

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 17, 2009

Ms. LaDonna Castañuela, Chief Clerk
Office of the Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087, MC-150
Austin, Texas 78711-3087

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2009 APR 17 PM 2:13
CHIEF CLERKS OFFICE

Re: TCEQ Docket No. 2008-1778-DIS; Consideration of a petition for a Commission order approving the dissolution of Northeast Medina County Water Control and Improvement District No. 1

Dear Ms. Castañuela:

Enclosed for filing with the Texas Commission on Environmental Quality (Commission) is the original plus seven copies of the backup materials for the May 6, 2009 agenda item on the matter referenced above.

Please be advised that the packet includes a revised order, replacing the original order that was filed in December 2008.

If you have any questions, please do not hesitate to contact me at 239-6635. Thank you for your attention to this matter

Respectfully submitted,

A handwritten signature in black ink that reads "Ruth Ann Takeda".

Ruth Ann Takeda
Staff Attorney
Environmental Law Division

Enclosures

cc:

Mr. Buck Benson
Pulman Cappuccio & Pullen, LLP
2161 NW Military Highway, Suite 400
San Antonio, Texas 78213

Mr. Mark Brown, P.E.
Brown Engineering Corp.
1000 Central Parkway North, Suite 100
San Antonio, Texas 78232

Mr. Richard Garcia, Regional Director
TCEQ Region 13
14250 Judson Road
San Antonio, Texas 78233-4480

Ms. Bea Flores
Utilities and Districts Section
Water Supply Division
Intra-agency mail

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN ORDER

AUTHORIZING THE DISSOLUTION OF NORTHEAST MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 TCEQ DOCKET NO. 2008-1778-DIS

On May 6, 2009, the Texas Commission on Environmental Quality ("Commission") met in regular session at its offices in Austin, Texas, to consider the petition submitted by the Directors of Northeast Medina County Water Control and Improvement District No. 1 (hereafter "District") to dissolve the District pursuant to TEX. WATER CODE CHAPTERS 51 AND 49, SPECIFICALLY §§ 49.321 - 49.327, and 30 TEX. ADMIN. CODE §§ 293.131 - 293.136.

The Commission, after having considered the petition and the December 9, 2008 Staff Memorandum regarding the petition, a copy of which is attached as Exhibit "A," finds that the petition for dissolution should be approved. The Commission finds that the District has performed none of the functions for which it was created for a period of five consecutive years before the date the petition was submitted and has no outstanding bonded indebtedness. The District should be directed to escheat the District's assets, if any, to the State of Texas, which will be administered by the Comptroller of Public Accounts and disposed of in the manner provided by TEX. PROP. CODE §§ 74.001 - 74.710.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the petition for the dissolution of the District filed by the Directors of the District is granted pursuant to TEX. WATER CODE CHAPTERS 51 AND 49, SPECIFICALLY §§ 49.321 - 49.327, and 30 TEX. ADMIN. CODE §§ 293.131 - 293.136. The Commission will file a certified copy of this Order in the deed records of Medina County. The District is directed to escheat the District's assets, if any, to the State of Texas, which will be administered by the Comptroller of Public Accounts and disposed of in the manner provided by TEX. PROP. CODE §§ 74.001 - 74.710.

Issue Date:

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Buddy Garcia, Chairman

Texas Commission on Environmental Quality

Staff Memorandum

To: The Commissioners of the Texas
Commission on Environmental Quality

Date: December 9, 2008

Thru: ~~AA~~ for Doug Holcomb, P.E., Manager, Utilities and Districts Section
~~AA~~ Alex A. (Skip) Ferris, P.E., Leader, Districts Review Team

From: Beatriz Flores, Technical Manager
Districts Review Team

Subject: Docket No. 2008-1778-DIS. Northeast Medina County Water Control and Improvement District No. 1, Request for Order of Dissolution Pursuant to Texas Water Code Chapters 51 and 49, and 30 TAC Sections 293-131 to 293.136.
TCEQ Internal Control No. 11032008-D02
CN: 600741144 – RN: 101421485

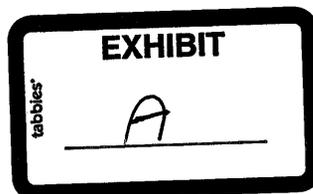
A. GENERAL INFORMATION

On October 29, 2008, the Commission received a petition requesting the dissolution of Northeast Medina County Water Control and Improvement District No. 1 (District). The Medina County Commissioners created the District on December 8, 1986. The District contains 1454.736 acres of land within Medina County and is subject to Texas Water Code Chapters 51 and 49.

The petition for the dissolution of the District was signed by all of the District's Directors: Craig Cates, Kris Forks, Wes Holland, Brandon Hudson, and Jon Oefinger. The District is therefore the Petitioner. The petition asserts that the Petitioner holds a majority of the land within the District. A certified appraisal roll for Laurel Canyon Ranch confirms the Petitioner's ownership.

The County Commissioners created the District for the following purposes: the control, storage, preservation, and distribution of its water and floodwater and the water of its rivers and streams for irrigation, power, and all other useful purposes; the reclamation and irrigation of its arid, semiarid, and other land which needs irrigation; the reclamation, drainage, conservation, and development of its forests, water, and hydroelectric power; the navigation of its coastal and inland water; the control, abatement, and change of any shortage or harmful excess of water; the protection, preservation, and restoration of the purity and sanitary condition of water within the state; and the preservation and conservation of all natural resources of the state.

The District's boundaries are coextensive with the boundaries of the Laurel Canyon Ranch Subdivision ("Subdivision"). The petition states that dissolution is desirable because "First, LCR Water Development, L.P. has been granted a Certificate of Convenience and Necessity to provide retail water service to the Subdivision so no water facilities will be constructed by the District. In



December 9, 2008

addition, because each of the lots in the Subdivision has a septic system, the District will not need to construct any wastewater facilities." Consequently, the District's statutory services are not needed for the land comprising the territory of the District.

Pursuant to 30 TAC § 293.131, the petition is supported by documents affirming that the District has performed none of the functions for which it was created for five consecutive years preceding the date of the petition. In addition, the District has been financially dormant since its creation, does not have outstanding bonded indebtedness, and has no known assets or liabilities. Affirming the District's dormancy are certified copies of the Annual Financial Dormancy and Filing Affidavit (Affidavit) for the calendar years 2003 through 2007. Affirming that the District does not have any outstanding debt is a certification from the Comptroller of Public Accounts of the State of Texas (Comptroller) stating that the District had not incurred bonded debt for the period January 1, 1986 through September 8, 2008.

B. LEGAL AUTHORITY

As a water control and improvement district, the District is subject to Texas Water Code Chapter 51, which contains three provisions for dissolution - §§ 51.781, 51.793, and 51.829. All three provisions refer to Texas Water Code Chapter 50, Subchapter G, and Dissolution of Inactive Districts. Texas Water Code Chapter 50 was repealed in Acts 1995, 74th Leg., Chapter 715, Section 39, page 3802, and Chapter 49 was enacted in the same legislation, Section 2, page 3755. Dissolution of inactive districts is currently governed by Texas Water Code Chapter 49, Subchapter K, Dissolution, §§ 49.321 to 49.327 and their associated rules, 30 Texas Administrative Code §§ 293.131 to 293.136.

C. CONCLUSION

Based on a review of the application and information on file, the District meets the dissolution requirements set forth in the Texas Water Code Chapter 51 and §§ 49.321 to 49.327, and 30 Texas Administrative Code §§ 293.131 to 293.136.

D. RECOMMENDATIONS

1. Approve the request to dissolve Northeast Medina County Water Control and Improvement District No. 1.
2. Direct that the District's assets, if any, will escheat to the State of Texas, will be administered by the Comptroller of Public Accounts of the State of Texas, and will be disposed of in the manner provided by Texas Property Code Chapter 74 and in accordance with Texas Water Code Section 49.327 and 30 Texas Administrative Code Section 293.134.

E. ADDITIONAL INFORMATION

The Petitioner's professional representatives are Mark Brown P.E., Brown Engineering Company, and Buck Benson, Pulman, Cappuccio, Pullen & Benson LLP.

October 29, 2008

#254689

(BF)

Via Certified Mail:

Texas Commission on Environmental Quality
Attn: Mary Ann France
District Review Team, MC-152
P.O. Box 13087
Austin, Texas 78711-3087

11032008-002
RECEIVED
NOV 03 2008
UTILITIES & DISTRICTS
SECTION
5980550
DPA

RECEIVED
TCEQ WATER SUPPLY

NOV -3 AM 11:30

Re: Petition for Dissolution of Northeast Medina County Water Control and Improvement District No. 1 (the "District")

Dear Ms. France:

The purpose of this correspondence is to serve as our request for dissolution of the District. Please note the District's boundaries are coextensive with the boundaries of the Laurel Canyon Ranch subdivision (the "Subdivision"). We would provide the following in support of this petition for dissolution. First, LCR Water Development, L.P. has been granted a Certificate of Convenience and Necessity to provide retail water service to the Subdivision so no water facilities will be constructed by the District. In addition, because each of the lots in the Subdivision has a septic system, the District will not need to construct any wastewater facilities. Consequently, we, the board of the District, believe dissolution is necessary and desirable, and request that the District be dissolved.

The District has been financially dormant for the preceding five-year period, has performed no functions for the five preceding years, and has no outstanding bonded indebtedness. The District also has no assets or liabilities.

Enclosed for your review please find the following in connection with this petition for dissolution of the District:

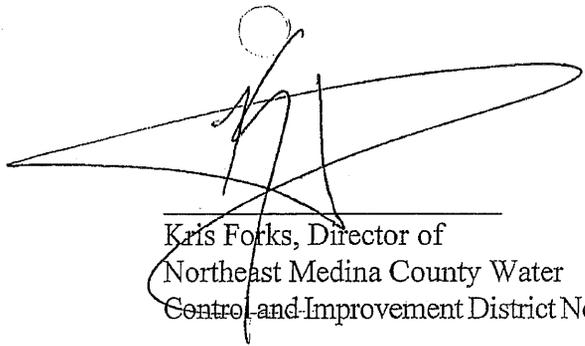
- (1) Certified copies of dormancy affidavits submitted pursuant to TEXAS WATER CODE § 49.197 for the five years preceding 2008;
- (2) An affidavit of the Texas Comptroller of Public Accounts, evidencing that the District has no outstanding bonded indebtedness and has never registered any bonds with the Comptroller; and
- (3) A check in the amount of \$100.00 to cover the filing fee.

All landowners in the District are being notified of the request for dissolution of the District. As evidence of the same, a certified tax roll for the District is enclosed. Certificates of mailing executed by the postmaster will be sent to the Texas Commission on Environmental Quality, District Review Team once they are received.

Please contact Buck Benson, the attorney for the District, at telephone number (210) 222-9494 if the Executive Director or Commission deems additional data or information necessary or pertinent to the application for dissolution of the District. Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read "Craig Cates", written over a horizontal line.

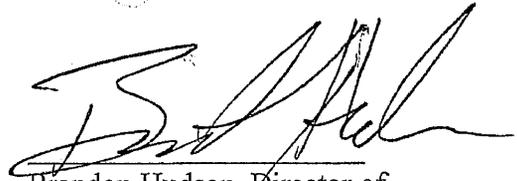
Craig Cates, Director of
Northeast Medina County Water
Control and Improvement District No. 1

A handwritten signature in black ink, appearing to read 'Kris Fotks', is written over a horizontal line. The signature is stylized and somewhat abstract.

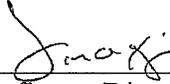
Kris Fotks, Director of
Northeast Medina County Water
Control and Improvement District No. 1

A handwritten signature in black ink, appearing to read 'Wes Holland', with a long horizontal flourish extending to the right.

Wes Holland, Director of
Northeast Medina County Water
Control and Improvement District No. 1

A handwritten signature in black ink, appearing to read 'Brandon Hudson', written over a horizontal line.

Brandon Hudson, Director of
Northeast Medina County Water
Control and Improvement District No. 1



Jon Oefinger, Director of
Northeast Medina County Water
Control and Improvement District No. 1

FINANCIAL DORMANCY AND FILING AFFIDAVIT

DT SUPERVISIO

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§

A. I, Mark W. Brooks, being duly sworn, am an authorized representative of NORTHEAST MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

I have personal knowledge of all financial activities of said district; and affirm that the above district had:

- 1. \$500 or less of receipts from operations, tax assessments, loans, contributions, or any other sources, AND
2. \$500 or less of disbursements of funds, AND
3. no bonds or other long-term (more than one year) liabilities, AND
4. no cash or investments that exceeded \$5,000;

For the following period:

- 1. [x] calendar year, January 1, 2003 through December 31, 2003.
2. [] fiscal period, _____ through _____, 2003.

CHECK ONE:

B. I affirm that payments () have (/) have not been made by (an) other party(ies) on behalf of the district. These payments are estimated to be \$ _____.

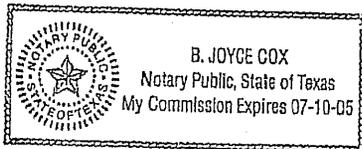
CHECK ONE:

C. The district () has (/) has not been confirmed by voters. A confirmation election was held on _____.

D. I also affirm that the district has complied in full with the requirements of Section 49.194(c) of the Texas Water Code by filing copies of this affidavit in the district's office, located at 1415 Louisiana, Fifth Floor, Houston, Texas 77002-7349.

E. Date: January 5, 2004 By: [Signature] Mark W. Brooks, Attorney for District

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, this 5th day of January, 2004.



[Signature]
Notary Public, State of TEXAS

RECEIVED
JAN 07 2004

RECEIVED
TOCO WATER SUPPLY
2008 NOV -3 AM 11:30

DT SUPERVISION RECEIVED
FINANCIAL DORMANCY AND FILING AFFIDAVIT
JAN 11 2005

THE STATE OF TEXAS
COUNTY OF HARRIS

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

A. I, Mark W. Brooks, being duly sworn, am an authorized representative of NORTHEAST MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1

I have personal knowledge of all financial activities of said district; and affirm that the above district had:

- 1. \$500 or less of receipts from operations, tax assessments, loans, contributions, or any other sources, AND
- 2. \$500 or less of disbursements of funds, AND
- 3. no bonds or other long-term (more than one year) liabilities, AND
- 4. no cash or investments that exceeded \$5,000;

For the following period:

- 1. calendar year, January 1, 2004 through December 31, 2004.
- 2. fiscal period, _____ through _____, 2004.

CHECK ONE:

B. I affirm that payments () have () have not been made by (an) other party(ies) on behalf of the district. These payments are estimated to be \$ _____

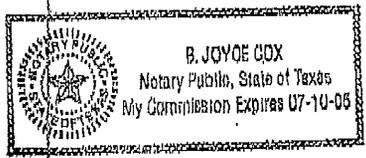
CHECK ONE:

C. The district () has () has not been confirmed by voters. A confirmation election was held on _____

D. I also affirm that the district has complied in full with the requirements of Section 49.194(c) of the Texas Water Code by filing copies of this affidavit in the district's office, located at 1415 Louisiana, Fifth Floor, Houston, Texas 77002-7349.

E. Date: January 7, 2005 By: Mark W. Brooks
Mark W. Brooks, Attorney for District

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, this 7th day of January, 2005.



B. Joyce Cox
Notary Public, State of TEXAS

2005 JAN 25 AM 10:41

RECEIVED
FEB 3 2005
CENTRAL RECORDS ROOM



FINANCIAL DORMANCY AFFIDAVIT

STATE OF TEXAS
COUNTY OF

Bexar

A. I, Devin D. Benson, being duly sworn, am an authorized

(Name)

representative of Northeast Medina County WCID No. 1

(Name of District)

I have personal knowledge of all financial activities of said district; and affirm that the above district had:

1. \$500 or less of receipts from operations, tax assessments, loans, contributions, or any other sources, AND
2. \$500 or less of disbursements of funds, AND
3. no bonds or other long-term (more than one year) liabilities outstanding, AND
4. no cash or investments that exceeded \$5,000 at any time;

For the following period:

1. calendar year, January 1, 2005 through December 31, 2005
2. fiscal period, _____ through _____

(Date)

(Date)

CHECK ONE:

B. I affirm that payments have have not been made by (an) other party(ies) on behalf of the district. These payments are estimated to be \$ _____

CHECK ONE:

C. The district has has not been confirmed by voters. A confirmation election was held on _____

D. I also affirm that the district has complied in full with the requirements of Section 49.194(c) of the Texas Water Code by filing copies of this affidavit in the district's office, located at:

111 Soledad Suite 1111

(District Office Address)

E. Date 1/31, 2006

By: _____

(Signature)

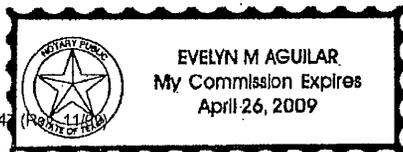
Devin D. Benson
(Name and Title)
Attorney for District

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public
in and for the State of Texas

this 31st day of January, 2006

My Commission Expires on _____

Evelyn M. Aguilar
(Signature of Notary)





FINANCIAL DORMANCY AFFIDAVIT

STATE OF TEXAS
COUNTY OF Bexar

A. I, Devin "Buck" Benson, being duly sworn, am an authorized
(Name)
representative of Northeast Medina County WCID No. 1
(Name of District)

I have personal knowledge of all financial activities of said district; and affirm that the above district had:

1. \$500 or less of receipts from operations, tax assessments, loans, contributions, or any other sources, AND
2. \$500 or less of disbursements of funds, AND
3. no bonds or other long-term (more than one year) liabilities outstanding, AND
4. no cash or investments that exceeded \$5,000 at any time;

For the following period:

1. calendar year, January 1, 2006 through December 31, 2006
2. fiscal period, _____ through _____
(Date) (Date)

CHECK ONE:

B. I affirm that payments have have not been made by (an) other party(ies) on behalf of the district. These payments are estimated to be \$ \$1836.28

CHECK ONE:

C. The district has has not been confirmed by voters. A confirmation election was held on November 7, 2006

D. I also affirm that the district has complied in full with the requirements of Section 49.194(c) of the Texas Water Code by filing copies of this affidavit in the district's office, located at:

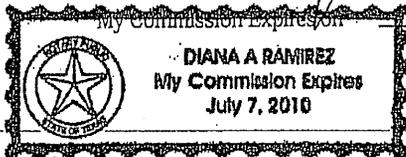
2161 NW Military Hwy Suite 400 San Antonio TX 78213
(District Office Address)

E. Date Jan. 31, 2007 By: _____
(Signature)

Devin "Buck" Benson, Attorney for
(Name and Title)
District

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public
in and for the State of Texas

this 31st day of January, 2007.



(Signature of Notary)



FINANCIAL DORMANCY AND FILING AFFIDAVIT

STATE OF TEXAS
COUNTY OF BEXAR

A. I, DEVIN "BUCK" BENSON, being duly sworn, am an authorized;
(Name)
representative of Northeast Medina County WCID #1
(Name of District)

I have personal knowledge of all financial activities of said district; and affirm that the above district had:

1. \$500 or less of receipts from operations, tax assessments, loans, contributions, or any other sources, AND
2. \$500 or less of disbursements of funds, AND
3. no bonds or other long-term (more than one year) liabilities, AND
4. no cash or investments that exceeded \$5,000;

For the following period:

1. calendar year, January 1, 2007 through December 31, 2007
2. _____ fiscal period, _____ through _____
(Date) (Date)

CHECK ONE:

B. I affirm that payments have have not _____ been made by (an) other party(ies) on behalf of the district. These payments not are estimated to be \$ 1,797.00

CHECK ONE:

C. The district has has not _____ been confirmed by voters. A confirmation election was held on NOVEMBER 7, 2006

D. I also affirm that the district has complied in full with the requirements of Section 49.194(c) of the Texas Water Code by filing copies of this affidavit in the district's office, located at:

2161 N.W. Military Hwy., Ste 400, San Antonio, TX 78213
(District office address)

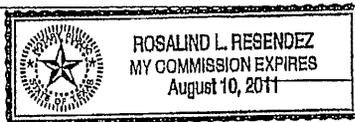
E. Date 10/1, 2008 By: _____
(Signature)

Devin "Buck" Benson, Attorney for District
(Name and Title)

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public
in and for the State of Texas

this 1st day of October, 2008

My Commission Expires on _____



(Signature of Notary)

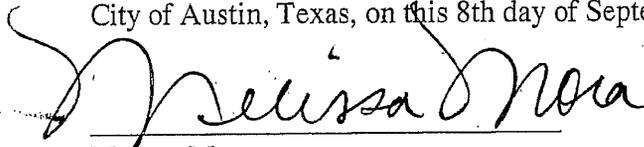
THE STATE OF TEXAS

COUNTY OF TRAVIS

I, Melissa Mora, of the Cash and Securities Management Division of the Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY, I am a designated Assistant Bond Clerk for bond issues registered by the Comptroller of Public Accounts.

I FURTHER CERTIFY that a review of our records on September 8, 2008, found no registration by the Comptroller of bonds issued by Northeast Medina County Water Control and Improvement District No. 1, from January 1, 1986 through September 8, 2008.

IN TESTIMONY WHEREBY, I have hereunto signed my name officially and caused to be impressed hereon the seal of the Comptroller of Public Accounts in the City of Austin, Texas, on this 8th day of September 2008.

A handwritten signature in cursive script that reads "Melissa Mora". The signature is written in dark ink and is positioned above a horizontal line.

Melissa Mora
Assistant Bond Clerk
Comptroller of Public Accounts of the
State of Texas

DEPOSIT INFORMATION FORM

Today's Date:	11/11/08
Review Number:	11032008-002
Check Date:	10/29/08
Check Number:	2833
Check Amount:	100 ⁰⁰
Check Maker:	Pulman Cappuccio & Pullen
Paid For:	Northeast Medina WCID 1

Purpose of Check:

	Creation (WDC)		Conversion (WDC)		Bankruptcy (MAF)		Director Appointment (MAF)
	Bond Issue (BIA)	<input checked="" type="checkbox"/>	Dissolution (MAF)		Change Order (MAF)		Contract Tax Obligations (MAF)
	Escrow Release (MAF)		Extension of Time (MAF)		Tax Revision (MAF)		Change in Project Scope (MAF)
	Surplus Funds (MAF)		Standby Fee (MAF)		Fire Plan (MAF)		Road Powers (MAF)
	Name Change (MAF)		Revenue Note (BIA)		Impact Fee (MAF)		Additional Powers (WDC)
	Maintenance Tax Revenue (MAF)						

Person Taking Backup: Mary Anne France (MC-156)
 Telephone Number: 239-1258
 Fax Number: 239-6190
 For Program/Division: Water Supply Division/Utilities & Districts Section/Districts Review Team

2833

PULMAN CAPPUCCIO & PULLEN, LLP
 ADVANCE CLIENT COST ACCOUNT
 2161 NW MILITARY HWY SUITE 400
 SAN ANTONIO, TX 78213

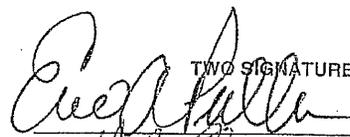
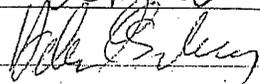
WELLS FARGO BANK, N.A.
 SAN ANTONIO, TX 78216
 37-65-1119

DATE	CHECK	AMOUNT
10/29/08	2832	****\$100.00

*** ONE HUNDRED & 00/100 DOLLARS

PAY TO THE ORDER OF: Texas Commission Environmental Quality

TWO SIGNATURES REQUIRED

⑈002833⑈ ⑆111900659⑆7926337259⑈

Security Features Included. Details on back.

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO Box 13087
Austin TX 78711-3087

Northeast Medina County WCID 1
Docket No. 2008-1778-DIS CID # 65958
Application for Dissolution of District

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF Medina

Before me, the undersigned authority, on this day personally appeared

Diane Cosgrove, who being by me duly sworn,
(name of newspaper representative)

deposes and says that (s)he is the Office mgr.,
(title of newspaper representative)

of the Hondo Anvil Herald; that said newspaper
(name of newspaper)

published or circulated in Medina County,
(name of county or counties)

Texas; that the attached notice was published in said newspaper on the following dates:

3/12/09 3/19/09
(date or dates of publication)

Diane Cosgrove
Newspaper Representative's Signature

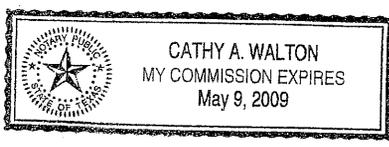
Subscribed and sworn to before me this the 19 day of March,
20 09, to certify which witness my hand and seal of office.

Cathy A. Walton
Notary Public in and for the State of Texas

(Seal)

CATHY A WALTON
Print or Type Name of Notary Public

My Commission Expires 5/9/09



CHIEF CLERKS OFFICE
MAR 24 PM 3:25
COMMISSIONER
ON HONORABLE
TEXAS
LADONNA CASTARUELA, CHIEF CLERK
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
APR 17 2009
THE STATE OF TEXAS
COUNTY OF TRAVIS
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY
OF A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
DOCUMENT, WHICH IS FILED IN THE PERMANENT RECORDS
OF THIS AGENCY.
Culbertson
Ladonna Castaruela

NOTICE OF DISTRICT HEARING
TCEQ Docket No. 2008-1778-DIS

APPLICATION. The Texas Commission on Environmental Quality (TCEQ) will conduct a hearing on an application for dissolution (Application) of Northeast Medina County Water Control and Improvement District No. 1 (District). The Application was filed with the TCEQ and includes a petition by the Board of Directors of the District. The TCEQ will conduct this hearing under the authority of Chapters 51 and 49 of the Texas Water Code (TWC), Title 30, Chapter 293 of the Texas Administrative Code (TAC), and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

9:30 a.m., Wednesday, May 6, 2009
Building E, Room 201S
12100 Park 35 Circle
Austin, Texas

The District was created by the County Commissioners, on December 8, 1986, and was organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution, and Chapters 49 and 51, Texas Water Code. The district contains 1454.736 acres of land within Medina County, Texas Pursuant to 30 TAC Section § 293.131, the petition filed with the Application states that dissolution is desirable and necessary because the District is not required for the development of land within its boundaries.

The petition filed with the Application states that the District (1) has not performed any of the functions for which it was created for five consecutive years preceding the date of the Application, (2) is financially dormant, and (3) has no outstanding bonded indebtedness.

An affidavit from the State Comptroller of Public Accounts was included in the Application certifying that the District has no bonded indebtedness. The District has no known assets or liabilities.

Pursuant to TWC § 49.327, if the request for dissolution is approved, the District's assets, if any, will escheat to the State of Texas and will be administered by the State Comptroller of Public Accounts and disposed of in the manner provided by Chapter 74 of the Texas Property Code.

CONTESTED CASE HEARING. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the Application. At the hearing pursuant to TWC §49.324, the TCEQ will determine if the District should be dissolved.

INFORMATION. For information regarding the date and time this application will be heard before the TCEQ, please submit written inquiries to the Office of the Chief Clerk, MC-105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC-103, at the same address. For additional information, individual members of the public may contact the Districts Review Team of 512-239-4691. General information regarding TCEQ is available on the internet at www.tceq.state.tx.us.

Si desea información en Español, puede llamar al 1-512-239-0200.

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the TCEQ Office of Public Assistance at 800-687-4040 or 800-RELAY-TX (TDD), at least one week prior to the hearing.

Pub: Mar. 12, 2009

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF DISTRICT HEARING TCEQ Docket No. 2008-1778-DIS

APPLICATION. The Texas Commission on Environmental Quality (TCEQ) will conduct a hearing on an application for dissolution (Application) of Northeast Medina County Water Control and Improvement District No. 1 (District). The Application was filed with the TCEQ and includes a petition by the Board of Director's of the District. The TCEQ will conduct this hearing under the authority of Chapters 51 and 49 of the Texas Water Code (TWC), Title 30, Chapter 293 of the Texas Administrative Code (TAC), and the procedural rules of the TCEQ. The TCEQ will conduct the hearing at:

9:30 a.m., Wednesday, May 6, 2009
Building E, Room 201S
12100 Park 35 Circle
Austin, Texas

The District was created by the County Commissioners, on December 8, 1986, and was organized under the terms and provisions of Article XVI, Section 59 of the Texas Constitution, and Chapters 49 and 51, Texas Water Code. The District contains 1454.736 acres of land within Medina County, Texas. Pursuant to 30 TAC Section § 293.131, the petition filed with the Application states that dissolution is desirable and necessary because the District is not required for the development of land within its boundaries.

The petition filed with the Application states that the District: (1) has not performed any of the functions for which it was created for five consecutive years preceding the date of the Application, (2) is financially dormant, and (3) has no outstanding bonded indebtedness.

An affidavit from the State Comptroller of Public Accounts was included in the Application certifying that the District has no bonded indebtedness. The District has no known assets or liabilities.

Pursuant to TWC §49.327, if the request for dissolution is approved, the District's assets, if any, will escheat to the State of Texas and will be administered by the State Comptroller of Public Accounts and disposed of in the manner provided by Chapter 74 of the Texas Property Code.

CONTESTED CASE HEARING. The purpose of this hearing is to provide all interested persons the opportunity to appear and offer testimony for or against the proposal contained in the Application. At the hearing, pursuant to TWC §49.324, the TCEQ will determine if the District should be dissolved.