BILL ANALYSIS

H.B. 1756
By: Hilderbran
Natural Resources
Committee Report (Amended)

BACKGROUND AND PURPOSE

Menard County has an extremely limited supply of both surface water and groundwater. The Region F Regional Water Plan of 2002 estimates that the combined current available water supply under drought conditions for the 585,000 acres of Menard County is 7080 acre-feet/year. The total maximum potential water supply is about 29,000 acre-feet/year, comprised of the 9995 acre-feet of adjudicated water rights in the San Saba River, and 19,000 acre feet of availability in the Edwards-Trinity aquifer, which is the primary groundwater supply.

The Menard County Water Conservation and Improvement District (district) manages water in this area. In order to be effective, the district requires a name change and permission to allow the board to serve on the Menard County Underground Water District without violating the common-law doctrine of incompatibility.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1756 changes the name of the Menard County Water Control and Improvement District No. 1 to Menard County Water Conservation and Improvement District; authorizes a board of directors separate from that of the Menard County Underground Water District but allows a board member to serve on both boards; and authorizes the District to establish a Menard-San Saba River Water Trust to lease or purchase adjudicated or permitted water rights within the county for irrigation, recreation or instream flows. Rights held by the Trust would not be subject to cancellation under Chapter 11 of the Texas Water Code.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.

EXPLANATION OF AMENDMENTS

Amendment No. 1 strikes language in H.B. 1756 relating to the creation of the Menard-San Saba River Water Trust.