



Water Rights in Texas: How to Report a Change of Ownership

This is a guide to updating ownership records for water rights with the TCEQ. It does not replace applicable laws and regulations, which take precedence over any information herein.

Who must report a water-right ownership change to the TCEQ?

There are two ways you could be involved.

First, if you have sold or transferred a water right, or a piece of property in which a water right was conveyed, you may report an ownership change with the TCEQ. You will need to submit all of the necessary legal documents to demonstrate that you no longer own the water right. This will help free you of regulatory requirements in the future.

Second, if you have purchased a water right or obtained it through other means, such as inheritance or property transfer, you must report a change of ownership with the TCEQ.

I think I may own a water right. How can I be sure?

It is imperative that the potential owner establish a clear chain of title before attempting to claim ownership of an existing water right. While the majority of water rights (individually owned irrigation water rights) convey with the land, some do not (such as mining water rights). The following steps may help you determine if a water right is associated with your property.

1. Contact the TCEQ's Central File Room at 512-239-2900 to obtain a copy of the water-right map and permit or certificate of adjudication.
2. Locate the county and abstract identification numbers that are outlined in the water right.
3. Contact the county and obtain an abstract map of the affected land with the property identification numbers included. Some county appraisal districts maintain copies of maps online.

4. Compare the county map to the water-right map to identify where the water-right boundaries and real property lines overlap.
5. Conduct a thorough title search of the county records to ensure that the water right was not severed from the property during a sale, by abandonment, or by other means.

If you feel that you are the rightful owner of a water right—after reviewing the records—you can report an ownership change with the TCEQ. You should submit copies of recorded legal documents, maps, and any other proof of ownership to the TCEQ, so our personnel can verify your ownership claim.

What is required to report an ownership change to the TCEQ?

- **Change of Ownership Form.** In order to initiate the change of ownership, the TCEQ must receive a Change of Ownership Form (TCEQ-10204).
- **Core Data Form.** A new owner who does not have a permit, authorization, or license with the TCEQ and does not have a Customer Reference Number will need to complete and submit Section II of the Core Data Form (TCEQ-10400).
- **Legal documents.** The TCEQ must receive recorded copies of legal documents establishing a complete chain of title from the last owner on file (i.e., the owner of record) to the current owner. These documents usually consist of deeds or other such conveyances or—in the case of inheritance—copies of a will, probate order, and will inventory. Be sure that the records include the surveyor's description (metes and bounds) of the parcel of land conveyed.
- **Administrative fee.** A \$100 fee is required, when the application is submitted, in order to change the TCEQ's ownership records.

Where do I submit the change of ownership form and supporting documents?

Water Rights Permitting, MC-160
Texas Commission on Environmental Quality
PO Box 13088
Austin TX 78711-3088

As a water-right owner, what and when must I report to the TCEQ?

Water right owners are required to submit reports by March 1 of each year, even if no water was used during the reporting period. For more

information on water use reporting requirements, visit the TCEQ's website at <www.tceq.texas.gov/goto/water-use-report>.

Where can I get more information?

To learn more about rights to access surface water under Texas law and agency rules, download *Rights to Surface Water in Texas* (GI-228) from the TCEQ's publication catalog at <www.tceq.texas.gov/goto/publications>.

To obtain copies of TCEQ forms, visit the Web page <www.tceq.texas.gov/goto/forms> and use the "Form Number" search box.

If you have questions, contact the TCEQ Water Rights Permitting Team at 512-239-4691 or via e-mail at <wras@tceq.texas.gov>.

