - (3) Not to exceed 6500 acre-feet of water per annum may be diverted from the Sulphur River Basin to the Red River Basin for municipal purposes.
  - (4) Not to exceed 5000 acre-feet of water per annum may be diverted from the Sulphur River Basin to the Red River Basin for industrial purposes.

3. DIVERSION

A. Location:

- (1) At a point on the perimeter of the aforesaid reservoir in the M.E.P. & P. RR Company Survey, Abstract 422, Bowie County, Texas.
- (2) At a point on the perimeter of the aforesaid reservoir in the James Giles Survey, Abstract 404, Cass County, Texas.
- (3) At a point on the perimeter of the aforesaid reservoir in the Jesse M. C. Paxton Survey, Abstract 830, Cass County, Texas.

B. Maximum combined rate: 320.00 cfs (144,000 gpm).

4. PRIORITY

- A. The time priority of owner's right is March 5, 1951 for the diversion and use of the first 14,572 acre-feet of water for municipal purposes.
- B. The time priority of owner's right is February 17, 1957 for the diversion and use of the next 10,428 acre-feet of water for municipal purposes and the first 35,000 acre-feet of water for industrial purposes.
- C. The time priority of owner's right is September 19, 1967 for the diversion and use of the remaining 20,000 acre-feet of water for municipal purposes and 100,000 acre-feet of water for industrial purposes.
- D. The time priority of owner's right is May 18, 1981 for the transbasin diversions of water.

5. SPECIAL CONDITIONS

- A. Persons or entities who may acquire (other than as customers of the city's municipal water system) the right to use water authorized to be appropriated hereunder shall obtain permits from the Commission before commencing use of such water.
- B. Owner shall maintain continuous reservoir content and lake level measuring station; record all discharges through the reservoir and maintain daily record of all diversions from said reservoir. All records shall be compiled monthly and reported to the Commission annually.

Certificate of Adjudication 03-4836

The locations of pertinent features related to this certificate are shown on Page 12 of the Sulphur River Basin Certificates of Adjudication Maps, copies of which are located in the office of the Texas Water Commission, Austin, Texas.

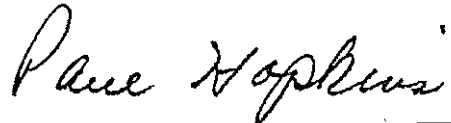
This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 202nd Judicial District Court of Bowie County, Texas, in Cause No. 86-C1702-202 In Re: The Adjudication of Water Rights in the Sulphur River Basin dated December 17, 1986 and supersedes all rights of the owner asserted in that cause.

This certificate of adjudication is issued subject to senior and superior water rights in the Sulphur River Basin.

This certificate of adjudication is issued subject to the obligations of the State of Texas pursuant to the terms of the Red River Compact.

This certificate of adjudication is issued subject to the Rules of the Texas Water Commission and its continuing right of supervision of State water resources consistent with the public policy of the State as set forth in the Texas Water Code.

TEXAS WATER COMMISSION




Paul Hopkins, Chairman

DATE ISSUED:

MAR 31 1987

ATTEST:

  
Mary Ann Hefner, Chief Clerk