

Amend **HB 2915** by striking all below the enacting clause and substituting the following:

SECTION 1. Section 11.085(p), Water Code, is amended as follows:

(1) A river basin may not be redesignated in order to allow a transfer or diversion of water otherwise in violation of this section. However, this section does not prevent the Board from redesignating a river basin as part of another river basin based on scientific or hydrologic evidence the Board finds supports the redesignation if the confluence of the two basins is upstream of the receiving bay and estuary system, whether or not the redesignation facilitates a transfer or diversion of water. If the Board combines two river basins under this subsection, any transfer of water between the basins that are combined shall be evaluated as a new appropriation for purposes of determining appropriate conditions to protect the environment. If the Board combines two river basins under this subsection, any transfer of water between the basins that is facilitated by the combination of the basins shall be junior to all water rights granted before the application for transfer is accepted for filing if the project for which the transfer is sought includes the pumping and transport of groundwater between the two river basins as the river basins were constituted on January 1, 2005 unless the water is pumped from within a groundwater conservation district or if there is no groundwater conservation district where the water is pumped, in compliance with the most stringent spacing and production rules of groundwater conservation districts in contiguous counties.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.