

WHEN IS TREC FORM 61-0, THE SELLER'S DISCLOSURE ABOUT GROUNDWATER AND SURFACE WATER RIGHTS, REQUIRED?

TREC Form 61-0 is triggered by the new paragraph 7(l) (1-4 Family Contract) or 7(k) (Farm and Ranch) and is **mandatory beginning 07/01/2026**.

NOTE: Simply being located in a statutory water or tax district, or in a Groundwater Conservation District (GCD), **does not by itself trigger this disclosure.**

What matters is how Questions 1 through 5 below are answered.



IF ANY
ANSWER IS
YES
the Seller
SHOULD
complete the
Water Rights
Disclosure,
TREC Form 61-0

1

Is the seller aware of a **WATER WELL** on the Property?
in use, or not in use, including capped or abandoned wells

NO

2

Is the seller aware of a **POND, LAKE, or WATER TANK** on the Property?

NO

3

Is the seller aware of any **TCEQ SURFACE WATER RIGHTS** on the Property?
permit, certified filing, or adjudication

NO

4

Is the seller aware that any **GROUNDWATER RIGHTS** have been severed, sold, or leased?
in whole or in part

NO

5

Does the Property receive water from a source **OTHER** than City / MUD / WSC / Special District / Private Water Co.?
must identify the source in the blanks provided

NO

IF ALL 5 ANSWERS ARE NO: the Seller is NOT required to complete TREC Form 61-0.

TREAT AS YES IF: any well, active or capped · ponds, stock tanks, or lakes · creek or other watercourse · water shared with a neighboring property · rights reserved or sold by a prior owner.

PROBABLE YES IF:

rural or acreage property · irrigation or ag use · non-residential.

When in doubt, ask instead of assuming. Refer complex water rights questions to an attorney; this is not legal advice. For agent reference only. Not legal advice.