

**SUBCHAPTER F: MISCELLANEOUS**  
**§295.201, §295.202**  
**Effective August 15, 2002**

**§295.201. Filing of Instruments.**

(a) Received Date. All instruments, correspondence, and material delivered to the executive director shall be stamped or marked "Received" and the date thereof clearly indicated.

(b) Acceptance of Water Use Permit Application for Filing. Any water use permit application requiring commission action shall not be formally accepted for filing by the commission until it is reviewed by the executive director as to form, fees, and data required by law and declared administratively complete under §281.17 of this title (relating to Notice of Receipt of Application and Declaration of Administrative Completeness). No substantive changes may be made after an application has been filed with the chief clerk of the commission by the executive director. Applications for permits to appropriate state water or amendments to permits, certified filings or certificates of adjudication shall not be considered filed as required by the Texas Water Code, §11.141, until declared administratively complete by the executive director and filed by the executive director with the chief clerk of the commission.

**§295.202. Reports.**

(a) Annual reports. Every person who takes water from a stream or reservoir during the preceding calendar year shall submit a written report to the commission. Blank forms for recording the information required by the Texas Water Code, §11.031 and §11.032(a), shall be mailed to all surface water users during January of each year. Water use report forms shall be furnished to anyone on request. In completing the reports, a water user shall fill in the blanks to the best of his ability in accordance with the instructions that accompany each form. The report must be returned to the executive director not later than March 1 of each year to avoid the penalties prescribed by the Texas Water Code, §11.031(b). Water users under the jurisdiction of the Rio Grande Watermaster shall return their annual reports to the Rio Grande Watermaster so that office can prepare and submit water use data covering the area of watermaster control. No report is required to be filed by persons who divert water solely for domestic and livestock purposes.

(b) Reports by temporary permit holders. Upon the expiration of the period for which a temporary permit is granted, the appropriator shall cease diverting water and file a written report with the executive director, stating the amount of water and the date of cessation of use.

(c) Report on time limitations for construction. Within 10 days after beginning construction or installation of diversion and distribution facilities, a permittee shall file a statement with the executive director showing that work was begun within the time limit allowed. Immediately upon completion of the project, a similar statement must be filed with the executive director showing that the work was completed within the specified time limitations.

(d) Report of contractual sales.

(1) The purchaser under a contract to supply state water shall submit annual written reports to the executive director in accordance with subsection (a) of this section indicating the total amount of water diverted each month and the total amount diverted each week. Purchasers diverting from the perimeter of a reservoir need to report only monthly diversions.

(2) The supplier shall submit annual written reports to the executive director in accordance with subsection (a) of this section indicating the total amount of water diverted and used each month for each purpose and the total amount released downstream each week to each purchaser under the storage water right specified in the contract. A separate reporting of the amount of water estimated for transmission losses shall be made.

(3) These reporting requirements shall apply to all contractual permits and water supply contracts.

(4) For purposes of this subchapter, a week is the period from Saturday midnight to Saturday midnight.

(e) Operations report for aquifer storage and retrieval projects.

(1) On the five-year anniversary date of the issuance of the permit or permit amendment, and every ten years thereafter or upon a more frequent schedule established by the executive director, the permittee shall provide the executive director with an operations report describing what efforts the permittee has made to:

(A) protect the state water stored in the receiving aquifer from unauthorized withdrawals; and

(B) maximize the retrieval and beneficial use of the stored water without experiencing unreasonable losses of state water.

(2) The operations report shall identify and provide:

(A) any potential or real impacts identified during the operation of the project;

(B) a summary of all data, information and analyses associated with any monitoring during the operation of the project;

(C) a comparison of actual movement of injected state water with the modeling predictions submitted with the application for permit under Chapter 295 of this title (relating to Water Rights, Procedural);

(D) an assessment of the project in terms of the protection of ground water quality; and

(E) any additional information the executive director determines is necessary for the protection of underground sources of drinking water.

(3) The executive director shall review the report described in this subsection. If the executive director determines that the circumstances, under which the permit was granted, have significantly changed, the executive director may pursue an amendment to such permit in accordance with §297.61 of this title (relating to Amendments by Executive Director).

Adopted July 24, 2002

Effective August 15, 2002