CERTIFICATE OF ADJUDICATION

CERTIFICATE OF ADJUDICATION: 04-4565

OWNER: City of Mount Pleasant
P. O. Box 231
Mount Pleasant, Texas
75455

COUNTY: Titus

PRIORITY DATE: August 22, 1955

WATERCOURSE: Tankersley Creek, tributary of Cypress Creek (Lake Tankersley)

BASIN: Cypress Creek

WHEREAS, by final decree of the 188th Judicial District Court of Gregg County, in Cause No. 86-257-A, In Re: The Adjudication of Water Rights in the Cypress Creek Basin dated June 9, 1986 a right was recognized under Permit 1783 authorizing the City of Mount Pleasant to appropriate waters of the State of Texas as set forth below;

WHEREAS, by amendment to Permit 1783, issued on July 25, 1983, the Texas Water Commission authorized the use of 550 acre-feet of water per annum for industrial purposes at a diversion rate of 1.36 cfs (610 gpm) with a reduction of the same amount of water per annum from municipal purposes and authorized recreation use of the water impounded in Lake Tankersley;

NOW, THEREFORE, this certificate of adjudication to appropriate waters of the State of Texas in the Cypress Creek Basin is issued to the City of Mount Pleasant, subject to the following terms and conditions:

1. IMPOUNDMENT

Owner is authorized to maintain an existing dam and reservoir on Tankersley Creek (Lake Tankersley) and impound therein not to exceed 2700 acre-feet of water. The dam is located in the John Thompson Survey, Abstract 566, Titus County, Texas.

2. USE

A. Owner is authorized to divert and use not to exceed 1680 acre-feet of water per annum from the aforesaid reservoir for municipal purposes.

B. Owner is authorized to divert and use not to exceed 550 acre-feet of water per annum from the aforesaid reservoir for industrial purposes at a maximum diversion rate of 1.36 cfs (610 gpm).

C. Owner is also authorized to use the impounded water of the aforesaid reservoir for recreation purposes.

3. DIVERSION

A. Location:
At the perimeter of the aforesaid reservoir.

B. Maximum combined rate: 9.26 cfs (4167 gpm).

4. PRIORITY

The time priority of owner's right is August 22, 1955.

5. SPECIAL CONDITION

Owner shall maintain a suitable outlet in the aforesaid dam authorized herein to allow the free passage of water that owner is not entitled to divert or impound.

The locations of pertinent features related to this certificate are shown on Page 3 of the Cypress Creek Basin Certificates of Adjudication Maps, copies of which are located in the offices of the Texas Water Commission, Austin, Texas and the Titus County Clerk.

This certificate of adjudication is issued subject to all terms, conditions and provisions in the final decree of the 188th Judicial District Court of Gregg County, Texas, in Cause No. 86-257-A, In Re: The Adjudication of Water Rights in the Cypress Creek Basin dated June 9, 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 Cypress Creek 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

Paul Hopkins, Chairman

DATE ISSUED:

OCT 13 1986

ATTEST:

Mary Ann Hefner

Mary Ann Hefner, Chief Clerk