

SEPTEMBER THE 11TH 2014

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
OFFICE OF THE CHIEF CLERK
BRIDGET C. BOHAC

RE: TO FILE A WRITTEN REPLY TO RESPONSE TO ORIGINAL REQUEST FOR
CONTESTED CASE HEARING DATED SEP 17TH 2007 AND PERTINENT TO
W.R.P.No. WRPERM 12151 /DOCKET No 2014-0913-WR
R.R. 7013 2630 0000 8368 9804

I, CARLOS A. PARDO, HEREBY REPLY TO YOUR RECENT RESPONSE TO MY
ORIGINAL PETITION FOR CONTESTED CASE HEARING, IN WHICH YOU LET
ME KNOW MY REQUEST HAS BEEN DENIED. IN FOLLOWING THE PROPER
PROCEDURE YOU ADVISE ME OF IN LETTER DATED AUGUST 15TH 2014,
I WILL TRY TO FURTHER VALIDATE MY REQUEST BY PROVIDING TCEQ
WITH THE SPECIFIC INFORMATION THEY REQUIRED AND THE LACK OF
WHICH PRODUCED THE AFOREMENTIONED DENIAL TO MY PETITION. I AM
REPLYING BEFORE YOUR SEP. 15TH 2014 DEADLINE.

I OWN LAND IN DODD CITY, COUNTY OF FANNIN, TEXAS. MY LAND IS
CROSSED BY THE LOWER BOIS D'ARC CREEK. IF THE LBCR RESERVOIR
IS BUILT, MY LAND WILL BE DIRECTLY AND INDIRECTLY AFFECTED
BY THE PROJECT. THE LOCATION OF MY LAND IS NORTH OF C.R. 2900
AND WEST OF C.R. 2910. WHEN ORIGINALLY FILED IN 2007, I OWNED IN
EXCESS OF 706 ACRES OF LAND. IN 2009 I SOLD TO THE NTMWD OVER
295 ACRES OF LAND PLUS FLOWAGE EASEMENTS ON CLOSE TO 29 ACRES.
TODAY I CONTROL BY OWNERSHIP 436 ACRES WHICH FOR ALMOST
TWO AND A HALF MILES WILL BORDER THE NEW RESERVOIR. I USED
TO LIVE ON THE PROPERTY AT 2653 C.R. 2900 BUT SINCE I NO LONGER
OWN THE 20 ACRES WHERE THIS ADDRESS APPLIES TO, COORDINATES
TO MY MAIN LEGAL ENTRANCE ARE 33 37 31.38 N AND 96 05 08.54 W., THIS
LETTER RELATES TO NOT JUST THE LAND THAT WOULD BE INUNDATED
BUT ALSO THE ADJOINING LAND THAT WILL BE IMPACTED BECAUSE OF,
AND BY THE NEW RESERVOIR. WHEN I SOLD MY LAND TO NTMWD IN 2009
I KNEW WELL WHAT I WAS RELINQUISHING. USDA PRIME FARMLAND AND
STANDS OF VALUABLE AND RENOVATING TIMBER. I HAVE NOW LEGALLY
DEEDED AND TRANSFERRED OWNERSHIP OF MY LAND TO THE NTMWD
AND RECEIVED COMPENSATION FOR IT, BUT IN SEVEN YEARS OF DATA
AND NEW INFORMATION I STILL DO BELIEVE I WILL BE AFFECTED AND
INFLUENCED BY THIS PROJECT. TODAY I KNOW FOR INSTANCE THAT
THE CALCULATED YIELD FROM THIS NEW LAKE IS ESTIMATED TO BE
113 MILLION/GALS/DAY ON A SURFACE AREA OF 16,526 ACRES WITH A
STORAGE CAPACITY OF 368 ACRE/FEET. IN COMPARISON, LAKE LAVON,
OWNED, AND ALSO BUILT FOR THE NTMWD, HAS A YIELD OF 106 MILLION/
GALS/DAY ON A SURFACE AREA OF 21,400 ACRES WITH STORAGE CAP. OF
380 ACRE/FEET. I UNDERSTAND THESE NUMBERS CLEARLY SHOW YIELD
ON LBCR WILL BE 7% GREATER ON A 23 % SMALLER SURFACE AREA AND A

2014 SEP 15 PM 3:33

CHIEF CLERK'S OFFICE

TEXAS
COMMISSION
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QUALITY

3.15 %SMALLER CAPACITY THAN LAKE LAVON.

THESE FIGURES CREATE ALL KIND OF CONCERN AND WORRIES FOR ME AND LEAD ME TO BELIEVE MY PROPERTY WILL BORDER ONE ROBUST BODY OF WATER FOR ONLY A FEW WEEKS OUT OF THE YEAR.

MY PROPERTY VALUES WILL LIKELY BE ADVERSELY AFFECTED IF TOO MUCH WATER IS TAKEN OUT BY THE NTMWD AND IS NOT REPLENISHED EXCEPT BY NATURAL RUNOFF ON LARGE DRAINAGE BASIN FOR THE LOWER BOIS D'ARC CREEK.

THE POTENTIAL DEVELOPMENTS WE HAVE HEARD ABOUT MAY NOT OCCUR AND THE ECONOMIC IMPACT MAY BE FAR LESS THAN WHAT THE NTMWD PREDICTS.I HAVE NEVER HEARD THE NTMWD USE THE WORD LAKE TO ADRESS THIS PROJECT. THEY LABEL IT RESERVOIR. FOR US LAND OWNERS WE ENVISION A BODY OF WATER WITH THE INVITING VIEWS AND THUS WE CALL IT A LAKE, NOT A STORAGE TANK OR POND. LAKES,RESERVOIRS ARE BUILT PRIMARILY FOR WATER CONSERVATION BY STORAGE OF WATER, BUT ALSO FOR RECREATION, AMUSEMENT AND ALSO FOR AESTHETICS WHICH GREATLY IMPACT REAL ESTATE VALUES. A SHALLOW RESERVOIR WITH A HIGH YIELD DRAWN OUT IS TO THINK ABOUT. AND IF DOING SO WE MUST LOOK FOR OPTIONS. ONE OF THESE IS TO ADD REPLENISHMENT TO THE LBCR OTHER THAN THAT PROVIDED BY THE DRAINAGE AREA. EARLY IN THE PRESENTATIONS THE NTMWD HAD IN THE BONHAM AREA TO THE INTERESTED POPULATION, THIS WAS AN IMPORTANT COMMENT MADE, SO AS TO THE VERY SHALLOW NATURE OF THE RESERVOIR AND THE POTENTIAL FOR RAPID DEPLETION. THENCE NTMWD INFORMALLY STATED THAT THE POSSIBILITY WAS THERE TO RUN A PIPELINE FROM THE RED RIVER A FEW MILES TO THE NORTH TO COMPENSATE FOR SEVERE DROUGHT AND/OR DRAWS AND THUS WATER LEVEL ON LBCR COULD BE KEPT AT AN ATTRACTIVE ALMOST NORMAL ELEVATION. ACCORDING TO KNOWLEDGE, NTMWD HAS ALLOTMENT OF 100 MILLION GALS OF WATER PER DAY FROM THE RED RIVER AND FROM LAKE TEXOMA THEY ARE PERMITTED TO USE 197,000 ACRE- FEET ALTHOUGH THE MOST THAT HAS BEEN USED IS 84,000 ACRE- FEET. THIS LEAVES 113,000 ACRE- FEET UNTAPPED AND AVAILABLE,APROXIMATELY 36.7 BILLION GALLONS OF WATER. IT WAS ALSO SAID BY NTMWD THAT EVENTHOUGH SUCH TEXOMA WATER HAD A HIGH MINERAL PRESENCE, A SALINITY CONTENT THREE TO FOUR TIMES THAT OF LAVON, THAT AT NEW LBCR IT WOULD ALLOW FOR FORMER TO BE USED. CURRENTLY WATER FROM LAKE TEXOMA HAVING SUCH HIGH SALINITY IS BEING USED BY MIXING IT AT WYLIE TREATMENT PLANT.WATER FROM LAKE TEXOMA HAS BEEN USED BY NTMWD FOR NEARLY 20 YEARS.

I HAVE APPROACHED KEY PEOPLE AT THE NTMWD, ONCE IN BONHAM IN JULY 2013 WHENCE ROBERT MCCARTHY WAS PRESENTING UPDATE ON THE PROJECT TO THE PUBLIC. I ADDRESSED QUESTION IN REGARDS TO SUCH PIPELINE IN VIEW THAT NOTHING WAS MENTIONED ABOUT IT. MR. MCCARTHY'S RESPONSE WAS THAT HE HAD NEVER HEARD OF

THAT. RECENTLY, ON SEP.2ND 2014 I PERSONALLY SPOKE OVER A PHONE CALL WITH MIKE RICKMAN ON THE SAME MATTER.ACCORDING TO HIM HIS RESPONSE TO MY QUESTION, CONCERN IS AS FOLLOWS,AND QUOTE; "SINCE TEXAS HAS LOST A SUIT AGAINST OKLAHOMA OVER THE RIGHT TO CAPTURE WATER IN OKLAHOMA SOIL, AND SINCE IN LAKE TEXOMA ZEBRA MUSSLES INFESTATION PROHIBITED THE RELEASE OF WATER INTO ENVIRONMENT WHEN SUCH WATER WAS CONTAMINATED, THESE TWO CONDITIONS WOULD NOT ALLOW THE NTMWD TO CAPTURE WATER FROM THE RED RIVER TO MIX WITH WATER IN FUTURE RESERVOIR ,SUBJECT OF OUR DISCUSSION, AND UNLESS THESE CONTIONS WERE TO CHANGE THE POSSIBILITY OF BRINGING SUCH PIPELINE TO LBCR IS NONE".

IT IS IMPORTANT TO SAY THAT MY APPROCHING MIKE RICKMAN WAS IN RESPONSE TO AN INVITATIONAL LETTER FROM THE NTMWD TO DROP MY CONTESTED CASE HEARING, WHICH I CAREFULLY CONSIDERED BUT IN LIEU OF NON-SPECIFIC RESPONSE TO MY QUESTIONS I DECIDED TO CONTINUE AND PROMPTED ME TO WRITE TO YOU.

IT IS WIDELY KNOWN TO ALL THAT FOR SEVERAL YEARS THE NTMWD HAS USED WATER FROM LAKE TEXOMA VIA PIPELINE FOR 25 MILES AND THEN RELEASING IT ON THE WEST PRONG OF SISTER GROVE CREEK AND RECAPTURING IT AT THEIR LAKE LAVON. IT IS NOW KNOWN THAT SINCE MAY THE NTMWD HAS BUILT A PIPELINE TO MOVE SAME WATER FROM LAKE TEXOMA TO TREATEMENT PLANT VIA ENCLOSED SYSTEM BY MANDATE FROM THE CORPS OF ENGINEERS. THIS PROJECT COST OVER 300 MILLION DOLLARS BUT WAS PERFORMED TO SATISFY THE NEED FOR WATER OF OVER 1.6 MILLION CUSTOMERS. SWEET WATER IS MIXED WITH SALTY AT A 4:1 OR 5:1 RATIO AND MADE READY FOR DELIVERY TO ALL. IT IS ALSO MY UNDERSTANDING THAT LEGAL ISSUE WITH OKLAHOMA WATER WOULD HAVE BEEN BEFORE LAKE TEXOMA IN OKLAKOMA SOIL BEFORE THAT WATER ENTERED TEXOMA AND INCRESED IN SALINITY. I, AFTER RELATING THESE WORDS AND FACTS TO TCEQ MUST CONCLUDE THEN THAT THE ANSWERS TO ME GIVEN WERE NOT SATISFACTORY, BUT DO POINT TO ATTEST THAT THE FUTURE PIPELINE TO THE FUTURE LBCR WAS FACTUALLY AND INDEED CONSIDERED AND SPOKEN ABOUT.

I AM IN FAVOR OF THE NEW LOWER BOIS D'ARC RESERVOIR OR LAKE IF ALL PARTIES STAND AT BENEFITING AND NONE AT ADVERSELY BEING AFFECTED WITHOUT REGARD,CONSIDERATION AND COMPENSATION. I SOLD MY LAND NOT JUST TO AVOID EMMINENT DOMAIN BUT ALSO FOR PERSONAL GAIN AND BENEFIT. I ALSO SEE THE GREAT NEED WE HAVE FOR NEW SOURCES OF WATER IN OUR LARGE GROWING AREA THAT IS NORTH CENTRAL TEXAS. I FAVOR PROGRESS, A RESPONSIBLE ONE AND BELIEVE IN OUR GOVERNMENT TO DO SOUND DECISIONS FOR US TODAY AND THE ONES TO FOLLOW.

THE MITIGATION LAND WILL SUFFICE THE LOSS OF MY PRIME FARMLAND AND TIMBER. FOR THE BRIGHT FUTURE THAT I WAS PRESENTED WITH, I DECIDED TO SELL MY LAND IN SPITE OF MY ENVIRONMENTAL LOSS. I SAW

IT AS A TRADE OFF, A SACRIFICE FOR SOMETHING OF GREATER GOOD AND RELEVANCE FOR NOT JUST MYSELF BUT ALL OF THE COMMON. PROGRESS. IN ESSENCE,MY DEEP PERSONAL CONCERN IS THAT THE NTMWD STANDS WELL IN THIS PROJECT. IF APPROVED, INVESTMENT WILL BE RECOVERED AND REVENUE WILL BE IN TIME GENERATED FOR GENERATIONS TO COME. I FEEL THAT IF THE NTMWD IS GRANTED PERMIT TO BUILD RESERVOIR, A SPECIAL PROVISION SHOULD EXIST TO WHERE IN CASE CONDITIONS OF DROUGHT, USE ETC. CREATE A SITE CONTRARY TO ACCEPTABLE AND NORMAL ASPIRATIONS FOR A PROJECT OF THIS MAGNITUDE, THE NTMWD WILL THEN BE REQUIRED TO START LOOKING AT THIS PIPELINE AS THE COMPLETION OF THE PROJECT WE HEREBY ARE TO EMBARK ON. TECHNOLOGY IS ALREADY THERE FOR BRINGING WATER UPSTREAM AND FOR COMPLEX FILTRATION. NTMWD HAS ALREADY DONE SO WITH THE PIPELINE THEY JUST BUILT FROM TEXOMA TO WYLIE. I SOLD IN SPITE I HAD ORIGINALLY OPPOSED THIS PROJECT WITH VIGOR AND DETERMINATION TO DEFEND MY LAND. THINGS LED ME TO HAVE A CHANGE OF MIND. ONE OF THEM WAS THE FACT THAT A PIPELINE TO REFILL THIS LBCR WAS AND SOUNDED LIKE AN INSURANCE FOR ALL OF US. THE NTMWD POSITION IN REPLYING TO MY QUESTIONS LEADS ME TO STATE TO YOU, TCEQ, THAT I STAND TO BE ADVERSELY AFFECTED SHOULD THIS PROJECT BE CARRIED OUT WITHOUT THE PROVISION FOR THAT SUCH PIPELINE, AND SO MY REQUEST FOR A CONTESTED CASE HEARING IS THEN HEREBY APPEALED. I WISH MY VOICE TO BE HEARD AND I DO ANTICIPATE MY THANKS FOR YOUR UNDIVIDED ATTENTION. MOST REPECTFULLY,



CARLOS A. PARDO
PHONE # 972- 670- 1925
4085 PRESTON HILLS CR.
CELINA, TEXAS 75009

SEPTEMBER THE 13TH 2014
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3.15 % SMALLER CAPACITY THAN THE UNSIGHTLY LAVON WE SEE TODAY.

2014 SEP 15 AM 7:54

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THESE FIGURES CREATE ALL KIND OF CONCERN AND WORRIES FOR ME AND LEAD ME TO BELIEVE MY PROPERTY WILL BE BORDERED BY ONE ROBUST BODY OF WATER BUT FOR ONLY A FEW WEEKS OUT OF THE YR. MY PROPERTY VALUES WILL LIKELY BE ADVERSELY AFFECTED IF MUCH WATER IS TAKEN OUT BY THE NTMWD ALONG WITH DROUGHT AND ONLY RUNOFF ON DRAINAGE BASIN FOR LOWER BOIS D'ARC CREEK EXISTS.

THE POTENTIAL DEVELOPMENTS WE HAVE HEARD ABOUT MAY NOT OCCUR AND THE ECONOMIC IMPACT WILL BE FAR LESS THAN WHAT THE NTMWD PROJECTS. I HAVE NOT EVER HEARD THE NTMWD USE THE TERM LAKE TO ADDRESS THIS PROJECT. THEY LABEL IT RESERVOIR. FOR US LAND OWNERS WE ENVISION A BODY OF WATER WITH THE INVITING VIEWS AND THUS WE CALL IT A LAKE, NOT BIG STORAGE POND OR POOL. LAKES, RESERVOIRS ARE BUILT PRIMARILY FOR WATER CONSERVATION BY STORAGING IT, BUT ALSO FOR RECREATION, AMUSEMENT, BEAUTY, AND FOR AESTHETICS, WHICH GREATLY IMPACT REAL ESTATE VALUES. A SHALLOW RESERVOIR WITH A HIGH YIELD DRAWN OUT IS TO THINK ABOUT. AND IF DOING SO WE MUST LOOK FOR OPTIONS. ONE OF THESE IS TO ADD REPLENISHMENT TO THE LBCR OTHER THAN THAT PROVIDED BY THE DRAINAGE AREA. EARLY IN THE PRESENTATIONS THE NTMWD HAD IN THE BONHAM AREA TO THE INTERESTED POPULATION, THIS WAS AN IMPORTANT COMMENT MADE, SO AS TO THE VERY SHALLOW NATURE OF THE PROJECT AND THE POTENTIAL FOR RAPID DEPLETION. THENCE THE NTMWD INFORMALLY STATED THAT THE POSSIBILITY WAS THERE TO RUN A PIPELINE UPSTREAM FROM THE RED RIVER, A FEW MILES TO THE NORTH TO COMPENSATE FOR SEVERE DROUGHT AND DRAWS, AND THUS WATER LEVEL ON LBCR COULD BE KEPT AT AN ATTRACTIVE AND NORMAL POOL ELEVATION. ACCORDING TO KNOWLEDGE, NTMWD HAS AN ALLOTMENT OF 100 MILLION GALS OF WATER PER DAY FROM THE RED RIVER. FROM LAKE TEXOMA THEY ARE PERMITTED TO USE 197,000 ACRE- FEET ALTHOUGH THE MOST THAT HAS BEEN USED IS 84,000 ACRE- FEET. THIS LEAVES 113,000 ACRE- FEET UNTAPPED AND AVAILABLE, APPROXIMATELY 36.7 BILLION GALLONS OF WATER. IT WAS ALSO SAID BY NTMWD THAT EVENTHOUGH SUCH TEXOMA WATER HAD A HIGH MINERAL PRESENCE, A SALINITY CONTENT THREE TO FOUR TIMES THAT OF LAVON, THAT AT THE NEW LBCR IT WOULD ALLOW FOR FORMER TO BE USED. CURRENTLY WATER FROM LAKE TEXOMA HAVING SUCH HIGH SALINITY IS BEING USED BY MIXING IT AT WYLIE TREATMENT PLANT. WATER FROM LAKE TEXOMA HAS NOW BEEN USED BY NTMWD FOR NEARLY 20 YEARS. I HAVE APPROACHED KEY PEOPLE AT THE NTMWD, ONCE IN BONHAM IN JULY 2013 WHENCE ROBERT MCCARTHY WAS PRESENTING UPDATE ON THE PROJECT TO THE PUBLIC. I ADDRESSED QUESTION IN REGARDS TO SUCH PIPELINE IN VIEW THAT NOTHING WAS MENTIONED ABOUT IT. MR. MCCARTHY'S RESPONSE WAS THAT HE HAD NOT HEARD OF IT, EVER.

RECENTLY, ON SEP 2ND 2014 I PERSONALLY SPOKE OVER MY CALLING BY PHONE WITH MIKE RICKMAN ON THE SAME MATTER. ACCORDING TO HIM, HIS RESPONSE TO MY QUESTION, CONCERN IS AS FOLLOWS, AND QUOTE; "SINCE TEXAS HAS LOST A SUIT AGAINST OKLAHOMA OVER THE RIGHT TO CAPTURE WATER IN OKLAHOMA SOIL, AND SINCE IN LAKE TEXOMA ZEBRA MUSSELS INFESTATION PROHIBITED THE RELEASE OF WATER INTO ENVIRONMENT WHEN SUCH WATER WAS CONTAMINATED, THESE TWO CONDITIONS WOULD NOT ALLOW THE NTMWD TO CAPTURE WATER FROM THE RED RIVER TO MX WITH WATER IN FUTURE RESERVOIR, SUBJECT OF OUR DISCUSSION, AND UNLESS THESE CONDITIONS WERE TO CHANGE THE POSSIBILITY OF BRINGING SUCH PIPELINE TO LBCR IS NONE". IT IS IMPORTANT TO SAY THAT MY APPROCHING MIKE RICKMAN WAS IN RESPONSE TO AN INVITATIONAL LETTER FROM THE NTMWD TO DROP MY CONTESTED CASE HEARING, WHICH I CAREFULLY CONSIDERED BUT IN LIEU OF NON-SPECIFIC RESPONSES TO MY QUESTIONS I DECIDED TO CONTINUE AND PROMPTED ME TO WAIT FOR YOUR CONTACTING ME IN REGARDS TO MY CONTESTED CASE HEARING AND BE ABLE TO BE HEARD. IT IS WIDELY KNOWN TO ALL THAT FOR SEVERAL YEARS THE NTMWD HAS USED WATER FROM LAKE TEXOMA VIA PIPELINE FOR 25 MILES UP AND THEN RELEASING IT ON THE WEST PRONG OF SISTER GROVE CREEK AND RECAPTURING IT AT THEIR LAKE LAVON. IT IS NOW KNOWN THAT SINCE MAY 2014 NTMWD HAS BUILT A PIPELINE TO MOVE SAME WATER FROM LAKE TEXOMA TO TREATMENT PLANT VIA ENCLOSED SYSTEM BY MANDATE FROM THE CORPS OF ENGINEERS. THIS PROJECT COST IS OVER 300 MILLION DOLLARS BUT WAS PERFORMED TO SATISFY THE NEED FOR WATER OF OVER 1.6 MILLION CUSTOMERS. SWEET WATER IS MIXED WITH SALTY AT A 4:1 OR 5:1 RATIO AND MADE READY FOR DELIVERY TO ALL. IT IS ALSO MY UNDERSTANDING THAT LEGAL ISSUE WITH OKLAHOMA WATER WOULD HAVE BEEN BEFORE LAKE TEXOMA IN OKLAHOMA SOIL BEFORE THAT WATER ENTERED TEXOMA AND INCREASED IN SALINITY. I, AFTER RELATING THESE WORDS AND FACTS TO TCEQ, MUST CONCLUDE THEN THAT THE ANSWERS TO ME GIVEN WERE NOT SATISFACTORY, BUT DO POINT TO ATTEST THAT THE FUTURE PIPELINE TO THE FUTURE LBCR WAS FACTUALLY AND INDEED CONSIDERED AND SPOKEN ABOUT. I AM IN FAVOR OF THE NEW LOWER BOIS D'ARC RESERVOIR OR LAKE IF ALL PARTIES STAND AT BENEFITING AND NONE AT ADVERSELY BEING AFFECTED WITHOUT REGARD, CONSIDERATION OR FAIR COMPENSATION. I DID SELL MY LAND NOT JUST TO AVOID EMINENT DOMAIN BUT FOR MY PERSONAL GAIN AND BENEFIT. I ALSO SEE THE GREAT NEED WE HAVE FOR NEW SOURCES OF WATER IN OUR LARGE GROWING AREA THAT IS NORTH CENTRAL TEXAS. I FAVOR PROGRESS, A RESPONSIBLE ONE AND BELIEVE IN OUR GOVERNMENT TO DO SOUND DECISIONS FOR US TODAY AND THE ONES TO FOLLOW.

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MOST TRULY AND RESPECTFULLY,



CARLOS A. PARDO
PHONE # 972- 670- 1925
4085 PRESTON HILLS CR.
CELINA, TEXAS 75009

FURTHER REVISED

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QUALITY

THESE FIGURES CREATE ALL KIND OF CONCERN AND WORRIES FOR ME AND LEAD ME TO BELIEVE MY PROPERTY WILL BORDER ONE ROBUST BODY OF WATER FOR ONLY A FEW WEEKS OUT OF THE YEAR. MY PROPERTY VALUES WILL LIKELY BE ADVERSELY AFFECTED IF TOO MUCH WATER IS TAKEN OUT BY THE NTMWD AND IS NOT REPLENISHED EXCEPT BY RUNOFF ON DRAINAGE BASIN FOR LOWER BOIS D'ARC CREEK.

THE POTENTIAL DEVELOPMENTS WE HAVE HEARD ABOUT MAY NOT OCCUR AND THE ECONOMIC IMPACT MAY BE FAR LESS THAN WHAT THE NTMWD PREDICTS. I HAVE NEVER HEARD THE NTMWD USE THE WORD LAKE TO ADDRESS THIS PROJECT. THEY LABEL IT RESERVOIR. FOR US LAND OWNERS WE ENVISION A BODY OF WATER WITH THE INVITING VIEWS AND THUS WE CALL IT A LAKE, NOT A STORAGE TANK OR POOL. LAKES, RESERVOIRS ARE BUILT PRIMARILY FOR WATER CONSERVATION BY STORAGE OF WATER, BUT ALSO FOR RECREATION, AMUSEMENT AND ALSO FOR AESTHETICS WHICH GREATLY IMPACT REAL ESTATE VALUES. A SHALLOW RESERVOIR WITH A HIGH YIELD DRAWN OUT IS TO THINK ABOUT. AND IF DOING SO WE MUST LOOK FOR OPTIONS. ONE OF THESE IS TO ADD REPLENISHMENT TO THE LBCR OTHER THAN THAT PROVIDED BY THE DRAINAGE AREA. EARLY IN THE PRESENTATIONS THE NTMWD HAD IN THE BONHAM AREA TO THE INTERESTED POPULATION, THIS WAS AN IMPORTANT COMMENT MADE, SO AS TO THE VERY SHALLOW NATURE OF THE RESERVOIR AND THE POTENTIAL FOR RAPID DEPLETION. THENCE NTMWD INFORMALLY STATED THAT THE POSSIBILITY WAS THERE TO RUN A PIPELINE FROM THE RED RIVER A FEW MILES TO THE NORTH TO COMPENSATE FOR SEVERE DROUGHT AND/OR DRAWS AND THUS WATER LEVEL ON LBCR COULD BE KEPT AT AN ATTRACTIVE ALMOST NORMAL ELEVATION. ACCORDING TO KNOWLEDGE, NTMWD HAS AN ALLOTTEMENT OF 100 MILLION GALS OF WATER PER DAY FROM THE RED RIVER AND FROM LAKE TEXOMA THEY ARE PERMITTED TO USE 197,000 ACRE- FEET ALTHOUGH THE MOST THAT HAS BEEN USED IS 84,000 ACRE- FEET. THIS LEAVES 113,000 ACRE-FEET UNTAPPED AND AVAILABLE, APPROXIMATELY 36.7 BILLION GALLONS OF WATER. IT WAS ALSO SAID BY NTMWD THAT EVENTHOUGH SUCH TEXOMA WATER HAD A HIGH MINERAL PRESENCE, A SALINITY CONTENT THREE TO FOUR TIMES THAT OF LAVON, THAT AT NEW LBCR IT WOULD ALLOW FOR FORMER TO BE USED. CURRENTLY WATER FROM LAKE TEXOMA HAVING SUCH HIGH SALINITY IS BEING USED BY MIXING IT AT WYLIE TREATMENT PLANT. WATER FROM LAKE TEXOMA HAS NOW BEEN USED BY NTMWD FOR NEARLY 20 YEARS. I HAVE APPROACHED KEY PEOPLE AT THE NTMWD, ONCE IN BONHAM IN JULY 2013 WHENCE ROBERT MCCARTHY WAS PRESENTING UPDATE ON THE PROJECT TO THE PUBLIC. I ADDRESSED QUESTION IN REGARDS TO SUCH PIPELINE IN VIEW THAT NOTHING WAS MENTIONED ABOUT IT. MR. MCCARTHY'S RESPONSE WAS THAT HE HAD NEVER HEARD THAT.

RECENTLY, ON SEP. 2ND 2014 I PERSONALLY SPOKE OVER MY CALL BY PHONE WITH MIKE RICKMAN ON THE SAME MATTER. ACCORDING TO HIM HIS RESPONSE TO MY QUESTION, CONCERN IS AS FOLLOWS, AND QUOTE; "SINCE TEXAS HAS LOST A SUIT AGAINST OKLAHOMA OVER THE RIGHT TO CAPTURE WATER IN OKLAHOMA SOIL, AND SINCE IN LAKE TEXOMA ZEBRA MUSSLES INFESTATION PROHIBITED THE RELEASE OF WATER INTO ENVIRONMENT WHEN SUCH WATER WAS CONTAMINATED, THESE TWO CONDITIONS WOULD NOT ALLOW THE NTMWD TO CAPTURE WATER FROM THE RED RIVER TO MIX WITH WATER IN FUTURE RESERVOIR, SUBJECT OF OUR DISCUSSION, AND UNLESS THESE CONDITIONS WERE TO CHANGE THE POSSIBILITY OF BRINGING SUCH PIPELINE TO LBCR IS NONE". IT IS IMPORTANT TO SAY THAT MY APPROCHING MIKE RICKMAN WAS IN RESPONSE TO AN INVITATIONAL LETTER FROM THE NTMWD TO DROP MY CONTESTED CASE HEARING, WHICH I CAREFULLY CONSIDERED BUT IN LIEU OF NON-SPECIFIC RESPONSE TO MY QUESTIONS I DECIDED TO CONTINUE AND PROMPTED ME TO WRITE THIS LETTER TO YOU. IT IS WIDELY KNOWN TO ALL THAT FOR SEVERAL YEARS THE NTMWD HAS USED WATER FROM LAKE TEXOMA VIA PIPELINE FOR 25 MILES UP AND THEN RELEASING IT ON THE WEST PRONG OF SISTER GROVE CREEK AND RECAPTURING IT AT THEIR LAKE LAVON. IT IS NOW KNOWN THAT SINCE MAY 2014 NTMWD HAS BUILT A PIPELINE TO MOVE SAME WATER FROM LAKE TEXOMA TO TREATMENT PLANT VIA ENCLOSED SYSTEM BY MANDATE FROM THE CORPS OF ENGINEERS. THIS PROJECT COST OVER 300 MILLION DOLLARS BUT WAS PERFORMED TO SATISFY THE NEED FOR WATER OF OVER 1.6 MILLION CUSTOMERS. SWEET WATER IS MIXED WITH SALTY AT A 4:1 OR 5:1 RATIO AND MADE READY FOR DELIVERY TO ALL. IT IS ALSO MY UNDERSTANDING THAT LEGAL ISSUE WITH OKLAHOMA WATER WOULD HAVE BEEN BEFORE LAKE TEXOMA IN OKLAHOMA SOIL BEFORE THAT WATER ENTERED TEXOMA AND INCREASED IN SALINITY. I, AFTER RELATING THESE WORDS AND FACTS TO TCEQ MUST CONCLUDE THEN THAT THE ANSWERS TO ME GIVEN WERE NOT SATISFACTORY, BUT DO POINT TO ATTEST THAT THE FUTURE PIPELINE TO THE FUTURE LBCR WAS FACTUALLY AND INDEED CONSIDERED AND SPOKEN ABOUT. I AM IN FAVOR OF THE NEW LOWER BOIS D'ARC RESERVOIR OR LAKE IF ALL PARTIES STAND AT BENEFITTING AND NONE AT ADVERSELY BEING AFFECTED WITHOUT REGARD, CONSIDERATION AND/OR COMPENSATION. I SOLD MY LAND NOT JUST TO AVOID EMINENT DOMAIN BUT ALSO FOR PERSONAL GAIN AND BENEFIT. I ALSO SEE THE GREAT NEED WE HAVE FOR NEW SOURCES OF WATER IN OUR LARGE GROWING AREA THAT IS NORTH CENTRAL TEXAS. I FAVOR PROGRESS, A RESPONSIBLE ONE AND BELIEVE IN OUR GOVERNMENT TO DO SOUND DECISIONS FOR US TODAY AND THE ONES TO FOLLOW

THE MITIGATION LAND WILL SUFFICE THE LOSS OF MY PRIME FARMLAND AND TIMBER. FOR THE BRIGHT FUTURE THAT I WAS PRESENTED WITH, I DECIDED TO SELL MY LAND IN SPITE OF MY ENVIRONMENTAL LOSS. I SAW IT AS A TRADE OFF, A SACRIFICE FOR SOMETHING OF GREATER GOOD AND RELEVANCE FOR NOT JUST MYSELF BUT ALL OF THE COMMON. PROGRESS. IN ESSENCE, MY DEEP PERSONAL CONCERN IS THAT THE NTMWD STANDS WELL IN THIS PROJECT. IF APPROVED, INVESTMENT WILL BE RECOVERED AND REVENUE WILL BE IN TIME PRODUCED FOR GENERATIONS TO COME. I FEEL THAT IF THE NTMWD IS GRANTED PERMIT TO BUILD RESERVOIR, A SPECIAL PROVISION SHOULD EXIST TO WHERE IN CASE CONDITIONS OF DROUGHT, USE ETC. CREATE A SITE CONTRARY TO ACCEPTABLE AND NORMAL ASPIRATIONS FOR A PROJECT OF THIS MAGNITUDE, THE NTMWD WILL THEN BE REQUIRED TO START LOOKING AT THIS PIPELINE AS THE COMPLETION OF THE PROJECT WE HEREBY ARE TO EMBARK ON. TECHNOLOGY IS ALREADY THERE FOR BRINGING WATER UPSTREAM AND FOR COMPLEX FILTRATION. NTMWD HAS ALREADY DONE SO WITH THE PIPELINE THEY JUST BUILT FROM TEXOMA TO WYLIE. IT IS IMPORTANT THAT LANDOWNERS WITH AFFECTED FRONTAGE ON NEW RESERVOIR BE GIVEN THIS GUARANTEE. DENYING IT MAY SIGNIFY WE WILL EXPERIENCE AND ADVERSE SITE FOR ECONOMIC DEVELOPMENT AND IT MAY BE LATE FOR US LANDOWNERS TO OBTAIN FAIR AND JUST CONSRATION AND/OR COMPENSATION ONCE PERMIT IS GIVEN AND RESERVOIR IS BUILT. THIS SCENARIO IS THE REASON WHY I FEEL AFFECTED BY THE NEW LBCR. I SOLD IN SPITE I HAD ORIGINALLY OPPOSED THIS PROJECT WITH VIGOR AND DETERMINATION TO DEFEND MY LAND. THINGS LED ME TO HAVE A CHANGE OF MIND. ONE OF THEM WAS THE FACT THAT A PIPELINE TO REFILL THIS LBCR WAS AND SOUNDED LIKE AN INSURANCE FOR ALL OF US. THE NTMWD POSITION IN REPLYING TO MY QUESTIONS LEADS ME TO STATE TO YOU, TCEQ, THAT I STAND TO BE ADVERSELY AFFECTED SHOULD THIS PROJECT BE CARRIED OUT WITHOUT THE PROVISION FOR THAT SUCH PIPELINE, AND SO MY REQUEST FOR A CONTESTED CASE HEARING IS THEN HEREBY APPEALED. I WISH MY VOICE TO BE HEARD AND I DO ANTICIPATE MY THANKS FOR YOUR UNDIVIDED ATTENTION. MOST RESPECTFULLY,

CARLOS A. PARDO
PHONE # 972- 670- 1925
4085 PRESTON HILLS CR.
CELINA, TEXAS 75009

REVISED