

September 11, 2014

Chief Clerk  
TCEQ  
ATTN: Agenda Docket Clerk  
MC-105, P.O. Box 13087  
Austin, Texas 78711-3087

CHIEF CLERK'S OFFICE

2014 SEP 16 PM 2: 24

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

Re: Docket No. 2014-0913-WR, NTMWD, Hearing Requests filed on Water Rights Permit No. WRPERM 12151

Request for Reconsideration and Contested Case Hearing, Public Comment

I, Larry D. Franklin, am filing a Request for Reconsideration due to the lack of specifics that were not included in my original letter enumerated in Title 30, Section 55.256 of the TAC.

My land was not identified on the map as being in the footprint of the Lower Bois d'Arc Creek Reservoir - P12151.

I own 65.29 acres of bottom land located on the West side of the juncture of Allen Creek and Honey Grove Creek. The following identifies the land I own:

Property ID 79842;

Legal Description: AO731, I A McMinary, Acres 65.29, Life Estate

Geo ID: 0731-010-0000-10

Address: CR 2765, Honey Grove, TX 75446

Map ID: N 7N

Owner ID: 141451, Franklin, Larry D

I have enclosed copies of the Fannin County CAD Map, Fannin County Appraisal District Property Details

I am farming the last of the land my Grandfather, John Augustus Franklin acquired and left for his future generations to tend. By the way, my Grandfather fought during WWI and was wounded in Action in France, he was the recipient of the Purple Heart, however, like us, did not ever receive recompense for his injuries, nor did he expect it. He raised a wife and 3 children (Robert Neal Franklin, my Father). On this land he raised Hay, Cotton, Corn, Alfalfa, Dairy and Beef Cattle, Chickens, Geese and Ducks, numerous Fruit Trees and Pecan Trees, Garden Plots and provided firewood for heating and cooking.

1) This 65.29 acres is one of my primary sources of Hay for our Beef Cattle Production, yielding approximately 200-300 bales per year (weather conditions taken into consideration) at a rate of \$35 - \$50/bale. This is some of the richest bottom land, producing hay year after year with minimal fertilizer required.

2) The land has productive Pecan Trees and Hardwood Trees, to include Hickory, Oak, Green Ash, Bois d'Arc, Cedar Elm, Honey Locust, Eastern Red Cedar. I have fences made of Bois d'Arc that will be on the land long after I die.

3) This will displace wildlife living and passing through this bottomland, to include; **Bald Eagles**, Deer, Turkeys, Red Fox, Pheasants, Bob Cats, Squirrels, Red Hawks, Migratory Birds and Song Birds, Owls, Dove, Quail, Beavers

4) To TAKE away, through Eminent Domain, the land I am so proud to farm on behalf of my Grandfather Gus is something that cannot be replaced through the purchase of other land (if there were any available).

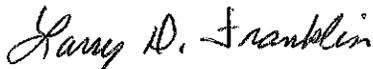
5) The final blow to my Grandfather and to me is that the land will become part of a shallow reservoir and the only living creatures will be Water Moccasins and Copperhead Snakes, and a pit for Mosquitoes carrying West Nile Virus.

I know this is a "done deal" and the Lower Bois d'Arc Creek Reservoir will be a reality. But, it was insult to injury when I received notice:

"Mr. Franklin has not identified any personal justiciable interest affected by the Application, it is impossible to determine that this requestor is an affected person using any relevant factors".

Therefore, as previously stated, I am requesting a Reconsideration for Hearing based upon NTMWD and the TCEQ not even showing I am a landowner who is HIGHLY affected.

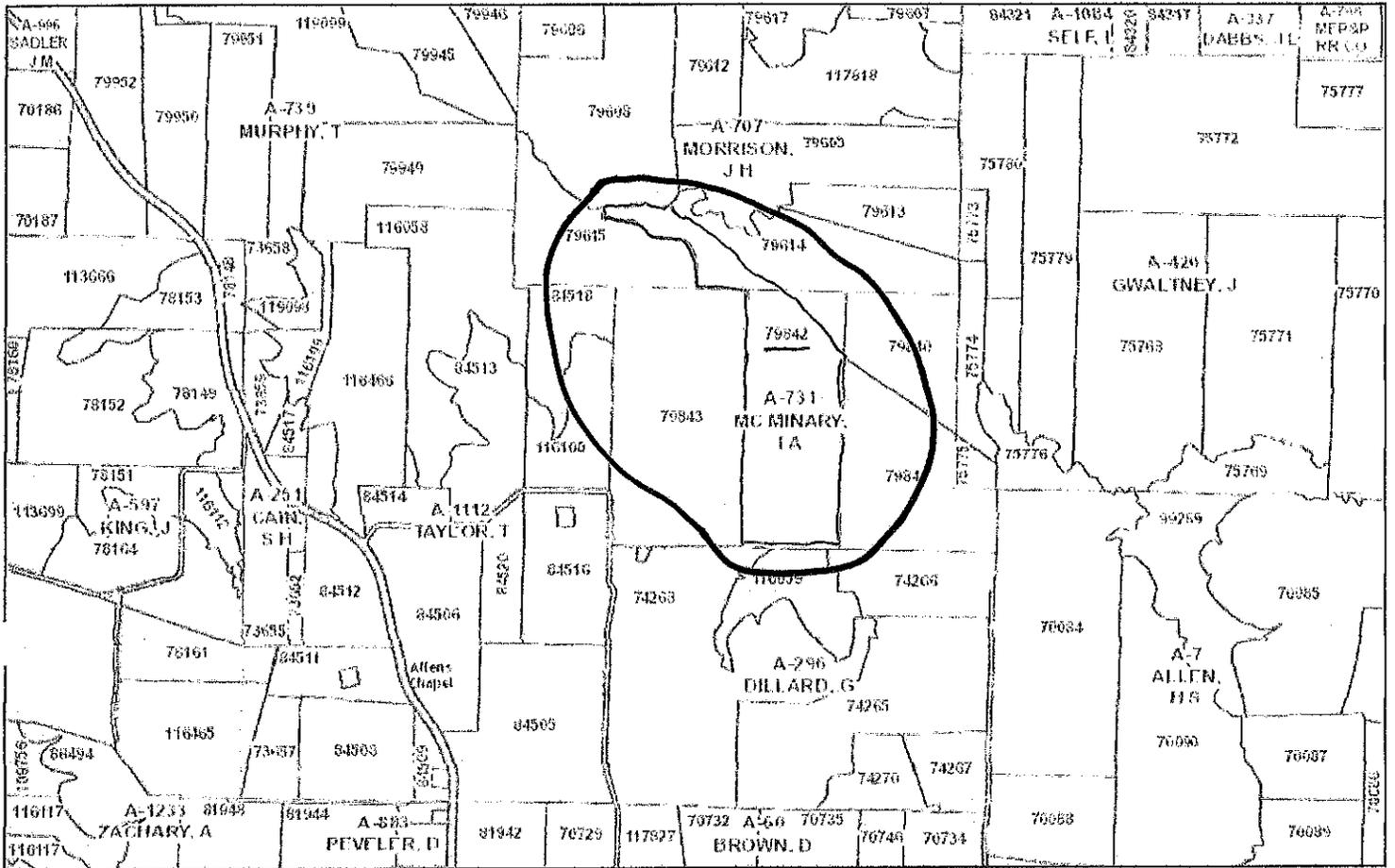
Sincerely,



Larry D. Franklin  
15387E FM 1396  
Windom, Tx 75492  
903-378-3949  
e-mail: dnomoney65@yahoo.com

cc: Martin Rochelle, For the Applicant  
Lloyd Gosselink, For the Applicant  
Robin Smith, Staff Attorney, TCEQ  
Chris Kozlowski, Technical Staff TCEQ  
Brian Christian, Director, TCEQ  
Vic McWherter, Acting Public Interest Counsel, TCEQ  
Kyle Lucas, TCEQ  
Ms. Bridget C. Bohac, Chief Clerk, TCEQ

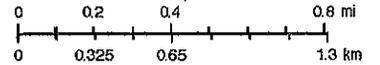
# Map Title



September 11, 2014

-  Parcels
-  Abstracts

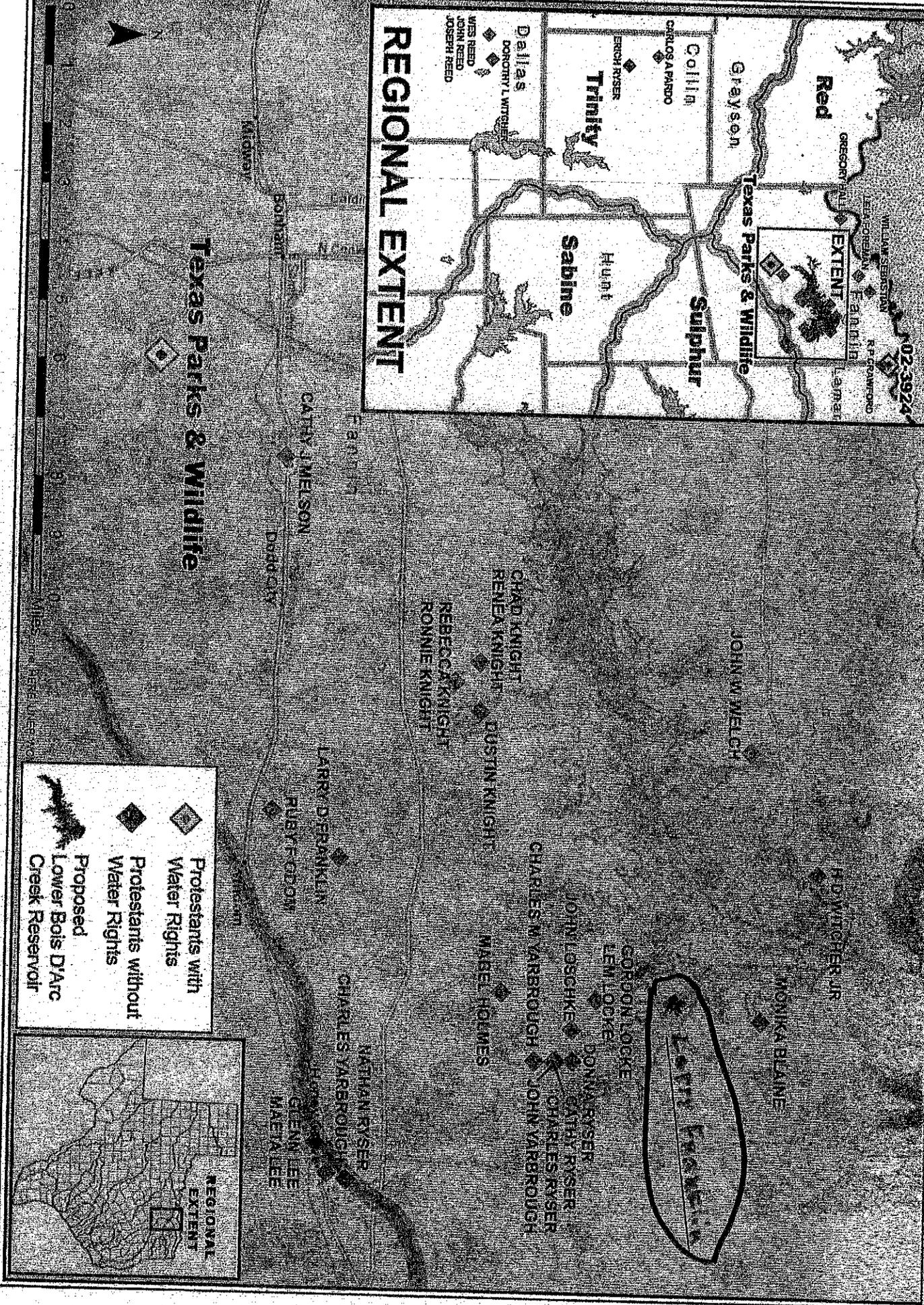
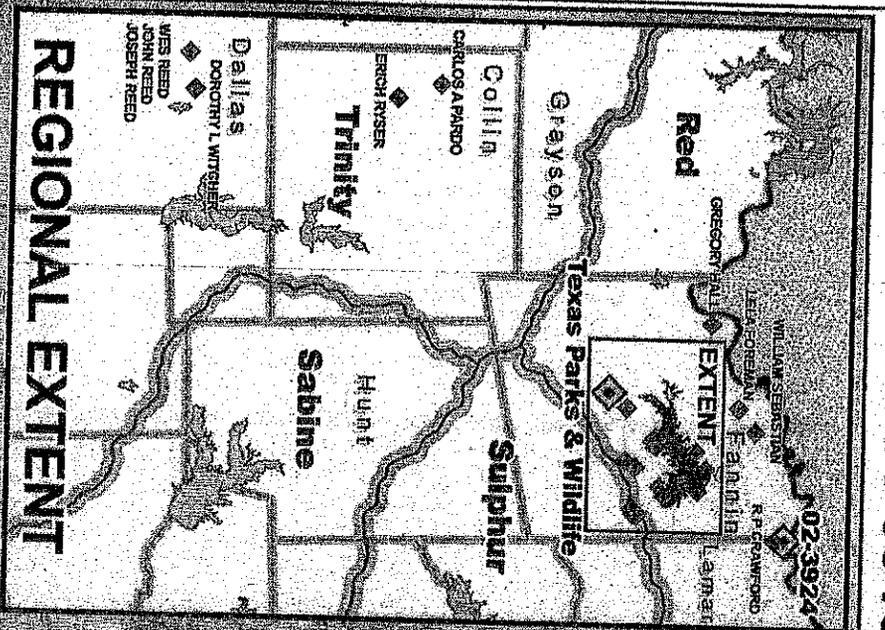
1:24,075



Sources: Esri, HERE, DeLorme, USGS, Intermap, Incent P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand),

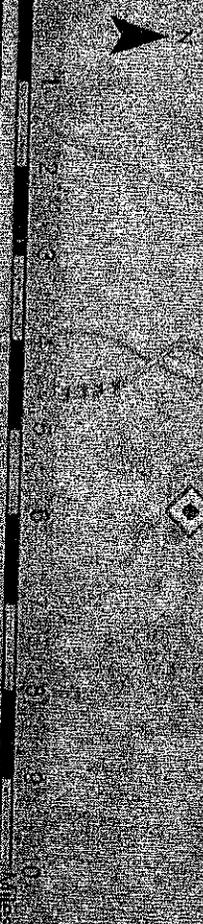
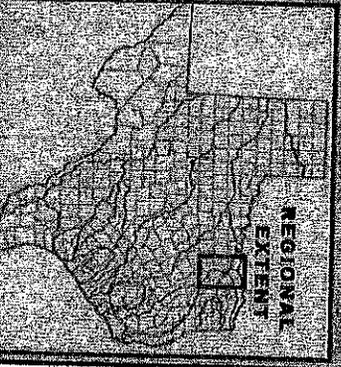
Fannin County Appraisal District & GIS Consulting - [www.bisconsultants.com](http://www.bisconsultants.com)

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**Texas Parks & Wildlife**

	Protestants with Water Rights
	Protestants without Water Rights
	Proposed Lower Bois D'Arc Creek Reservoir



Property Details	
<b>Account</b>	
Property ID:	79842
Legal Description:	A0731 I A MC MINARY, ACRES 65.29, LIFE ESTATE
Geographic ID:	0731-010-0000-10
Agent Code:	
Type:	Real
<b>Location</b>	
Address:	CR 2765 HONEY GROVE, TX 75446
Map ID:	N 7N
Neighborhood CD:	HGRN
<b>Owner</b>	
Owner ID:	141451
Name:	FRANKLIN LARRY
Mailing Address:	C/O A & F LAND & CATTLE, LLC 15387 E FM 1396 WINDOM, TX 75492
% Ownership:	100.0%
Exemptions:	No Exemptions

Property Values	
Improvement Homesite Value:	\$0
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$0
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$157,960
Market Value:	\$157,960
Ag Use Value Reduction:	\$16,200
Appraised Value:	\$16,200
HS Cap:	\$0
Assessed Value:	\$16,200

DATE: 9/15/14

TO: BRIDGET BOWAC, CHIEF CLERK  
TCEQ

FROM: LARRY FRANKLIN

RE: DOCKET # 20140913-WR, NTMWD, HERRING  
REQUEST ON WATER RIGHTS

REQUEST FOR RECONSIDERATION

4 PAGES

MS BOWAC,

ATTACHED IS A COPY OF MY LETTER I SENT  
PRIORITY MAIL, I SHOW THE LETTER &  
COPIES SHOULD BE DELIVERED THIS AFTERNOON  
BY USPS PRIORITY MAIL. HOWEVER, I  
WANTED TO ALSO SEND MY FAX.

THANK YOU

LARRY FRANKLIN  
903-378-3949

CHIEF CLERKS OFFICE

2014 SEP 15 PM 4:50

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

September 11, 2014

Chief Clerk  
TCEQ  
ATTN: Agenda Docket Clerk  
MC-105, P.O. Box 13087  
Austin, Texas 78711-3087

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2014 SEP 15 PM 4: 50  
CHIEF CLERKS OFFICE

Re: Docket No. 2014-0913-WR, NTMWD, Hearing Requests filed on Water Rights Permit No. WRPERM 12151

Request for Reconsideration and Contested Case Hearing, Public Comment

I, Larry D. Franklin, am filing a Request for Reconsideration due to the lack of specifics that were not included in my original letter enumerated in Title 30, Section 55.256 of the TAC.

My land was not identified on the map as being in the footprint of the Lower Bois d'Arc Creek Reservoir - P12151.

I own 65.29 acres of bottom land located on the West side of the juncture of Allen Creek and Honey Grove Creek. The following identifies the land I own:

Property ID 79842;

Legal Description: AO731, I A McMinary, Acres 65.29, Life Estate

Geo ID: 0731-010-0000-10

Address: CR 2765, Honey Grove, TX 75446

Map ID: N 7N

Owner ID: 141451, Franklin, Larry D

I have enclosed copies of the Fannin County CAD Map, Fannin County Appraisal District Property Details

I am farming the last of the land my Grandfather, John Augustus Franklin acquired and left for his future generations to tend. By the way, my Grandfather fought during WWI and was wounded in Action in France, he was the recipient of the Purple Heart, however, like us, did not ever receive recompense for his injuries, nor did he expect it. He raised a wife and 3 children (Robert Neal Franklin, my Father). On this land he raised Hay, Cotton, Corn, Alfalfa, Dairy and Beef Cattle, Chickens, Geese and Ducks, numerous Fruit Trees and Pecan Trees, Garden Plots and provided firewood for heating and cooking.

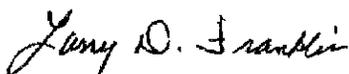
1) This 65.29 acres is one of my primary sources of Hay for our Beef Cattle Production, yielding approximately 200-300 bales per year (weather conditions taken into consideration) at a rate of \$35 - \$50/bale. This is some of the richest bottom land, producing hay year after year with minimal fertilizer required.

- 2) The land has productive Pecan Trees and Hardwood Trees, to include Hickory, Oak, Green Ash, Bois d'Arc, Cedar Elm, Honey Locust, Eastern Red Cedar. I have fences made of Bois d'Arc that will be on the land long after I die.
- 3) This will displace wildlife living and passing through this bottomland, to include; **Bald Eagles**, Deer, Turkeys, Red Fox, Pheasants, Bob Cats, Squirrels, Red Hawks, Migratory Birds and Song Birds, Owls, Dove, Quail, Beavers
- 4) To TAKE away, through Eminent Domain, the land I am so proud to farm on behalf of my Grandfather Gus is something that cannot be replaced through the purchase of other land (if there were any available).
- 5) The final blow to my Grandfather and to me is that the land will become part of a shallow reservoir and the only living creatures will be Water Moccasins and Copperhead Snakes, and a pit for Mosquitoes carrying West Nile Virus.

I know this is a "done deal" and the Lower Bois d'Arc Creek Reservoir will be a reality. But, it was insult to injury when I received notice: "Mr. Franklin has not identified any personal justiciable interest affected by the Application, it is impossible to determine that this requestor is an affected person using any relevant factors".

Therefore, as previously stated, I am requesting a Reconsideration for Hearing based upon NTMWD and the TCEQ not even showing I am a landowner who is HIGHLY affected.

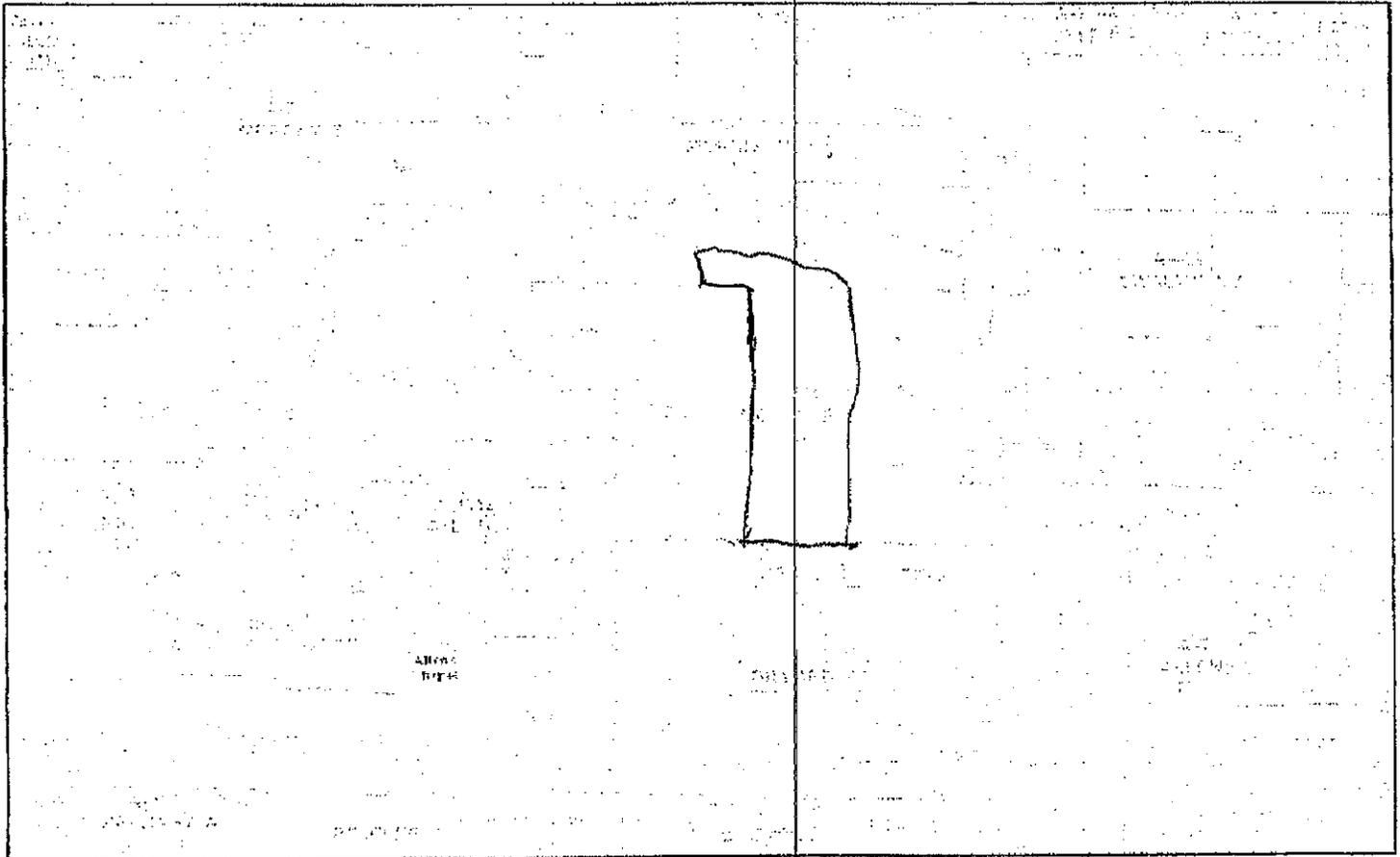
Sincerely,



Larry D. Franklin  
15387E FM 1396  
Windom, Tx 75492  
903-378-3949  
e-mail: dnomoney65@yahoo.com

cc: Martin Rochelle, For the Applicant  
Lloyd Gosselink, For the Applicant  
Robin Smith, Staff Attorney, TCEQ  
Chris Kozlowski, Technical Staff TCEQ  
Brian Christian, Director, TCEQ  
Vic McWherter, Acting Public Interest Counsel, TCEQ  
Kyle Lucas, TCEQ  
Ms. Bridget C. Bohac, Chief Clerk, TCEQ

# Larry Franklin Prop ID 79842



September 11, 2014

Parcels

Abstracts



Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., MRCAN, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, etc.

Fairfax County Appraisal District & BIS Consulting - www.bisconsultants.com

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.