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Guideline for Development of Effective Water Sharing Agreements

This document uses both the International System of Units (SI) and customary units

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ENVIRONMENTAL & WATER RESOURCES INSTITUTE

American Society of Civil Engineers

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STANDARDS

In 2006, the Board of Direction approved the revision to the ASCE Rules for Standards Committees to govern the writing and maintenance of standards developed by the Society. All such standards are developed by a consensus standards process managed by the Society's Codes and Standards Committee (CSC). The consensus process includes balloting by a balanced standards committee made up of Society members and nonmembers, balloting by the membership of the Society as a whole, and balloting by the public. All standards are updated or reaffirmed by the same process at intervals not exceeding five years.

The following standards have been issued:

ANSI/ASCE 1-82 N-725 Guideline for Design and Analysis of Nuclear Safety Related Earth Structures

ASCE/EWRI 2-06 Measurement of Oxygen Transfer in Clean Water

ANSI/ASCE 3-91 Standard for the Structural Design of Composite Slabs and ANSI/ASCE 9-91 Standard Practice for the Construction and Inspection of Composite Slabs

ASCE 4-98 Seismic Analysis of Safety-Related Nuclear Structures

Building Code Requirements for Masonry Structures (ACI 530-02/ASCE 5-02/TMS 402-02) and Specifications for Masonry Structures (ACI 530.1-02/ASCE 6-02/TMS 602-02)

ASCE/SEI 7-10 Minimum Design Loads for Buildings and Other Structures

SEI/ASCE 8-02 Standard Specification for the Design of Cold-Formed Stainless Steel Structural Members

ANSI/ASCE 9-91 listed with ASCE 3-91

ASCE 10-97 Design of Latticed Steel Transmission Structures

SEI/ASCE 11-99 Guideline for Structural Condition Assessment of Existing Buildings

ASCE/EWRI 12-05 Guideline for the Design of Urban Subsurface Drainage

ASCE/EWRI 13-05 Standard Guidelines for Installation of Urban Subsurface Drainage

ASCE/EWRI 14-05 Standard Guidelines for Operation and Maintenance of Urban Subsurface Drainage

ASCE 15-98 Standard Practice for Direct Design of Buried Precast Concrete Pipe Using Standard Installations (SIDD)

ASCE 16-95 Standard for Load Resistance Factor Design (LRFD) of Engineered Wood Construction

ASCE 17-96 Air-Supported Structures

ASCE 18-96 Standard Guidelines for In-Process Oxygen Transfer Testing

ASCE 19-10 Structural Applications of Steel Cables for Buildings

ASCE 20-96 Standard Guidelines for the Design and Installation of Pile Foundations

ANSI/ASCE/T&DI 21-05 Automated People Mover Standards—Part 1

ANSI/ASCE/T&DI 21.2-08 Automated People Mover Standards—Part 2

ANSI/ASCE/T&DI 21.3-08 Automated People Mover Standards—Part 3

ANSI/ASCE/T&DI 21.4-08 Automated People Mover Standards—Part 4

SEI/ASCE 23-97 Specification for Structural Steel Beams with Web Openings

ASCE/SEI 24-05 Flood Resistant Design and Construction

ASCE/SEI 25-06 Earthquake-Actuated Automatic Gas Shutoff Devices

ASCE 26-97 Standard Practice for Design of Buried Precast Concrete Box Sections

ASCE 27-00 Standard Practice for Direct Design of Precast Concrete Pipe for Jacking in Trenchless Construction

ASCE 28-00 Standard Practice for Direct Design of Precast Concrete Box Sections for Jacking in Trenchless Construction

ASCE/SEI/SFPE 29-05 Standard Calculation Methods for Structural Fire Protection

SEI/ASCE 30-00 Guideline for Condition Assessment of the Building Envelope

SEI/ASCE 31-03 Seismic Evaluation of Existing Buildings

SEI/ASCE 32-01 Design and Construction of Frost-Protected Shallow Foundations

EWRI/ASCE 33-09 Comprehensive Transboundary International Water Quality Management Agreement

EWRI/ASCE 34-01 Standard Guidelines for Artificial Recharge of Ground Water

EWRI/ASCE 35-01 Guidelines for Quality Assurance of Installed Fine-Pore Aeration Equipment

CI/ASCE 36-01 Standard Construction Guidelines for Microtunneling

SEI/ASCE 37-02 Design Loads on Structures during Construction

CI/ASCE 38-02 Standard Guideline for the Collection and Depiction of Existing Subsurface Utility Data

EWRI/ASCE 39-03 Standard Practice for the Design and Operation of Hail Suppression Projects

ASCE/EWRI 40-03 Regulated Riparian Model Water Code

ASCE/SEI 41-06 Seismic Rehabilitation of Existing Buildings

ASCE/EWRI 42-04 Standard Practice for the Design and Operation of Precipitation Enhancement Projects

ASCE/SEI 43-05 Seismic Design Criteria for Structures, Systems, and Components in Nuclear Facilities

ASCE/EWRI 44-05 Standard Practice for the Design and Operation of Supercooled Fog Dispersal Projects

ASCE/EWRI 45-05 Standard Guidelines for the Design of Urban Stormwater Systems

ASCE/EWRI 46-05 Standard Guidelines for the Installation of Urban Stormwater Systems

ASCE/EWRI 47-05 Standard Guidelines for the Operation and Maintenance of Urban Stormwater Systems

ASCE/SEI 48-11 Design of Steel Transmission Pole Structures

ASCE/SEI 49-07 Wind Tunnel Testing for Buildings and Other Structures

ASCE/EWRI 50-08 Standard Guideline for Fitting Saturated Hydraulic Conductivity Using Probability Density Functions

ASCE/EWRI 51-08 Standard Guideline for Calculating the Effective Saturated Hydraulic Conductivity

ASCE/SEI 52-10 Design of Fiberglass-Reinforced Plastic (FRP) Stacks

ASCE/G-I 53-10 Compaction Grouting Consensus Guide

ASCE/EWRI 54-10 Standard Guideline for Geostatistical Estimation and Block-Averaging of Homogeneous and Isotropic Saturated Hydraulic Conductivity

ASCE/SEI 55-10 Tensile Membrane Structures
ANSI/ASCE/EWRI 56-10 Guidelines for the Physical Security of Water Utilities
ANSI/ASCE/EWRI 57-10 Guidelines for the Physical Security of Wastewater/Stormwater Utilities
ASCE/T&DI/ICPI 58-10 Structural Design of Interlocking Concrete Pavement for Municipal Streets and Roadways
ASCE/SEI 59-11 Blast Protection of Buildings
ASCE/EWRI 60-12 Guidelines for Development of Effective Water Sharing Agreements

CONTENTS

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FOREWORD

The Board of Direction approved revisions to the ASCE Rules for Standards Committees to govern the writing and maintenance of standards developed by ASCE. All such standards are developed by a consensus standards process managed by the ASCE Codes and Standards Committee (CSC). The consensus process includes balloting by a balanced standards committee, and reviewing during a public comment period. All standards are updated or reaffirmed by the same process at intervals between five and ten years. Requests for formal interpretations shall be processed in accordance with Section 7 of ASCE Rules for Standards Committees, which are available at www.asce.org. Errata, addenda, supplements, and interpretations, if any, for this standard can also be found at www.asce.org.

The form of this Standard Guideline reflects the goals of the Water Regulatory Standards Committee (WRSC) of the Environmental and Water Resources Institute (EWRI) of ASCE. The provisions of this document are written in permissive language and, as such, offer to the user a series of options or instructions but do not prescribe a specific course of action. Significant judgment is left to the user of this document.

Three model water sharing agreements are included in this Standard Guideline in Appendixes A, B, and C. Although the general format the appendixes follows *The Chicago Manual of Style*, imbedded within these model agreements is the format commonly used today in the drafting of proposed uniform state laws. This format, developed under the auspices of the National Conference of Commissioners of Uniform Laws, has been accepted as the format for the ASCE Model Water Codes documents (ASCE 2004a; Dellapenna 2007a). The format of the sections and subsections of each model agreement consists of statutory language in boldface that a legislature could enact with or without change. This statutory language is followed by a commentary section that describes the purpose and scope of the statutory provisions. Cross-references to other provisions in the specific agreement follow. The section or subsection is closed by a paragraph listing other interstate and international water sharing agreements that contain similar provisions.

Each section of each agreement is optional. Authorities may, however, enact the bulk of the agreement yet delete or change any particular section. Nonetheless, the WRSC made an effort to create a complete, comprehensive, and well-integrated contract between the parties capable of effectively managing shared water. The WRSC has concluded that almost every section of each agreement is necessary to achieve that goal. Some sections apply, however, only to water sharing compacts within the United States, others only to an international agreement. Others are specifically denominated optional in any jurisdiction, which indicates that the drafters consider that these sections might not be necessary or appropriate to the needs of the specific situation. A coherent and workable agreement would still result were all of the optional sections omitted. This Standard Guideline refers to current ASCE Policy Statements and to certain common references. ASCE Policy Statements normally are updated every three years and should be consulted for changes that may have occurred (www.asce.org/pressroom/news/policy.cfm).

This standard has been prepared in accordance with recognized engineering principles and should not be used without the user's competent knowledge for a given application. The publication of this standard by ASCE is not intended to warrant that the information contained herein is suitable for any general or specific use, and ASCE takes no position respecting the validity of patent rights. The user is advised that the determination of patent rights or risk of infringement is entirely his or her own responsibility.