

7-19-2006

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Ken Rainwater et al.  
*Texas Tech University*

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Abstracts of presentations given on Wednesday, 19 July 2006, in session 24 of the UCOWR Conference.

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## Recommended Citation

Rainwater et al., Ken, "Comparison of Groundwater Rights in the United States: Lessons for Texas" (2006). 2006. Paper 29.  
[http://opensiuc.lib.siu.edu/ucowrconfs\\_2006/29](http://opensiuc.lib.siu.edu/ucowrconfs_2006/29)

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## **COMPARISON OF GROUNDWATER RIGHTS IN THE UNITED STATES: LESSONS FOR TEXAS**

**Ken Rainwater**, Texas Tech University Water Resources Center, Box 41022, Lubbock, TX, 79409-1022

**Sanjaya Joshi**, Texas Tech University Water Resources Center, Box 41022, Lubbock, TX, 79409-1022

**John McEnergy**, Texas Tech University Water Resources Center, Box 41022, Lubbock, TX, 79409-1022

The history of water rights in the United States is rich with conflicts critical water sources. Surface water and groundwater rights are seen as primarily State responsibilities, except for federal lands and selected interstate and international waters. Establishment of a single set of legal rules and regulations for groundwater is a great challenge because of site-specific conditions. Different rules and regulations based on different doctrines may be adopted by any State. The degree of attention given to the particular groundwater resource depends upon its availability and value in various economic applications. In Texas, management of groundwater resources is a complex challenge. Today, groundwater reliability is facing serious limitations in many areas because of excessive pumping and water quality issues. Critics have long argued over the Rule of Capture. Some wish to maintain the rule of capture to protect individual groundwater ownership, and to give groundwater districts greater power and funding to manage pumping. Others prefer state ownership and control of groundwater similar to surface water, but any removal of individual ownership rights would likely lead to long judicial challenges. As the Texas legislature and various water-related agencies consider possible updates to the State's approach to groundwater rights, it is worthwhile to consider the varied approaches taken in other states. This presentation provides a summary of the different groundwater rights systems in the fifty states, with special attention to lessons learned in complex situations. Recommendations for alternative future steps in Texas are discussed.

Contact: Ken Rainwater, Texas Tech University Water Resources Center,  
ken.rainwater@ttu.edu, Box 41022, Lubbock, TX 79409-1022, 806-742-3490, 806-742-3449