

Texas Water Development Board
Water Bank Fee Schedule
Adopted: March 19, 2003

Fee for Deposit

(a) The fee for deposit for the water right or right to use water or portion thereof shall be one percent of the value of the water right or right to use water or portion thereof, up to a maximum fee of \$50 per water right or right to use water or portion thereof. The payment of the fee for deposit must be received by the Texas Water Development Board (Board) within sixty calendar days of the date of the letter of notification from the Board's Executive Administrator of acceptance of the water right or right to use water or portion thereof for deposit into the bank.

(b) The value of a water right or right to use water or portion thereof shall be calculated upon deposit into the bank as the value placed on the water right or right to use water or portion thereof by the depositor. For a deposit of the water right, the depositor shall calculate the value of a water right as the sale price to be received from a proposed sale. For a deposit of the right to use water, the depositor shall calculate the value as the dollar amount per annum anticipated to be received from the sale of water multiplied by the number of years of the proposed sale.

Fee for Transfer - Valuation of Right Upon Transfer

The value of the sale of a water right upon transfer shall be the total value of the sale, expressed in a dollar amount. The value of the right to use water or portion thereof shall be calculated as the total value, expressed in a dollar amount, receivable under contract for the right to use water.

Fee for Transfer - One Time Payment

The fee for transfer of the water right or right to use water shall be nine-tenths of one percent of the value of the water right or right to use water. The depositor of the water right or right to use water shall remit the full amount of the fee, based on the cited rate, in a single payment to the Board within sixty calendar days of the depositor's receipt of payment for the transfer. This fee is applicable for each transfer of the water right or right to use water while on deposit in the bank.

Extended Fee for Transfer

In those instances where the Board's Executive Administrator (or his representative) determines that the Fee for Transfer - One Time Payment may be unduly onerous to the depositor, the depositor may remit an Extended Fee for Transfer over an extended time period in accordance with conditions agreed to by the Executive Administrator and the depositor. This agreement shall have the form of a letter of agreement, signed by both parties to the agreement and shall be legally binding under the applicable laws of the State of Texas and the United States of America. This Extended Fee for Transfer of the water right or right to use water shall be one percent of the value upon transfer of the water right or right to use water. The depositor of the water right or right to use water shall remit the fee payments in accordance with the terms of the letter of agreement.

Water Trust Deposits and Transfers

All fees under this schedule that are associated with the deposit and transfer of a water right or right to use water or portion thereof into the Texas Water Trust are waived in accordance with 31 TAC §359.14 of the Board's rules.