

COMMITTEE REPORTS

WATER COMMITTEE

Tyler Hussey, Apache Corporation

The PBPA water committee had its first quarter 2023 meeting on March 29th. Our meeting began with a legislature update. The New Mexico legislative session ended on March 18th. Unlike years past, there were no significant produced water related bills. There were several bills related to water rights that were introduced but failed to pass. These bills attempted to 1) clarify that a lease of water under a water right and subsequent use of that water shall not take effect until after the application had been approved, 2) provided for the forfeiture of a water right after 10 years of nonuse, and 3) provided for expedited determination of water rights and rights to de novo review. Overall, the NM session ended well with most of the problem bills being stopped during session.

After the NM update, we gave an update on the Texas legislature. The TX legislature began on January 10th and will end on May 29th. Several water bills have been introduced this session. Three are related to funding water projects in the state. SJR 43 will create a constitutional amendment creating the water for Texas fund to assist in financing state water projects. HB 2483 is the enabling legislation for SJR 43 to be administered by the Texas Water Development Board. HB 2757 will fund the TX Produced Water Consortium for pilot projects. Five million has been requested by the TXPWC for pilot projects. The use of the funds are broken out in two phases: 1) initial analysis and testing, 2) bench scale/crop testing. Apart from funding, HB 4856 has been introduced that would amend Sec 27.202 of the water code and give TCEQ jurisdiction over injection of recycled fluid oil and gas waste that has been treated to a standard approved by the commission. This bill pertains to aquifer storage and recovery as a means of beneficially reusing produced water.

After the legislature updates, Cody Comiskey with Chevron gave a presentation on the latest data on induced seismicity and the TX Bureau of Economic Geology 2022 annual report. Last year, from January to February, there were over 750 earthquakes in Texas over a 2.5 magnitude – the most in the continental United States. During the same time, California had 650. Of these TX earthquakes, 634 occurred in the Delaware Basin.