



Water Law

The laws related to water ownership, permitting, use, and conveyance are complex and rapidly evolving. McGinnis Lochridge has decades of experience in all water-related issues from procuring, protecting, securing and transferring or leasing water to obtaining revised permits and complying with regulatory requirements. Our attorneys represent clients before regulatory and administrative agencies, the Texas legislature and the courts.

Surface Water Issues

We have extensive experience with all types of surface water rights issues. With drought as a constant threat in Texas, our lawyers are skilled at assisting clients with water supply constraints that often arise during times of shortage.

Our client work related to surface water has included obtaining, purchasing, amending and contracting for surface water rights. We have also assisted clients with determining the applicability of exemptions from surface water permitting requirements for domestic, livestock or wildlife purposes.

Groundwater Issues

Under Texas law, landowners own the groundwater under their property. However, in areas where groundwater is available and usable, Texas has established groundwater conservation districts with authority to permit, regulate and limit groundwater production. Our attorneys have represented clients on groundwater matters before these districts in virtually all areas of the state. We have also successfully represented clients in litigation arising out of the use and regulation of groundwater at the administrative, trial and appellate court levels.

Water Issues for Municipal, Industrial and Oil and Gas Clients

We represent clients in matters related to acquisition, maintenance, protection and disposal of water supplies vital to municipal, industrial and oil and gas operations. We have also assisted clients in acquiring supplies from additional sources. Our attorneys have experience in water reuse and recycling, decimation, aquifer storage and recovery, ground and surface water permitting and transactions, water supply contracts, and all manner of water rights transfers, sales, leases and acquisitions.

Utilities and Special Districts

Our attorneys have extensive experience representing both public and private water utilities in all issues related to the business of supplying water. Texas water utilities operate under Certificates of Convenience and Necessity (CCNs), which protect their right to serve defined areas. We have experience in obtaining, amending, protecting and transferring CCNs, as well as in water utility regulation, water supply contracts and the acquisition and sale of systems, as well as in financing. We have also represented clients in the formation, organization, regulatory compliance and operation of special purpose districts (including municipal utility districts and special utility districts). We provide a full range of services for utilities from

interaction with the Texas Commission on Environmental Quality to service and extension policies, compliance with open government requirements, election laws, and employment matters.

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