

**PRACTICAL WATER LAW
CONSIDERATIONS:
AMENITY LAKES, SWCD RESERVOIRS
AND DOWNSTREAM FLOOD PROTECTION**

UTCLE 28TH ANNUAL
LAND USE CONFERENCE

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Jackson Walker LLP



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**INTRODUCTION: OWNERSHIP
AND CONTROL OF SURFACE WATER**

- Subdivision Amenity Lakes
- Soil & Water Conservation District “Floodwater Retarding Structures”
- Detention Ponds and Water Code 11.086 (Flood Liability)

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AMENITY LAKES



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AMENITY LAKES



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AUGUST LAKES KATY, TX



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AMENITY LAKES - BACKGROUND

- Surface Water: Owned by the State of Texas
- Exempt Uses Include (Less than 200 AF Storage)
 - Domestic & Livestock Ponds
 - Wildlife Exempt
- Example: Rural “Stock Ponds”

Water Code 11.142

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