By Nugent, Hinson H.B. No. 59

A BILL TO BE ENTITLED

AN ACT

extending to September 1, 1971, the date for filing claims to water rights with the Texas Water Rights Commission; amending Subsection (c), Section 4, Chapter 45, Acts of the 60th Legislature, Regular Session, 1967 (Article 7542a, Vernon's Texas Civil Statutes); and declaring an emergency.

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

Section 1. Subsection (c), Section 4, Chapter 45, Acts of the 60th Legislature, Regular Session, 1967 (Article 7542a, Vernon's Texas Civil Statutes), is amended to read as follows:

"(c) On or before September 1, 1971, every person claiming any water right to which this Section applies shall file with the Commission a statement setting forth the name and address of the claimant, the location and the nature of the right claimed, the stream or watercourse and the river basin in which the right is claimed, the date of commencement of works, the dates and volumes of use of water, together with such other information as may be required by the Commission to show the nature and extent of the claim. Each claimant or owner shall be required to certify under oath that the statements made in support of his claim are true and correct to the best of his knowledge and belief. The Commission shall prescribe forms for the sworn statements, but use of Commission forms shall not be mandatory. On or before January 1, 1968, and June 1, 1969, the Commission shall cause notice of the requirements of this Section to be published once each week for two (2) consecutive weeks in newspapers having general circulation in each county of the state and by first class mail to each user of surface water who has filed a report of water use with the Commission. Upon sworn petition, notice and hearing in the manner prescribed for applications for permits and upon finding of extenuating circumstances and good cause shown for failure to timely file, the Commission may authorize the filing of the sworn statement or statements required by this subsection until entry of a preliminary determination of claims of water right in accordance with Section 5(d) of this Act which includes the area described in the petition or September 1, 1974, if a preliminary determination has not been entered."

Sec. 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

-3289

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FILED AUG 29 1969

READ 1ST TIME
AND REFERRED TO COMMITTEE ON
Conservation & Reclamation
SEP 2 1969

Dorothy Hallman

Chief Clerk, House of Representatives