

Amend CSSB 3 (House Committee Printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS appropriately:

SECTION _____. Sections 11.085(b), (g), (j), (l), and (u), Water Code, are amended to read as follows:

(b) The application must include:

(1) the contract price or cost per unit of the water to be transferred;

(2) a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;

(3) the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users; and

(4) the projected effect on user rates and fees for each class of customers of the applicant [~~ratepayers~~].

(g) The applicant shall cause the notice of application for an interbasin transfer to be published once [~~a week for two consecutive weeks~~] in one or more newspapers having general circulation in each county located in whole or in part in the basin of origin [~~or the receiving basin. The published notice may not be smaller than 96.8 square centimeters or 15 square inches with the shortest dimension at least 7.6 centimeters or three inches~~]. The notice of application and public meetings shall be combined in the mailed and published notices.

(j) In addition to other requirements of this code relating to the review of and action on an application for a new water right or amended permit, certified filing, or certificate of adjudication, the commission may [~~shall~~] :

(1) request review and comment on an application for an interbasin transfer from each county judge of a county located in whole or in part in the basin of origin. A county judge should make comment only after seeking advice from the county commissioners court; and

(2) give consideration to the comments of each county judge of a county located in whole or in part in the basin of origin prior to taking action on an application for an interbasin

transfer.

(1) The commission may grant, in whole or in part, an application for an interbasin transfer only to the extent that:

(1) the detriments to the basin of origin during the proposed transfer period are less than the benefits to the receiving basin during the proposed transfer period; and

(2) in accordance with Sections 11.1271 and 11.1272 and commission rules, the applicant for the interbasin transfer has prepared a drought contingency plan and has developed and implemented a water conservation plan [~~that will result in the highest practicable levels of water conservation and efficiency achievable within the jurisdiction of the applicant~~].

(u) An appropriator of water for municipal purposes in the basin of origin may, at the appropriator's option, be a party in any hearings under this section if the appropriator is a person who may be affected by the proposed transfer.