

By: Estes

S.B. No. 1411

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a water right authorizing a transfer of water from one
3 river basin in this state to another river basin in this state.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 11.085(v), Water Code, is amended to
6 read as follows:

7 (v) The provisions of this section, except Subsection (a),
8 do not apply to:

9 (1) a proposed transfer which in combination with any
10 existing transfers totals less than 3,000 acre-feet of water per
11 annum from the same permit, certified filing, or certificate of
12 adjudication;

13 (2) a request for an emergency transfer of water;

14 (3) a proposed transfer from a basin to its adjoining
15 coastal basin;

16 (4) a proposed transfer from a basin to an adjoining
17 basin;

18 [~~4~~] (5) a proposed transfer from the part of the
19 geographic area of a county or municipality, or the part of the
20 retail service area of a retail public utility as defined by Section
21 13.002, that is within the basin of origin for use in that part of
22 the geographic area of the county or municipality, or that
23 contiguous part of the retail service area of the utility, not
24 within the basin of origin; or

1 [~~(5)~~] (6) a proposed transfer of water that is:

2 (A) imported from a source located wholly outside
3 the boundaries of this state, except water that is imported from a
4 source located in the United Mexican States;

5 (B) for use in this state; and

6 (C) transported by using the bed and banks of any
7 flowing natural stream located in this state.

8 SECTION 2. This Act applies only to an application for a
9 water right or an amendment to a permit, certified filing, or
10 certificate of adjudication authorizing an interbasin transfer of
11 water that is accepted for filing on or after the effective date of
12 this Act. An application for a water right or an amendment to a
13 permit, certified filing, or certificate of adjudication
14 authorizing an interbasin transfer of water that is accepted for
15 filing before the effective date of this Act is governed by the law
16 in effect at the time the application is accepted for filing, and
17 the former law is continued in effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2015.