



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Water Utilities
CM/DCM/ACM: Christine Taylor
DATE: August 4, 2026

SUBJECT

Consider approval of an ordinance of the City of Denton, a Texas home-rule municipal corporation, authorizing the City Manager, or their designee, to protest water rights applications filed with the Texas Commission on Environmental Quality or its successor agency; ratifying past water rights application protests; and providing an effective date.

STRATEGIC ALIGNMENT

This action supports the Key Focus Area: Enhance Infrastructure and Mobility.

BACKGROUND

State surface water is held in trust by the State of Texas for the use and benefit of the public and can only be appropriated pursuant to state law. Water rights allow the holder to appropriate a specified amount of state surface water in particular locations, for stated purposes, and within a defined area.

The City is a water rights holder in Lewisville Lake and Ray Roberts Lake pursuant to Certificates of Adjudication Nos. 08-2348 and 08-2335, which are the City's primary sources of water supply. The City relies on its water rights when making large investments in water infrastructure, planning for growth, and making commitments to its wholesale customers. Water rights applications (i.e. new or amended water use permits, interbasin transfer permits, or bed and banks permits) filed with the TCEQ may impair Denton's water rights and otherwise interfere with their use.

To protect the City's water rights and its investment in its water infrastructure the City needs to protest water rights applications. To protest the City must, among other actions, evaluate water rights permitting impacts on the City's water supply, prepare arguments and submit filings, such as hearing requests, to the TCEQ Office of the Chief Clerk and to negotiate settlements and permit conditions with applicants and the TCEQ.

Due to the regulatory timing for submitting protests, depending on when the City receives actual notice, the circumstances surrounding the application, the details of the application, and to protect and maintain the integrity of the City's water supplies, the City's long-range water supply planning, and the local environment, the Denton City Manager, or their designee, needs the ability to efficiently and expeditiously prepare and submit filings, as needed.

RECOMMENDATION

Staff recommends approval of the ordinance.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

N/A

EXHIBITS

Exhibit 1: Agenda Information Sheet

Exhibit 2: Ordinance

Respectfully submitted:
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Water Utilities and Street Operations
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For information concerning this ordinance, contact: Denis Qualls at 940-349-8086

Legal point of contact: Christopher Mullins at 940-349-8114