



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Major Water Users/Data Centers: Texas Governor's Directive to the Texas Water Development Board Addressing Water Use Reporting Requirements

10/06/2026

Texas Governor Greg Abbott transmitted a September 14th letter to the Chairwoman and Executive Administrator of the Texas Water Development Board ("TWDB") to:

... use its statutory authority to compel major water users to comply with water use reporting requirements and to impose legal consequences for past and future failure to comply with state law.

The letter states that major water users, including data centers:

... appear to have committed civil and criminal violations by failing to provide the TWDB with information about water usage as required by the Texas Water Code.

The TWDB has three principal responsibilities in the State:

- Collecting and disseminating water-related data;
- Assisting with regional water supply and flood planning that contributes to preparing the state water plan and state flood plan;
- Administering cost-effective financial programs for constructing water supply, wastewater treatment, flood control, and agricultural water conservation projects.

The September 14th letter also notes in part:

- TWDB cannot develop a State water plan if it is denied detailed information on both existing and anticipated water consumption across Texas
- The Texas Water Code requires recipients of a TWDB survey to complete/return it, and a data center that fails to do so commits an offense punishable as a crime.
- A data center that fails to timely complete and return the survey is ineligible for Texas Commission on Environmental Quality permits, amendments, or renewals under the Texas Water Code.
- TWDB has been directed to partner with the Electric Reliability Council of Texas on its audit of data centers to seek additional water use information.

A copy of the letter can be found [here](#).