

Trans Pecos Water & Land Trust
Trans-Pecos Water Rights Acquisition Project
SEP No. 2011-02

Project Description

The goal of this SEP is to have additional state water remain in the Rio Grande River for environmental and conservation purposes, benefitting overall protection of water quality as well as aquatic and riparian wildlife habitat. To this end, the Trans-Pecos Water & Land Trust ("TPW<") shall acquire, by lease or purchase, surface water rights from various owners of existing water rights in the Rio Grande River Basin in Texas. Within 30 days after water rights are acquired, TPW< shall then apply to TCEQ to administratively amend the water rights permit or certificate of adjudication (collectively referred to as "permit") pursuant to Water Code, Section 11.0237. If the water rights are purchased, TPW< shall change the use exclusively to instream flows dedicated to environmental needs. If the water rights are leased, TPW< shall either change the use exclusively to or add a use for instream flows dedicated to environmental needs. However, even if a water rights permit allows for other uses in addition to instream flows, TPW< shall only exercise the instream flow use during its lease of the water rights acquired through this SEP.

TPW< shall include the following terms in all lease and sales contract documents used in these transactions: dollar amount paid per acre foot, number of acre feet purchased or leased, location, and the water rights permit number at issue. TPW< shall send a copy of each executed sales contract and lease to the SEP Program within 10 days after the closing date of the transaction. TPW< shall ensure that a copy of each amended water rights permit is recorded in the property records of the county in which the appropriation is made within 10 days of receiving the amended permit. TPW< shall then send a file stamped recorded copy of each amended water rights permit to the TCEQ SEP Program within 10 days of recording. TPW< shall hold the leased and purchased water rights in trust for environmental and conservation purposes and shall not lease, sell, amend (other than described above), terminate or transfer the water rights without prior written approval from the TCEQ SEP Program.

Environmental Benefit

This project will enhance the quality of the environment by dedicating water in the Rio Grande River for environmental and conservation purposes, benefitting overall protection of water quality as well as aquatic and riparian wildlife habitat. The Rio Grande River Basin is extensive and relied upon for numerous needs, including human consumption and agriculture as well as by aquatic and riparian wildlife. While two international dams - Amistad and Falcon - are used for flood control, irrigation, and help regulate the flow of the river, the geography of the area and drought-prone conditions can impact the quality of water and habitat. Reduced flow, which can cause high salinity water, impacts the reliability of the Rio Grande for its use by farmers, livestock, and wildlife. In addition, non-native plants invade where native plants (or no plants) used to grow, which further affects water loss along the river. Dedicating water in the Rio Grande River for overall protection of water quality as well as aquatic and riparian wildlife habitat will enhance the quality of the environment consistent with Water Code, Section 7.067.

Eligible Areas and Counties

Rio Grande River Basin; Carrizo-Wilcox, Edwards-Trinity Plateau, Gulf Coast, Hueco-Mesilla Bolson, Ogallala, and Pecos Valley Aquifers including Andrews, Brewster, Cameron, Crane, Crockett, Culberson, Dimmit, Ector, Edwards, El Paso, Hidalgo, Hudspeth, Jeff Davis, Jim Hogg, Kinney, Loving, Maverick, Pecos, Presidio, Reagan, Reeves, Schleicher, Starr, Sutton, Terrell, Upton, Val Verde, Ward, Webb, Winkler and Zapata Counties.

Minimum Contribution Amount

\$500.00

Total Project Budget

\$1,740,000