

CONTESTED AGENDA

Wednesday, March 6, 1991

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF PILGRIM'S PRIDE CORPORATION FOR AN AMENDMENT TO PERMIT NO. 03017 TO AUTHORIZE THE DISCHARGE OF 3.0 MGD treated industrial wastewater effluent in Titus County, Texas, and Segment No. 0404 of the Cypress Creek Basin. Recommendation: Issuance of permit. (O'Neal)

CONTINUED TO 3/27/91, 9:00 A.M.

Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF MAUD. PERMIT NO. 10767-01. (CULBERTSON)

APPROVED, JEB/BJW

Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER CONCERNING VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE AND TWC RULES BY MURRAY EAST DBA OAK RIDGE DAIRY. (NO PERMIT) (MARTINEZ)

APPROVED, JEB/BJW

Item 4. CONSIDERATION OF WHETHER PROBABLE GROUNDS EXIST FOR THE COMMISSION TO TAKE JURISDICTION OVER THE CITY OF KILGORE'S PETITION REQUESTING COMMISSION REVIEW OF THE WHOLESALE WATER RATES CHARGED BY THE CITY OF LONGVIEW, DOCKET NO. 8746-M. (Lanning)

CONT. TO 6/26/91, AT 9:00 A.M.

Item 5. CONSIDERATION OF THE EXECUTIVE DIRECTORS INVESTIGATION INTO THE OPERATIONS AND SERVICES RENDERED BY R.C. D/B/A/ LAWSON WATER SERVICE/ ORANGE COUNTY, TEXAS. (KEILS, K.) D-8809

CONT. TO 4/10/91, AT 9:00 A.M.

Item 6. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF TAWAKONI WATER UTILITY CORPORATION TO INCREASE RETAIL WATER RATES IN HUNT, KAUFMAN AND VAN ZANDT COUNTIES, TEXAS; DOCKETS NOS. 8127-A AND 7961-R. Applicant provides retail water service to approximately 2,345 customers. Recommendation: Approval of rate increase. (Limes)

CONT. TO 3/13/91, AT 9:00 A.M.

Item 7. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE PETITION OF EXECUTIVE DIRECTOR FOR ASSESSMENT OF ADMINISTRATIVE PENALTIES AND OTHER RELIEF AGAINST KATHY DRISKELL DBA DRISKELL SUBURBAN MOBILE ESTATES WATER SYSTEM; DOCKET NO. 8237-E. Recommendation: Assess Administrative Penalties. (Sahs)

APPROVED, JEB/BJW

Item 8. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND PROPOSED ORDER CONCERNING THE APPLICATION OF AQUA WATER SUPPLY CORPORATION AND SANDERS ESTATES WATER COMPANY FOR A TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11780 to provide water service in Bastrop County, Texas; Docket No. 8493-S. Recommendation: Issuance. (Parker)

CONT. TO 3/13/91, 9:00 A.M.

Item 9. THE COMMISSION WILL MEET IN EXECUTIVE SESSION TO DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, AND/OR THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF SPECIFIC COMMISSION EMPLOYEES, as permitted by TEX.REV.CIV.STAT.ANN. art 6252-17 Sections 2(e) and 2(g). No final action, decision or vote with regard to any matter considered in closed session shall be made in the absence of further notice issued in accordance with TEX.REV.CIV.STAT.ANN. art. 6252-17.

NO ACTION TAKEN

CONTESTED OLD BUSINESS

Wednesday, March 6, 1991

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

Item carried forward from Agenda of February 6, 1991.

- Item 1. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TYLER PIPE INDUSTRIES, INC., SWR NO. 30140 (WARNEKE, BOB)

REMAND TO OFFICE HEARINGS EXAMINER

Item carried forward from Agenda of February 13, 1991 and February 20, 1991.

- Item 2. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF JOHN D. VIEMAN, ET AL. for a Water Use Permit No. 5256 in Brazoria County, Texas, to divert and construct a reservoir to construct off-channel reservoirs and divert 1,253 acre-feet per annum to maintain reservoir levels, irrigation, industrial fish farming, and recreation from the Austin Bayou in San Jacinto-Brazos Coastal River Basin, for irrigation and industrial purposes. Recommendation: Issuance of authorization. (Sahs)

APPROVED, PROPOSED ORDER WITH CHANGES BY STAFF, JEB/BJW

Item carried forward from Agenda of February 20, 1991.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TINSE CHEMICAL COMPANY, INC., CONCERNING VIOLATIONS OF TEXAS WATER CODE CHAPTER 26. (Martinez)

REMAND TO OFFICE HEARINGS EXAMINER

WYNNE  
BIRDWELL  
JOHNSON ABSENT

UNCONTESTED AGENDA

Wednesday, March 6, 1991

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

ITEM 1 EMPLOYEE OF THE MONTH PRESENTATION. (Beinke)

JEANNETT FRANKLIN, NAMED

ITEM 2. APPLICATION BY BROWNING FERRIS, INC. for a permit (Proposed Permit No. SW-39039) in order to operate a facility for the storage, processing and disposal of Class I non-hazardous industrial solid wastes generated on-site and received from off-site sources. The facility will be located on a 161-acre tract of land adjoining Jenkins Road, approximately six miles east of Anahuac in Chambers County, Texas.

CONT. TO 3/20/91, AT 3:00 P.M.

ITEM 3. APPLICATION BY DON PARRISH DAIRY, INC. for a permit (Proposed Permit No. 03288) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 900 head in confinement. The dairy is on an unnamed county road, approximately 2.6 miles north of State Highway 84 and three miles southwest of the intersection of State Highway 84 and Farm-to-Market Road 1047 in Hamilton County, Texas.

APPROVED, JEB/BJW

ITEM 4. APPLICATION BY MCMULLEN COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 for a permit (Proposed Permit No. 13543-01) to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 96,000 gallons per day. The plant site is to be adjacent to the west side of State Highway 16 and immediately south of the intersection of State Highway 16 and Farm-to-Market Road 72 in McMullen County, Texas.

APPROVED, JEB/BJW

ITEM 5. APPLICATION BY AUDREY OWENS for a permit (Proposed Permit No. 03282) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 600 head in confinement. The dairy is approximately five miles southwest of the Community of Bullard, north of the intersection of Farm-to-Market Road 855 and Farm-to-Market Road 2137, in Cherokee County, Texas.

APPROVED, JEB/BJW

ITEM 6. APPLICATION BY DOYLE WOOD for a permit (Proposed Permit No. 03274) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 700 head in confinement.

The dairy is on the southwest side of the intersection of State Highway 11 and Farm-to-Market Road 2560, approximately .25 mile south of the Martin Springs Community in Hopkins County, Texas.

APPROVED, JEB/BJW

ITEM 7. APPLICATION BY CITY OF MARLIN for a minor amendment to Permit No. 10110-01 to divide the two existing wastewater treatment plants into two separate permits. Permit No. 10110-001 would authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 1,250,000 gallons per day. Permit No. 10110-02 would authorize a discharge of treated domestic wastewater effluent at an interim volume not to exceed an average flow of 1,000,000 gallons per day and a final volume not to exceed an average flow of 2,000,000 gallons per day.

APPROVED, JEB/BJW

ITEM 8. APPLICATION BY CITY OF BOYD for an amendment to Permit No. 10131-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 70,000 gallons per day to a volume not to exceed an average flow of 210,000 gallons per day. The wastewater treatment facilities are on the north side of State Highway 114, approximately 1,000 feet east-northeast of the intersection of Farm-to-Market Road 730 and State Highway 114 in Wise County, Texas.

REMAND TO EXECUTIVE DIRECTOR

ITEM 9. APPLICATION BY CITY OF LUBBOCK, LUBBOCK POWER AND LIGHT for an amendment to Permit No. 01895 in order to add a provision which would allow adjacent landowners to use the effluent to irrigate crops. The permit authorizes a discharge of cooling tower blowdown and previously monitored effluent at a volume not to exceed an average flow of 800,000 gallons per day, which will remain the same. The plant site is at 3500 East Slaton Highway in the City of Lubbock, Lubbock County, Texas.

APPROVED, JEB/BJW

ITEM 10. APPLICATION BY NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 for an amendment to Permit No. 11824-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 360,000 gallons per day to a volume not to exceed an average flow of 400,000 gallons per day. The plant site is at 14950 Cypress Green Drive, approximately 0.5 mile east of the intersection of Spring Cypress Road and Telge Road in Harris County, Texas.

APPROVED, JEB/BJW

ITEM 11. APPLICATION BY BETZ LABORATORIES, INC. for renewal of Permit No. 02790 which authorizes a discharge of stormwater runoff from the raw materials and products handling areas located within the Garland Plant which produces dry and liquid water treatment chemicals by blending organic and/or inorganic chemicals. The plant site is at 2222 Lonecker Drive (east side of Lonecker Drive between Miller Road and Kingsley Road) in the City of Garland, Dallas County, Texas.

APPROVED, JEB/BJW

ITEM 12. APPLICATION BY TEXAS UTILITIES MINING COMPANY for renewal of Permit No. 02644 which authorizes discharges of mine water and surface water from multiple sedimentation ponds at volumes variable with rainfall from the Martin Lake Lignite Mine. The plant site is within 40 miles of the Martin Lake Steam Electric Station. The various mine areas are located as follows: Mine Area A is adjacent to and southeast of Martin Lake; Mine Area B is northeast of Mine Area A; Mine Area C is approximately 3 miles east of the City of Tatum, Rusk-Panola, Counties, Texas; Mine Area D is approximately 2 miles north of the City of Henderson, Rusk County, Texas; and Mine Area C-II is bounded on the east by the existing Mine Area C; on the north by State Highway 43, on the south by Martin Creek and on the west by the City of Tatum in Panola County, Texas.

APPROVED, JEB/BJW

ITEM 13. CONSIDERATION OF EXAMINER'S MEMORANDUM CONCERNING THE PETITION OF THE EXECUTIVE DIRECTOR FOR AN ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF CHEMICALS, INC. IN CHAMBERS COUNTY, TEXAS. The applicant's facilities are located in Segment 0902 of the Trinity-San Jacinto River Basin. Recommendation: Adoption of the Agreed Order. (Murphy)

APPROVED, JEB/BJW

ITEM 14. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND FINDING NO FURTHER ACTION IS NECESSARY THE CITY OF SINTON SAN PATRICIO COUNTY. (PERMIT NO. 10055-01) (RASBERRY)

APPROVED, JEB/BJW

ITEM 15. APPLICATION BY PALMER PLANTATION MUNICIPAL UTILITY DISTRICT NO. 1 OF FORT BEND COUNTY FOR APPROVAL OF A \$3,000,000 TAX AND REVENUE SECOND BOND ISSUE, 8.1675% NET EFFECTIVE INTEREST RATE. For Commission consideration and action. The District's application requests Commission approval for a bond issue to finance the District's share of utility infrastructure to serve 247 equivalent single family connections, additional water and wastewater treatment plant Capacity.

APPROVED, JEB/BJW

ITEM 16. APPLICATION BY NORTHAMPTON MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE ISSUANCE OF \$2,155,000 IN UNLIMITED TAX AND REVENUE BONDS, 8.18% NET EFFECTIVE INTEREST RATE, SERIES 1991, SIXTH ISSUE. For Commission consideration and action. Applicant requests approval of the issuance of \$2,155,000 in bonds to finance utilities to serve 137 connections in Northampton Estates Phase III and construction of a District meeting facility.

APPROVED, JEB/BJW

ITEM 17. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO.8 FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$1,975,000 BOND ISSUE APPROVED DECEMBER 11, 1985. For Commission consideration and action. Applicant requests approval of the

transfer of \$100,000 in surplus construction funds to debt service.

APPROVED, JEB/BJW

ITEM 18. APPLICATION BY SPENCER ROAD PUBLIC UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL TO USE SURPLUS FUNDS AND A CHANGE IN PLANS; \$4,400,000 BOND ISSUE APPROVED September 23, 1985, AND ORDER DIRECTING CHIMNEY HILL MUNICIPAL UTILITY DISTRICT TO ESCROW FUNDS. For Commission consideration and action. Applicant seeks approval to use \$771,176 in surplus funds to finance the District's costs to construct utilities to serve the Holly Court Estates Subdivision, purchase wastewater treatment plant capacity from Chimney Hill MUD, make repairs and modifications to wastewater treatment plant, and install telemetry.

APPROVED, JEB/BJW

ITEM 19. APPLICATION BY CHIMNEY HILL MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS AND THE USE OF SURPLUS FUNDS; \$5,310,000 BOND ISSUE APPROVED March 20, 1984. For Commission consideration and action. Applicant requests approval of the release of \$1,342,000 of escrowed funds and the use of \$165,000 of surplus funds for construction of a 600,000 gpd wastewater treatment plant project.

APPROVED, JEB/BJW

ITEM 20. APPLICATION BY HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 221 FOR APPROVAL OF THE RELEASE OF ESCROWED FUNDS; \$7,000,000 BOND ISSUE APPROVED October 22, 1982. For Commission consideration and action. The District has requested the release of \$31,170 from escrow to finance the installation of a bar screen at the District's wastewater treatment plant.

APPROVED, JEB/BJW

ITEM 21. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF TWINCREEK PARK WATER SUPPLY COMPANY TO INCREASE RETAIL WATER RATES IN TRAVIS COUNTY, TEXAS; DOCKET NO. 8556-R. Applicant provides retail water service to approximately 79 customers. Recommendation: Adoption of agreement of parties. (Jackson)

REMAND TO OFFICE HEARINGS EXAMINER

ITEM 22. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE PETITION OF CUSTOMERS/RATEPAYERS OF GASTONIA - SCURRY WATER SUPPLY CORPORATION APPEALING AN INCREASE IN RETAIL WATER RATES IN KAUFMAN COUNTY, TEXAS; DOCKET NO. 8747-W. Applicant provides retail water service to approximately 1,200 customers. Recommendation: Adoption of parties. (Harris)

APPROVED, JEB/BJW

ITEM 23. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF ELKINS LAKE MUD TO CHARGE STANDBY FEES IN WALKER COUNTY, TEXAS; TWC I.C. 052290-D-01. Recommendation: Adoption of agreement of parties. (Zukauckas)

APPROVED, ISSUE AS MODIFIED, JEB/BJW

ITEM 24. APPLICATION OF DOUBLE LAKE CLUB, INC. DBA DOUBLE LAKE WATER SYSTEM for a Water Certificate of Convenience and Necessity in Brazoria County. (Application No. 8833-C, Fenner)

APPROVED, JEB/BJW

ITEM 25. APPLICATION OF DONALD AND PATRICIA FLETCHER DBA PLEASURE POINT 1-A WATER SYSTEM for a Water Certificate of Convenience and Necessity in Angelina County. (Application No. 8856-C, Fenner)

APPROVED, JEB/BJW

ITEM 26. APPLICATION OF LARRY HENDRICKS DBA BRIARWOOD WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Henderson County. (Application No. 8919-C, Strouse)

APPROVED, JEB/BJW

ITEM 27. APPLICATION OF ANDREAS JOHNSON DBA SELLER WATER COMPANY for an Amendment to Water Certificate of Convenience and Necessity No. 12288 in Harris County. (Application No. 8643-C, Horst)

APPROVED, JEB/BJW

ITEM 28. APPLICATION OF LAKEVIEW HILLS WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Travis County. (Application No. 8885-C, Holck)

APPROVED, JEB/BJW

ITEM 29. APPLICATION OF LIVINGSTON RESORT COMPANY, INC. for a Water Certificate of Convenience and Necessity and to Decertify a portion of Trinity Rural Water Supply Corporation's CCN No. 10128 in Trinity County. (Application No. 8992-C, Fenner)

APPROVED, JEB/BJW

ITEM 30. APPLICATION OF MESA VIEW WATER SERVICE, INC. for a Water Certificate of Convenience and Necessity in Pecos County. (Application No. 8741-C, Mayhew)

APPROVED, JEB/BJW

ITEM 31. APPLICATION OF EDWIN T. MORGENTHALER DBA FRONTIER WATER COMPANY for a Water Certificate of Convenience and Necessity in Brazoria County. (Application No. 8875-C, Fenner)

APPROVED, JEB/BJW

ITEM 32. APPLICATION OF B. L. PHILLIPS for a Water Certificate of Convenience and Necessity in Upshur County. (Application No. 8630-C, Fenner)

APPROVED, JEB/BJW

ITEM 33. APPLICATION OF WOODCREEK WATER CORPORATION OF LIBERTY COUNTY for a Water Certificate of Convenience and Necessity in Liberty County. (Application No. 8771, Holck)

APPROVED, JEB/BJW

ITEM 34. APPLICATION OF M. J. WOOTAN DBA DEER COUNTRY WATER SYSTEM for a Water Certificate of Convenience and Necessity in Llano County. (Application No. 8726-C, Mayhew)

APPROVED, JEB/BJW

ITEM 35. APPLICATION NO. 5334 BY COPPER'S MARINE SERVICE, INC. FOR A TEXAS WATER CODE SECTION 11.121 WATER USE PERMIT APPLICATION. FOR COMMISSION ACTION. Applicant seeks to divert and use 0.4 acre-feet of water per annum from the Old Channel San Jacinto River for industrial purposes in Harris County, approximately 17.5 miles northeast of Houston, Texas. (JORDAN\jme)

APPROVED, JEB/BJW

ITEM 36. APPLICATION NO. 5331 BY KATHLEEN BARTELL FLOURNOY, ET AL, FOR A SECTION 11.121 WATER USE PERMIT. For Commission action. Applicants seek a permit, pursuant to a subordination agreement with the Guadalupe-Blanco River Authority, to maintain a reservoir on the South Fork Guadalupe River, Guadalupe River Basin, for in-place recreational use and to use water from the reservoir for municipal use at applicants' girls camp and irrigation at the camp, approximately 13 miles west-southwest of Kerrville, Texas (JORDAN;tls)

APPROVED, JEB/BJW

ITEM 37. APPLICATION NO. 5321 BY LARRY J. LANGBEIN FOR A TEXAS WATER CODE SECTION 11.121 WATER USE PERMIT APPLICATION. For Commission Action. Applicant seeks authorization to divert 150 acre-feet of water per annum from East Sister Creek, Guadalupe River Basin, to irrigate 152.7472 acres of land in Kendall County, approximately 13.7 miles northwest of Boerne, Texas. (JORDAN/lb)

REMAND TO OFFICE HEARINGS EXAMINER

ITEM 38. APPLICATION NO. 5329 BY TCR JOINT VENTURE FOR A SECTION 11.121 WATER USE PERMIT. FOR COMMISSION ACTION. Applicant seeks a permit to impound water in an existing reservoir on an unnamed tributary of Lick Creek, Brazos River Basin for in-place recreational use and to divert not to exceed 531 acre-feet of water per annum from Carters Creek, Brazos River Basin, to the reservoir for subsequent irrigation of 130 acres of land (golf course) approximately 11 miles southeast of Bryan, Texas. (JORDAN;tls)

APPROVED, JEB/BJW

ITEM 39. APPLICATION NO 02-5197A BY THE ESTATE OF RAY ANDREWS BIVENS TO AMEND CERTIFICATE NO. 02-5197. For Commission Action. Applicant seeks to amend Certificate No. 02-5197 to change the points of diversion from the two exempt reservoirs currently authorized to the perimeter of two other exempt reservoirs on Middle Tule Creek, Red River Basin, approximately 4 miles upstream and to change the place of use to three tracts of land totalling 1280 acres of land approximately 3 miles southwest of Tule, Swisher County, Texas. (JORDAN/wph).

APPROVED, JEB/BJW

ITEM 40. APPLICATION NO. 21-3148A BY H E BUTT FOUNDATION TO AMEND CERTIFICATE NO. 21-3148. FOR COMMISSION ACTION. Applicant

seeks to add six dams on Silver Creek and the East Prong of the Frio River, Nueces River Basin to the certificate and to divert water from three of the reservoirs fro irrigation and circulation in an ornamental waterfall, 45 acre-feet of water is involved and 4 acres of land will be irrigated in Real County, 10.4 miles northeast of Leakey TX. The impounded water will also be used at their HEB Foundation Camp for recreation purposes. (JORDAN/lb)

APPROVED, JEB/BJW

ITEM 41. APPLICATION NO. 12-3555A BY JERRY SOLOMON TO AMEND CERT. OF ADJ. 12-3555. FOR COMMISSION ACTION. Applicant seeks to amend Cert. 12-3555 by deleting or extending the term included in the certificate. The certificate authorizes the diversion and use of 100 acre-feet of water per annum from a 100 acre-foot exempt reservoir on an unnamed tributary of the Sabana River, Brazos River Basin, to irrigate 155 acres of land until December 31, 1990, approximately 10 miles northeast of Comanche, Comanche County, Texas. (JORDAN/jme)

APPROVED, JEB/BJW

ITEM 42. APPLICATION NO. 12-3508A BY A. E. TAYLOR AND WIFE, ALMA TAYLOR For Commission action. Applicants seek to amend the certificate to extend the term of the certificate which is to expire December 31, 1990. Authorization includes the diversion and use of not to exceed 45 acre feet of water per annum from an exempt dam and reservoir located on an unnamed tributary of Flat Creek, Brazos River Basin, to irrigate a maximum of 53 acres of land out of a 110-acre tract in Comanche County, approximately 5 miles north of DeLeon, Texas. (JORDAN:rma)

APPROVED, JEB/BJW

ITEM 43. APPLICATION BY THE BARBARA JEANNE MURCHISON COFFMAN TRUST (JDM TRUST 3) FOR AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION OF THE DAM AUTHORIZED BY PERMIT NO. 5104. FOR COMMISSION ACTION. Applicant seeks to extend the completion date for the dam authorized by Permit No. 5104 from January 1, 1991 to July 1, 1991. (JORDAN/jme)

APPROVED, JEB/BJW

ITEM 44. APPLICATION NO 19-2143A BY STRAUS MEDINA RANCH TO COMBINE CERTIFICATE NOS. 19-2143 & 19-2144 UNDER CERTIFICATE NO. 19-2144 AND TO AMEND THE CERTIFICATE AS AMENDED. FOR COMMISSION ACTION. Applicant seeks to increase the annual appropriation from 308 to 616 acre-feet of water per annum from the Medina River, San Antonio River Basin and to increase the acreage to be irrigated from 293 to 355 acres of land in Bexar County and to combine the diversion rate to 4.7 cfs. (JORDAN/lb)

ISSUE AS PROPOSED BY STAFF

DOCKET

Wednesday, March 6, 1991

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from the Agenda of January 9, 1991.

- Item 1. COMMISSION CONSIDERATION WHETHER TO AFFIRM, MODIFY OR SET ASIDE EMERGENCY ORDER NO. 91-1E ISSUED ON JANUARY 10, 1991 TO E.I. DUPONT DE NEMOURS AND COMPANY TO STORE AND INCINERATE THREE MILLION POUNDS OF TANK SEDIMENT WASTE. (Mehta, S.)

MODIFY FOR ADDITIONAL 30 DAYS AND INCREASE AMOUNT TO 4.5 MILLION POUNDS