

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD IN THE DISTRICT OFFICE AT FORT WORTH, TEXAS, ON  
THE 15TH DAY OF APRIL, 1955, AT 1:30 P. M.

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The call of the roll disclosed the presence or absence  
of Directors as follows:

<u>PRESENT</u>	<u>ABSENT</u>
Joe B. Hogsett Houston Hill Lacy Boggess W. L. Pier	A. T. Seymour, Jr.

Also present were Messrs. Sidney L. Samuels, General Counsel of  
the District, Ben F. Hickey, General Manager of the District and  
Marvin C. Nichols of the firm of Freese and Nichols, Consulting  
Engineers of the District.

Director Hogsett acted in his capacity as President, and  
Director Boggess acted in his capacity as Secretary, whereupon pro-  
ceedings were had and done as follows:

1.

On motion duly made and seconded, the minutes of the  
meeting of April 6, 1955 were read and approved by the Directors  
present and it was accordingly so ordered.

2.

On motion duly made and seconded, voucher-checks #6471  
to #6508, inclusive, were approved, having theretofore received  
the approval and verification of Mr. J. M. Williams, County Auditor,  
who by virtue of the Statutes is the Auditor of this District as  
well. All the Directors present voted aye thereon.

3.

It was moved by Director Boggess and seconded by Director

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Pier that the District advertise, in the way and manner prescribed by law, for a depository of its funds in the City of Fort Worth, Texas. The motion having been submitted same was unanimously adopted. All Directors present voting aye.

4.

It was resolved unanimously by all the Directors present that Director Pier be authorized to purchase \$100,000.00, Par Value, United States Treasury Bills from the Maintenance Fund Cash Account, and in this connection and as a part of same motion, Director Pier was authorized to sell the \$700,000.00 United States Treasury Bills, owned by the Construction Fund, for the purposes authorized under the terms of Program B of the Flood Control Protection. This feature of the motion was resolved and voted unanimously and it was so ordered.

5.

There was presented to the Board for its consideration the Bill now pending at the present Legislation Session at Austin, Texas concerning the Trinity River Authority and particularly an Amendment as presented in the House and ordered enacted as part of the measure and is now awaiting presentation before the Senate and is to be considered by the Committee at a hearing on Monday, April 18, 1955 at 7:30 P. M., by the Senate, which has this Amendment in charge. This Amendment is termed Trinity River House Bill No. 20 and is embodied in Engrossed Rider No. 1 and such Amendment is couched as follows: "Amend House Bill No. 20 by striking Section 18 (a) and (b)". The Amendment in its entirety is attached to these minutes and particular objection was made to that part of the Amendment where it is stated in Section 18 (a) as Amended as follows, to-wit:

"Such minimum flow shall be maintained at not less than fifty-five thousand (55,000) acre feet per month during the months of April through September of each year. To the extent that such assured minimum flow of the river does not provide, at the diversion points of said district and companies during any period of the year, sufficient water to enable said district and companies to take the amount necessary at the time required, but within the three hundred and thirty thousand (330,000) acre feet amount specified, and unless enjoined by proper action of the Board of Water Engineers, the Authority shall, at the request of the District or any of the companies, release at no cost to said district and companies, water from all reservoirs, or from such as may be necessary now constructed and to be hereafter constructed within the Authority on the main stream of the Trinity River or its tributaries below or above Dallas, provided that the right to require such release shall be limited to a maximum of one hundred and eighty thousand (180,000) acre feet per calendar year and not exceeding sixty thousand (60,000) acre feet in any calendar month, and the Authority shall hold water in reserve for such purposes. The presentation heretofore filed with the Board of Water Engineers by Southern Canal Company, relating to further appropriations of water for industrial and other uses in the Cedar Point Region of Chambers County is recognized, and Southern Canal Company may pursue its presentation under applicable law without protest from the Authority".

It is the judgment of the Board of Directors, all Directors voting aye thereon, that the expression which occurs in said Amendment that the Authority shall, at the request of the District, or any of

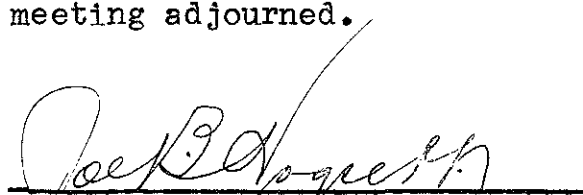
the Companies, release at no cost to the District and Companies "Water From All Reservoirs" ----- because same is in collision and altogether in conflict with the rights to control its own water by Tarrant County Water Control and Improvement District Number One, and the rights of the City of Fort Worth likewise. It was the view-point of the Board and of the Authorities of the City of Fort Worth that the District would be represented at the meetint to be held, before the Senate Committee in charge thereof, on Monday, April 18, 1955 in the Senate Chamber at Austin, Texas, in company with representative of the City of Fort Worth and the Chamber of Commerce, to oppose the adoption of said Amendment as part of the Act hereinabove mentioned and that same should be stricken.


5.

Mr. Ben Hickey was authorized by the Board of Directors to purchase Lot 21, Block 21, McCurdy Addition to the City of Fort Worth, Tarrant County, Texas, from Mr. J. M. Ware, at the price of \$201.55 and Purchase Lots 124, 125, 126 and 127, Valley View 2nd Addition to the City of Fort Worth, Tarrant County, Texas, from The Salvation Army in the amount of \$500.00, the above described lands being needed for completion of Program B of Flood Protection.

6.

There being no further business before the Board, the meeting adjourned.

  
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President.

  
\_\_\_\_\_  
Secretary.

To be attached to the Minutes  
of a Meeting held by the Board  
of Directors April 15<sup>th</sup> 1955.

TRINITY RIVER HOUSE BILL NO. 20  
April 13, 1955

ENGROSSED RIDER NO. 1

Amend House Bill No. 20 by striking Section 18 (a) and (b)  
and substituting therefor the following:

"Section 18. (a) Recognizing the fact that Chambers-Liberty Counties Navigation District has heretofore filed with the State Board of Water Engineers, a presentation under which it is investigating the feasibility of a large storage reservoir upstream from the City of Liberty, situated partially in Liberty County, and that the Authority should acquire the right under such presentation to continue such studies and thereafter to file an application for a permit to construct, own and operate such reservoir, all such rights are hereby vested in the Authority and said district is directed to make a transfer of its rights to the Authority provided, however, unless the Authority shall begin bona fide operations within fifteen (15) years for the construction of such reservoir, and shall thereafter diligently continue such operations until completion thereof, all such rights shall be divested of the Authority and revested in the Chambers-Liberty Counties Navigation District without prejudice to the rights of such district to pursue its original presentation. It is further recognized that Chambers-Liberty Counties Navigation District, Devers Canal Company, Richmond Irrigation Company, and Southern Canal Company, have hereto-

fore diverted three hundred and thirty thousand (330,000) acre feet of water annually from the Trinity River below the site of said reservoir. Accordingly, the rights of said district and companies to take three hundred and thirty thousand (330,000) acre feet of water annually from the river shall not be contested by the Authority. The Authority shall permit no wrongful storage and use of water in dams to be constructed or that may now be constructed below or above Dallas, Texas, on the main stream of the Trinity River or its tributaries as will reduce the minimum annual flow at Liberty, Texas, below six hundred and sixty thousand (660,000) acre feet per year, and will be obligated to cause release of water stored in any structure or structures within the Authority to assure such minimum flow, and the Authority shall, within its power, and by all necessary proper legal procedures prevent any of such wrongful storage and use wherever it may occur upon the entire watershed; provided, that upon completion of the salt water barrier required under subsection (c) of this Section 18, the minimum may be reduced by the Authority to three hundred and thirty thousand (330,000) acre feet per year.// Such minimum flow shall be maintained at not less than fifty-five thousand (55,000) acre feet per month during the months of April through September of each year. To the extent that such assured minimum flow of the river does not provide, at the diversion points of said district and companies during any period of the year, sufficient water to enable said district and companies to take the amount necessary at the time required, but within the three hundred and thirty thousand

(330,000) acre feet amount specified, and unless enjoined by proper action of the Board of Water Engineers, the Authority shall, at the request of the district or any of the companies, release at no cost to said district and companies, water from all reservoirs, or from such as may be necessary now constructed and to be hereafter constructed within the Authority on the main stream of the Trinity River or its tributaries below or above Dallas, provided that the right to require such release shall be limited to a maximum of one hundred and eighty thousand (180,000) acre feet per calendar year and not exceeding sixty thousand (60,000) acre feet in any calendar month, and the Authority shall hold water in reserve for such purposes. The presentation heretofore filed with the Board of Water Engineers by Southern Canal Company, relating to further appropriations of water for industrial and other uses in the Cedar Point Region of Chambers County is recognized, and Southern Canal Company may pursue its presentation under applicable law without protest from the Authority. *KX*

"(b) The Authority shall make a contract based upon fair and reasonable rates under which it shall hold in reserve an additional amount of water not exceeding one hundred thousand (100,000) acre feet for the benefit of said district and the above designated companies, to the extent that a firm contract based upon such rates shall have been made with the Authority prior to the financing of such upstream reservoir, said water to be paid for at a rate mutually agreed upon by the Authority, and said district or companies; provided, if no mutual agreement is so had, such rate may be set as now provided by law."