

Effective: November 28, 2013

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project No. 2013-031-303-OW
Contractual Sales in the Rio Grande Relating to Documents Needed to File

Chapter 303
Operation of the Rio Grande
Subchapter F

1. Purpose. This change transmittal provides the pages that reflect changes and additions to the Texas Commission on Environmental Quality (commission) Volume of Permanent Rules.
2. Explanation of Change. On November 6, 2013, the commission adopted the amendment to §303.53 *without change* to the proposed text as published in the August 16, 2013, issue of the *Texas Register* (38 TexReg 5226) and, therefore, was not republished.
3. Effects of Change. This adopted rulemaking amends §303.53(a)(8) to remove the requirement that contracts for the purchase of all or a part of the annual authorized amount of use for a water right in the Middle or Lower Rio Grande be limited to one year.

The commission also adopted §303.53(d) to clarify that all contracts for water would remain subject to §303.22, Allocations to Accounts. This will maintain the requirement that allocations of water be put to beneficial use within two consecutive calendar years; otherwise, the account will be reduced to zero as per §303.22.

The adopted amendment will not allow for speculative purchase and resale of water under contract. The change will not remove any other requirements related to water contracts. The change also will not apply to contracts for Domestic, Municipal, and Industrial (DMI) water. These DMI contracts expire on the last Saturday of the year.

Additionally, this rulemaking establishes procedures for the Watermaster to maintain a central repository for all instruments that the commission requires to be filed in connection with water rights relating to the water division of the Rio Grande and sets the fees charged to maintain such instruments.