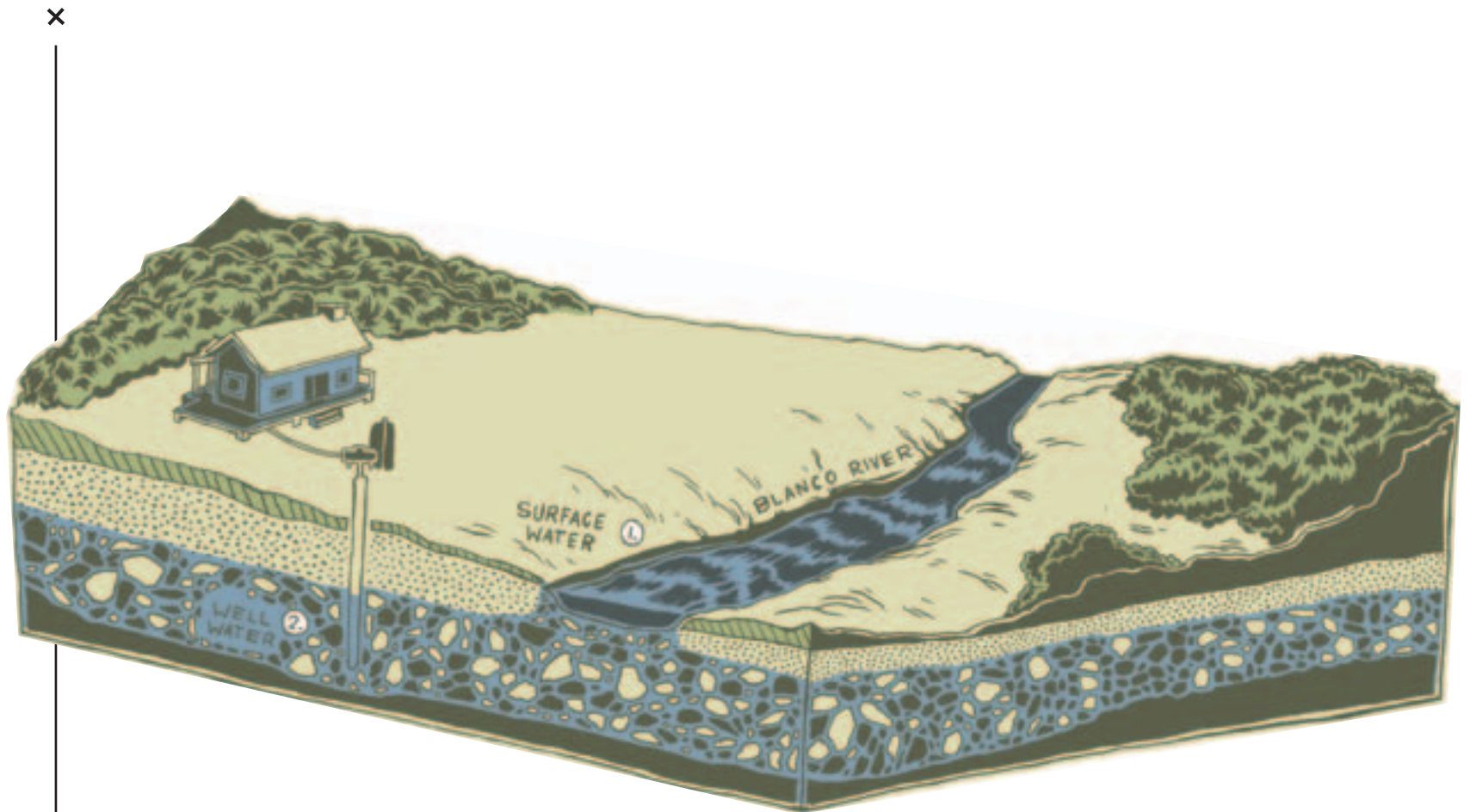


# DOUBLE JEOPARDY

THE DWINDLING WATER SUPPLIES OF TEXAS ARE SOLD TWO TIMES OVER

BY ANDREW SANSOM



## IMAGINE, IF YOU WILL, THE BLANCO RIVER.

Its source is just below the Gillespie County line, south of Fredericksburg in Kendall County. The Blanco flows southeastward through Blanco County and before reaching Hays County, virtually all its flow goes right back into the ground through the river bed and back into the aquifer. The river flows underground into Hays County where it re-emerges at a lovely spring known as Jacob's

Well and forms the headwaters of Cypress Creek. Cypress Creek flows down through the communities of Wood Creek and Wimberley and ultimately back into the Blanco. If you tried to get a water rights permit from the Texas Commission on Environmental Quality to take any substantial amount of "surface" water out of the Blanco, your request would most likely be denied because the river is already over committed—but if

you went back upstream above Jacob's Well and drilled a well, you could draw a virtually unlimited amount of "ground" water from the same stream without restraint.

It is the same water whether underground or on the surface, but we are in a situation where the state treats it totally differently and, in effect, has promised different interests that each owns the same water. **C**