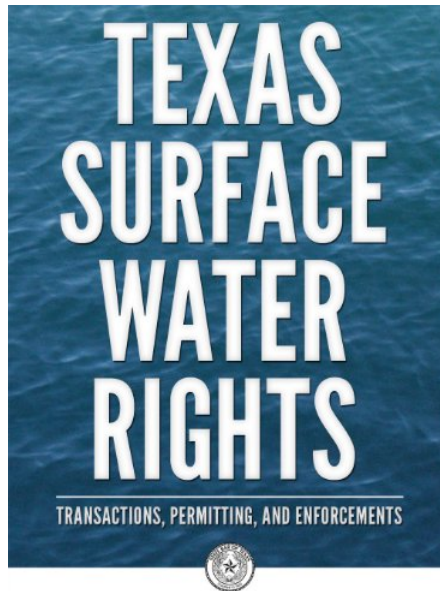


G3QbQ [Free PDF File] Texas Surface Water Rights: Transactions, Permitting, and Enforcement



CONTINUE ►

The chapters in this book are selected from *Essentials of Texas Water Resources*, edited by Mary K. Sahs, a project of the State Bar of Texas Environmental & Natural Resources Law Section (State Bar of Texas, 2009). Chapter 1: Surface Water Rights Transactions, discusses the major issues and practical considerations involved in real property transactions of appropriative surface water rights. Topics include a summary of the law of real property ownership rights in appropriative surface water rights, a description and comparison of the primary methods for conveying or acquiring surface water rights, due diligence considerations, key issues in water rights purchases and leases, and the Texas Water Bank and Water Trust and irrigation rights. Chapter 2: Surface Water Rights Permitting, discusses the acquisition and amendment of permanent surface water rights through the TCEQ. Topics include the administrative process for applications to appropriate water, TCEQ's technical review of the application, interbasin transfers, bed and banks permits, amendments to surface water rights, and exceptions from permitting and limited permits. Chapter 3: Special Issues in Water Rights Permitting, addresses four controversial and evolving issues in water rights permitting, including reuse, cancellation of water rights, interbasin transfers, and the "four corners

doctrine,” all of which involve actions or policies that can be used to either stretch water resources or limit the amount of state agency administrative review required for a water project. Chapter 4: Multi-Jurisdictional Water Rights, explores the interstate river compacts to which Texas is a party, the international treaties that apportion water in the Rio Grande, and the unique characteristics of water rights in the Lower and Middle Rio Grande. Chapter 5: Water Rights Enforcement, covers Texas Water Code violations, which range from unlawful use of water to dam safety and levee constructions violations; TCEQ administrative penalties and civil enforcement remedies; TCEQ enforcement procedures in both watermaster and nonwatermaster areas; and private enforcement of water rights.

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