

CONTESTED AGENDA

Wednesday, May 8, 1991

TEXAS WATER COMMISSION

9:00 a.m.  
Room 118

- Item 1. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE PETITION OF MIDANCO, INC. for review of the financial circumstances of Northwest Harris County Municipal Utility District No. 25 and to levy a standby fee; TWC IC No. 020890-D-02. Recommendation: Denial of petition. (Limes)

Approved Examiners Proposal for Decision, JEB/BJW

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF THE CITY OF KYLE, PERMIT NO. 11041-001. (Corrigan)

Cont. to May 22, 1991 9:00 a.m.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF STEWART AND STEVENSON SERVICES, INC., PERMIT NO. 13365-001. (Corrigan)

Cont. to May 22, 1991, 9:00 a.m.

- Item 4. CONSIDERATION OF THE MOTION FOR REHEARING AND MOTION FOR EMERGENCY SUSPENSION OF PERMIT AND ORDER CONDITIONS FILED BY SAVE LAKE CORPUS CHRISTI AND THE CITY OF MATHIS REGARDING CERTIFICATE OF ADJUDICATION NO. 21-3214 ISSUED TO THE CITY OF CORPUS CHRISTI, NUECES RIVER AUTHORITY AND THE CITY OF THREE RIVERS. (The Commission issued an Order establishing interim operational procedures regarding Certificate of Adjudication No. 21-3214 on March 28, 1991.)

Overrule Motion for Rehearing, JEB/BJW

- Item 5. 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, May 8, 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 ORDER ASSESSING ADMINISTRATIVE PENALTIES AGAINST FELTING HAVINGS, SR., AND TECHNICOAT, INC., AND REQUIRING CERTAIN ACTIONS OF FELTON HAVINGS, SR., TECHNICOAT, INC., AND AMERICAN CYANAMID COMPANY, (SWR NO. 30068). (Gonzalez)

Cont. to Jun 12, at 9:00 a.m.

Item carried forward from Agenda of April 3, 1991.

- Item 2. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PROPOSED ENFORCEMENT ORDER CONCERNING VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE BY PARKSIDE LODGE OF TEXAS, INC., PERMIT NO. 12867-01. (Martinez)

Issue Proposed Order, JEB/BJW

Item carried forward from Agenda of April 3, 1991.

- Item 3. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY ENFORCEMENT REPORT AND PROPOSED ENFORCEMENT ORDER CONCERNING VIOLATIONS OF CHAPTER 26 OF THE TEXAS WATER CODE BY UTILITEC, INC., CERTIFICATE OF COMPETENCY NO. 20003. (Martinez)

Issue Agreed Order, JEB/BJW

Item carried forward from Agenda of April 17, 1991.

- Item 4. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF BRAZOS RIVER AUTHORITY FOR WATER USE PERMIT NO. 5093, BOSQUE COUNTY, TEXAS, TO CONSTRUCT A 112,438 ACRE-FT. RESERVOIR TO IMPOUND AND DIVERT NOT TO EXCEED 17,900 ACRE-FEET OF WATER PER ANNUM FROM THE NORTH BOSQUE RIVER, IN THE BRAZOS RIVER BASIN, FOR MUNICIPAL PURPOSES. RECOMMENDATION: DENIAL OF AUTHORIZATION. (WOOD)

Cont. to May 22, at 9:00 a.m.

Item carried forward from Agenda of April 17, 1991.

- Item 5. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION CONCERNING THE APPLICATION OF BRAZOS RIVER AUTHORITY FOR WATER USE PERMIT NO. 5094, MCLENNAN COUNTY, TEXAS TO IMPOUND AN ADDITIONAL 87,962 ACRE-FEET OF WATER IN LAKE WACO, IN THE BRAZOS BASIN, AND TO DIVERT NOT TO EXCEED 20,770 ACRE-FEET OF WATER PER ANNUM FOR MUNICIPAL PURPOSES. RECOMMENDATION: DENIAL OF APPLICATION. (WOOD)

Cont. to May 22, at 9:00 a.m.

Item carried forward from Agenda of April 10, 1991.

- Item 6. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S ENFORCEMENT REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF TRUCKSTOPS OF AMERICA, INC., PERMIT NO. 13505-01. (Corrigan)

Issue Agreed Order, JEB/BJW

Item carried forward from Agenda of April 24, 1991.

- Item 7. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S REPORT OF SUBSTANTIAL NONCOMPLIANCE AND ORDER FINDING SUBSTANTIAL NONCOMPLIANCE AND REQUIRING CERTAIN ACTIONS OF THE CITY OF BRACKETTVILLE. (PERMIT NO. 10194-01) KINNEY COUNTY (Chaffin)

Issue Agreed Order, JEB/BJW

Item carried forward from Agenda of May 1, 1991.

- Item 8. CONSIDERATION OF EXAMINER'S PROPOSAL FOR DECISION AND ORDER CONCERNING THE APPLICATION OF TEXAS COPPER CORPORATION FOR PERMIT NO. 03120 TO AUTHORIZE THE DISCHARGE OF 23.3 MGD OF TREATED INDUSTRIAL WASTEWATER EFFLUENT IN GALVESTON COUNTY, TEXAS, AND SEGMENT NO. 2439 OF THE BAY AND ESTUARIES. RECOMMENDATION: ISSUANCE OF PERMIT. (SULLIVAN)

Approved Examiners Recommendation, with 2 changes to be made, JEB/BJW

Item carried forward from Agenda of April 3, 1991 and April 17, 1991 and May 1, 1991.

- Item 9. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PRELIMINARY REPORT AND PETITION FOR ORDER ASSESSING ADMINISTRATIVE PENALTIES AND REQUIRING CERTAIN ACTIONS OF LANE CONTAINER, INC., NO PERMIT. (Mehta)

Issue Agreed Order, JEB/BJW

UNCONTESTED AGENDA

Wednesday, May 8, 1991

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item 1. APPLICATION BY HOECHST-CELANESE CHEMICAL GROUP, INC. for minor amendments to Permit Nos. WDW-14, WDW-32, WDW-49; WDW-110 to conform these existing waste disposal well permits to the No-Migration Petition required by 40 CFR 148.20. The permits authorize operation of waste disposal wells for underground injection of industrial hazardous wastes from the Hoechst-Celanese Bay City petrochemical plant. The wells are located on company property, ten miles southwest of Bay City, within the James Moore League, Abstract No. 62, Matagorda County, Texas.

Approved, JEB/BJW

Item 2. APPLICATION BY HOWARD HALBERT for a permit (Proposed Permit No. 03268) to authorize disposal of waste and wastewater from a dairy which consists of a maximum of 500 milking head and a maximum of 575 total head in confinement. The dairy is two miles northeast of the intersection of State Highway 174 and Farm-to-Market Road 933, one mile east of Blum in Hill County, Texas.

Approved, JEB/BJW

Item 3. APPLICATION BY CITY OF JASPER for an amendment to Permit No. 10197-01 to authorize an increase in the discharge of treated domestic wastewater effluent from a volume not to exceed an average flow of 1,800,000 gallons per day to a volume not to exceed an average flow of 2,200,000 gallons per day. The plant site is adjacent to the south bank of Big Sandy Creek; approximately 0.5 mile east of the intersection of Farm-to-Market Roads 2799 and 777; and approximately 1 mile northeast of the intersection of Farm-to-Market Road 777 and State Highway 63 in Jasper County, Texas.

Approved, JEB/BJW

Item 4. APPLICATION BY CAPITOL AGGREGATES, INC., A DELAWARE CORPORATION for renewal of Permit No. 01510 which authorizes intermittent flow variable discharges of plant washdown, process water and rainfall runoff plus a discharge of quarry water at a volume not to exceed 10,000,000 gallons during any 24-hour period from a cement plant. The plant site is on the west side of Nacogdoches Road between a spur track of the MK & T Railroad and the junction of Bulverde Road and Nacogdoches Road in the City of San Antonio, Bexar County, Texas.

Approved, JEB/BJW

Item 5. APPLICATION BY POINT AQUARIUS MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 11219-01 which authorizes a discharge of treated domestic wastewater effluent in phases with the final volume not to exceed an average flow of 780,000 gallons per day. The wastewater treatment facilities are approximately 1 mile southwest of the intersection of Farm-to-Market Road 1097

and Aquarius Blvd. in Montgomery County, Texas.

Approved, JEB/BJW

Item 6. APPLICATION BY THE FALLS MUNICIPAL UTILITY DISTRICT for renewal of Permit No. 13018-01 which authorizes a discharge of treated domestic wastewater effluent in phases with a final volume not to exceed an average flow of 600,000 gallons per day from the Falls Wastewater Treatment Plant which is to be located approximately 1.75 miles east-northeast of the intersection of Farm-to-Market Road 109 and Zimmerscheidt Road, approximately 9.5 miles north of the City of Columbus in Colorado County, Texas. The interim plant site is approximately one half mile north-northeast of the permanent plant site.

Approved, JEB/BJW

Item 7. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF THE CITY OF ROYSE CITY FOR AN AMENDMENT TO PERMIT NO. 10366-01 TO AUTHORIZE THE DISCHARGE OF 500,000 gpd of treated domestic wastewater effluent in Rockwall County, Texas, and Segment No. 0507 of the Sabine River Basin. Applicant also seeks to relocate the discharge point. Recommendation: Issuance of permit. (O'Neal)

Issue Permit, JEB/BJW

Item 8. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 108 FOR APPROVAL OF THE ISSUANCE OF \$5,400,000 IN UNLIMITED TAX BONDS, 8.92% NET EFFECTIVE INTEREST RATE, SERIES 1991, FIRST ISSUE AN ORDER DIRECTING FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 106 TO ESCROW FUNDS. For Commission consideration and action. Applicant requests approval of the issuance of \$5,400,000 in tax bonds to finance utilities to serve and master utility district connection fees for Greatwood Village Sections 1 & 2, Greatwood Trails Sections 1 & 2 and Greatwood Shores Section 1.

Approved, JEB/BJW

Item 9. APPLICATION BY FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 109 FOR APPROVAL OF THE ISSUANCE OF \$1,640,000 IN UNLIMITED TAX BONDS, 8.92% NET EFFECTIVE INTEREST RATE, SERIES 1991, FIRST ISSUE AN ORDER DIRECTING FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 106 TO ESCROW FUNDS. For Commission consideration and action. Applicant requests approval of the issuance of \$1,640,000 in tax bonds to finance utilities to serve and master utility district connection fees for Greatwood Knoll Sections 1 & 2.

Approved, JEB/BJW

Item 10. APPLICATION BY BRAES UTILITY DISTRICT OF HARRIS COUNTY FOR APPROVAL OF THE USE OF SURPLUS FUNDS; \$4,630,000 BOND ISSUE APPROVED May 19, 1983. For Commission consideration and action. Applicant requests approval of the transfer of \$400,000 in surplus construction funds to debt service and the approval of the use of \$100,000 in surplus construction funds for repairs and improvements to the District's water plant and lift station.

Approved, JEB/BJW

Item 11. APPLICATION BY STARR COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 2 FOR APPROVAL OF A BOND AMENDMENT; AND APPROVAL OF AN EXTENSION OF TIME; \$1,750,000 REVENUE BOND ISSUE APPROVED April 12, 1990. For Commission consideration and action. The District's application requests Commission approval of a bond amendment to increase the bond issue amount from \$1,750,000 to \$2,100,000 in revenue bonds to finance additional wastewater treatment facilities and wastewater collection system.

Approved, JEB/BJW

Item 12. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION TO REVOKE CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 29659 HELD BY VALLEY VIEW DEVELOPMENT IN TRAVIS COUNTY, DOCKET NO. 8997-Q. (Smith, S.)

Revoke, JEB/BJW

Item 13. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF GRANITE CREEK WATER SUPPLY CORPORATION FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY AND AN AMENDMENT TO CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11024 (CITY OF KYLE) AND A REPORT OF SALE TO PROVIDE WATER SERVICE IN HAYES COUNTY, TEXAS; DOCKETS NOS. 8062-S AND 8063-C. Recommendation: Adoption of agreement of parties. (Jackson)

Issue Order, JEB/BJW

Item 14. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF BUTTERFIELD WATER SYSTEM TO INCREASE RETAIL WATER RATES IN EL PASO COUNTY, TEXAS; DOCKET NO. 8656-G. Applicant provides retail water service to approximately 36 customers. Recommendation: Adoption of agreement of parties. (Jackson)

Issue Order, JEB/BJW

Item 15. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF MRS. H. J. HARRIS, SR. TO DISCONTINUE WATER UTILITY SERVICE IN TARRANT COUNTY, TEXAS; DOCKET NO. 8373-Q. Applicant provides retail water service to approximately 25 customers. Recommendation: Dismissal of application. (Zukauckas)

Issue Order, JEB/BJW

Item 16. CONSIDERATION OF EXAMINER'S MEMORANDUM AND ORDER CONCERNING THE APPLICATION OF CHAPARRAL UTILITY COMPANY, INC. TO INCREASE RETAIL WATER RATES IN BEXAR COUNTY, TEXAS; DOCKET NO. 8883-R. Applicant provides retail water service to approximately 209 customers. Recommendation: Adoption of agreement of parties. (Parker)

Issue Order, JEB/BJW

Item 17. APPLICATION OF 4-D GUEST RANCH, INC. DBA B & D WATER SUPPLY for a Water Certificate of Convenience and Necessity in Wood County (Application No.8906-C, Mayhew)

Approved, JEB/BJW

Item 18. APPLICATION OF BELLEWOOD WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Harris County

(Application No. 8745-C, Fenner)

Approved, JEB/BJW

Item 19. APPLICATION OF JIM BRIDGES DBA WILLOW CREEK WATER COMPANY for a Water Certificate of Convenience and Necessity in Tarrant County (Application No. 8863-C, Fenner)

Approved, JEB/BJW

Item 20. APPLICATION OF AMOS L. CARTER DBA EASTLAKE SUBDIVISION WATER SYSTEM for a Water Certificate of Convenience and Necessity in Atascosa County (Application No. 8754-C, Fenner)

Approved, JEB/BJW

Item 21. APPLICATION OF VIRDELL DRILLING, INC. DBA COMANCHE RANCHERIAS WATER SYSTEM AND PARKVIEW ACRES WATER SYSTEM for a Water Certificate of Convenience and Necessity in Llano County (Application Nos. 8606-C and 8607-C, Fenner)

Approved, JEB/BJW

Item 22. APPLICATION OF A. D. & J. A. CORPORATION DBA SILVER RIDGE WATER SYSTEM for a Water Certificate of Convenience and Necessity in Harris County (Application No. 8737-C, Holck)

Approved, JEB/BJW

Item 23. APPLICATION OF MINDEN-BRACHFIELD WATER SUPPLY CORPORATION for a Water Certificate of Convenience and Necessity in Rusk and Panola Counties (Application No. 8717-C, Shires)

Approved, JEB/BJW

Item 24. APPLICATION OF REX KEELE, CHARLES POTTS AND DALE DESHAZO, TRUSTEES OF THE WOODLAND ACRES PROPERTY OWNERS ASSOCIATION for a Water Certificate of Convenience and Necessity in Lampasas County (Application No. 8769-C, Shires)

Approved, JEB/BJW

Item 25. APPLICATION OF GLENN F. MARTIN, ROBERT M. HESTER, C. B. MORRISON, JOHN THURSTON, RAYMOND CAMARENA, ROY M. BROWN AND NANCY YORK, BOARD OF DIRECTORS, DOUBLE DIAMOND PROPERTY OWNERS ASSOCIATION for a Water Certificate of Convenience and Necessity in Moore and Hutchinson County (Application No. 8645-C, Shires)

Approved, JEB/BJW

Item 26. APPLICATION OF G. KELLY BREWER to Transfer a Portion of Water Certificate of Convenience and Necessity No. 11762 from J. D. Stringer and to Decertify J. D. Stringer from the Meadowlark Area in Orange County (Application No. 8627-S, Horst)

Approved, JEB/BJW

Item 27. APPLICATION OF TRUMAN LEE DBA ENCHANTED LAKES WATER COMPANY to Transfer Water Certificate of Convenience and Necessity No. 11516 from Scott Hamilton Realty Company dba Holiday Camplands of Texas, Inc. in Smith County (Application No. 8945-S, Erwin)

Approved, JEB/BJW

Item 28. APPLICATION OF HIGH VALLEY WATER SUPPLY CORPORATION to Transfer Water Certificate of Convenience and Necessity (CCN) No. 10304 from International Aqua Tex Water Supply, Inc. dba Aqua Tex Water Supply in Travis County (Application No. 8884-S, Carlson)

Approved, JEB/BJW

Item 29. APPLICATION OF RICE WATER SUPPLY AND SEWER SERVICE CORPORATION to Transfer and Cancel Water Certificate of Convenience and Necessity No. 10909 from Telico Water Supply Corporation and Amend Certificate of Convenience and Necessity No. 10808 in Navarro and Ellis Counties (Application No. 8835-S, Carlson)

Approved, JEB/BJW

Item 30. APPLICATION OF LIBERTY HILL WATER SUPPLY CORPORATION to Transfer and Cancel Water Certificate of Convenience and Necessity No. 10323 of Keith R. Acheson dba Jenks Branch Water Supply Company and to Amend Certificate of Convenience and Necessity No. 10324 in Williamson County (Application No. 8519-S, Schaubhut)

Approved, JEB/BJW

Item 31. APPLICATION OF KENTUCKYTOWN WATER SUPPLY CORPORATION (WSC) to Amend a Water Certificate of Convenience and Necessity No. 10206 in Grayson County (Application No. 8571-C, Fenner)

Remand to Staff, JEB/BJW

Item 32. APPLICATION OF MORRIS A. HARPER DBA NORTHWEST HILLS WATER COMPANY for an Amendment to Water Certificate of Convenience and Necessity No. 11994 in Gillespie County (Application No. 8729-C, Holck)

Approved, JEB/BJW

Item 33. APPLICATION OF KOON KREEK KLUB, INC. to Cease Operations as a Public Utility in Henderson County (Application No. 8785-Q, Holck)

Approved, JEB/BJW

Item 34. APPLICATION OF NUEVA INVESTMENTS, INC. DBA LAKE MCQUEENEY ESTATES for a Rate/Tariff Change in Guadalupe County (Application No. 8772-G, Carlson)

Approved, JEB/BJW

Item 35. APPLICATION NO. 4231A BY W. A. MONCRIEF TO AMEND PERMIT NO. 3919. FOR COMMISSION ACTION. Applicant seeks to amend Permit No. 3919 by deleting Special Condition 4 which states that the authorization to impound 3606 acre-feet of water per annum shall become null and void on December 31, 1992, at which time the permittee shall modify the existing dam so that the reservoir impounds not more than 1200 acre-feet of water per annum. (JORDAN/jme)

Approved, JEB/BJW

Item 36. APPLICATION NO. 23-746B BY TEXAS STATE BANK TO COMBINE WATER

RIGHTS UNDER CERTIFICATE NO. 23-746 AND TO AMEND CERTIFICATE NO. 23-746. FOR COMMISSION CONSIDERATION. Applicant seeks to combine water rights owned pursuant to 17 certificates under Cert. No. 23-746 and to amend Cert. No. 23-746 to restate their total authorizations thereunder, via., the diversion and use, with Class "B" priority, of 832.500 acre-feet of water per annum from the Rio Grande to irrigate 333.00 acres out of a 1000- acre tract, approximately 8 miles southeast of Rio Grande City, Starr County, Texas. (JORDAN/wph).

Approved, JEB/BJW

ADDENDUM TO UNCONTESTED AGENDA

Wednesday, May 8, 1991

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item 37. CONSIDERATION OF THE ADOPTION OF NEW 31 TEXAS ADMINISTRATIVE CODE SECTIONS 334.481 AND 334.482, CONCERNING THE STORAGE, TREATMENT AND DISPOSAL OF PETROLEUM SUBSTANCE WASTE. These rules will be adopted as a new Subchapter K in 31 Texas Administrative Code Chapter 334, regarding petroleum storage tanks. (Mehta S.)

Cont to. May 29, 1991 at 3:00 p.m.

EMERGENCY ADDENDUM TO UNCONTESTED AGENDA

Wednesday, May 8, 1991

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item 38. CONSIDERATION OF THE EXECUTIVE DIRECTOR'S PETITION FOR AN ORDER NUNC PRO TUNC CONCERNING STRUCTURAL METALS, INC., SWR NO. 31533, PERMIT NO. 50142. (Hahn)

(Emergency is needed due to unforeseen circumstances).

Approved, JEB/BJW

UNCONTESTED OLD BUSINESS

Wednesday, May 8, 1991

TEXAS WATER COMMISSION

3:00 p.m.  
Room 118

Item carried forward from Agenda of September 5, October 10, October 31, 1990 and January 30, 1991.

- Item 1. APPLICATION BY BOB MARTIN for renewal of Permit No. 12962-01 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 15,000 gallons per day from the Martin's Country Living Mobile Home Park Wastewater Treatment Plant. The plant site is approximately 3300 feet north and 1500 feet west of the intersection of U.S. Highway 80 and State Highway 154 in Harrison County, Texas.

Approved, JEB/BJW

Item carried forward from Agenda of April 10, 1991.

- Item 2. APPLICATION BY CITY OF SHAMROCK for renewal of Permit No. 10279-02 which authorizes a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 300,000 gallons per day from the North Wastewater Treatment Plant. Treated effluent may also be used to irrigate agricultural land at an application rate of not to exceed 4.1 acre-feet/acre/year. The plant site is on the south side of Roundup Creek, approximately 0.5 mile east of U. S. Highway 83 and 1.6 miles north-northeast of the intersection of U. S. Highway 83 and Interstate Highway 40 in the City of Shamrock in Wheeler County, Texas.

Approved, JEB/BJW

Item carried forward from Agenda of May 1, 1991.

- Item 3. APPLICATION NO 5343 BY JAMES R. LEININGER FOR A SECTION 11.121 WATER USE PERMIT APPLICATION. FOR COMMISSION ACTION. Applicant seeks authorization to maintain an existing dam on the Blanco River, Guadalupe River Basin and impound in the resulting reservoir 5 acre-feet of water. Applicant seeks to divert 100 acre-feet of water per annum from the reservoir to irrigate 50 acres of land in Kendall County. (Jordan)

Remand to Office Hearings Examiner