

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 31ST DAY OF OCTOBER, 1961 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	W. L. Pier
Houston Hill	
Lacy Boggess	
Wayne E. Newton	

Also present were Messrs. John M. Scott of General Counsel for
the District; Marvin C. Nichols Consulting Engineer for the District
and Ben Hickey General Manager 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 held October 20, 1961 were read and approved by the Directors
and it was accordingly ordered that such minutes be placed in the
permanent files of the District.

2.

On motion of Director Boggess, seconded by Director Newton
voucher-checks #497 to #532 inclusive, Cedar Creek Construction;
voucher-checks #116 to #119 inclusive, Cedar Creek Revenue; voucher-
checks #687 to #715 inclusive, Maintenance Fund; voucher-checks #118
and #119 Program "B" and voucher-check #114 Interest and Sinking fund
were approved and ordered paid upon receiving 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 voted aye thereon.

3.

President Hogsett presented a copy of the following letter to each Director, to-wit:

"October 27, 1961

Re: Application No. 2173 to the State
Board of Water Engineers relating
to the Boyd Reservoir

Mr. Joe B. Hogsett, President
Tarrant County Water Control and
Improvement District Number One
Danciger Building
Fort Worth 2, Texas

Dear Mr. Hogsett:

On September 15, 1961, you requested that if the City does not agree that the pending Application 2173 relating to the Boyd Reservoir to be withdrawn, that the City advise the District of the amount of conservation storage which it desires to be included in the Boyd Reservoir.

Under date of September 26, 1961, I advised you that the Council had decided that the pending Application should be pursued by the Water District. On this date, the Council decided that the conservation storage in the Boyd Reservoir should be approximately 600,000 acre feet, as recommended in the report of Freese, Nichols and Endress to Mr. W. R. Hardy, Director of the Water Department, under date of October 26, 1961, a copy of which was sent to you.

The Council urges that every effort be made to secure favorable action by the Board of Water Engineers on Application No. 2173.

Very truly yours,

/s/ L. P. Cookingham

L. P. Cookingham
City Manager

LPC:GA
cc - Mayor John Justin
W. R. Hardy
Ben F. Hickey
Alex Pope"

Following a study of the above letter from the City of Fort Worth, the discussion arose regarding a letter Mr. Marvin C. Nichols had written to Mr. W. R. Hardy, Director of Fort Worth Water Department, to-wit:

"October 26, 1961

Mr. W. R. Hardy, Director
Fort Worth Water Department
City Hall
Fort Worth, Texas

RE: Boyd Reservoir

Dear Mr. Hardy:

Pursuant to request at the joint meeting of the City Council and Directors of Tarrant County Water Control and Improvement District Number One, October 5, 1961, we hand you herewith our estimate of the construction cost of (1) reservoir with 600,000 acre feet conservation storage capacity (2) reservoir with 257,000 acre feet conservation storage capacity. The estimated costs are as follows:

600,000 acre feet conservation storage	\$ 24,623,270
257,000 acre feet conservation storage	17,394,100

You will note from the cost estimates that the Adjustment of Conflicts is a substantial item.

We would refer you to our Preliminary Report on Boyd Dam and Reservoir February 1959, prepared for the Tarrant County Water Control and Improvement District Number One. The following data are from the graph immediately proceeding page 7 and titled "Capacity Versus Yield":

	<u>No Reserve</u>	<u>One Year Reserve</u>
	(MGD)	(MGD)
Capacity 600,000 acre feet	28.0	21.1
Capacity 257,000 acre feet	5.3	4.0

These yields are based on the assumption that reservoirs would be full at beginning of critical period.

In connection with the estimates, we would point out that no foundation explorations have been made. The estimates have been prepared on the assumption that sheet piling will not be required under the dam. Sheet piling was required at Eagle Mountain Dam.

No land appraisals have been made. The unit prices used for land are substantially the same in both estimates and represent our best judgment as to the prices which would have to be paid.

We would call your attention to the fact that there are presently 47 oil and gas wells in the 600,000 acre foot reservoir and 35 in the 257,000 acre foot reservoir. We are advised that further development is contemplated by the operators in the reservoir area. It is our understanding that the remaining life of the oil and gas field is considered to be 15 to 20 years. It is not contemplated that mineral rights will be acquired.

The Boyd Reservoir is included in the long range plan of water supplies for Fort Worth and Tarrant County as developed by the Tarrant County Water Control and Improvement District Number One to the year 2010. From the standpoint of available water supplies, West Fork System and Cedar Creek, the Boyd Reservoir is not needed until after 1980. We, therefore, do not recommend its construction at this time.

We consider that optimum development of the Boyd Site indicates a reservoir with a capacity of approximately 600,000 acre feet. From the estimates of cost set forth above, the larger reservoir is decidedly the most feasible from the standpoint of the cost of water per million gallons of safe yield.

We estimate the annual operation and maintenance costs as follows:

600,000 acre feet capacity	\$ 125,000
257,000 acre feet capacity	95,000

At such time as the Boyd Reservoir may be constructed, we recommend that a dam and reservoir with a capacity of approximately 600,000 acre feet be built.

If we can furnish any further information, please advise.

Respectfully submitted

FREESE, NICHOLS & ENDRESS

By /s/ Marvin C. Nichols
Marvin C. Nichols

MCN:lk

Enc.

cc: Joe B. Hogsett
John M. Scott
Ben F. Hickey
Alex Pope"

There followed a general discussion of the procedures necessary in the carrying out of the requests of the City of Fort Worth regarding the Boyd Reservoir, and it was the unanimous opinion of the Directors and their order, that the Consulting Engineers, Counsel and Management of the District do those things necessary in preparing an amended application as will be requested by the above letter from the City of Fort Worth; and that the following letter be forwarded to the City of Fort Worth, to-wit:

"November 1, 1961

Mr. L. P. Cookingham
City Manager
City Hall
Fort Worth, Texas

In Re: Application No. 2173 to the
State Board of Water Engineers
relating to the Boyd Reservoir

Dear Mr. Cookingham:

We acknowledge receipt of your letter of October 27 advising that the City Council desires the pending application on the Boyd Reservoir to be prosecuted to conclusion and requests that 600,000 acre feet of conservation storage be included in the application.

We have made arrangements with Mr. Alex Pope, attorney, who prosecuted the Cedar Creek and Richland Creek applications to act for the Board in prosecuting the pending application. We, however, again request the City to assign Mr. Johndroe to assist Mr. Pope in the matter, and that the City make available such witnesses as may be required by the attorneys in order to secure favorable action. Would you kindly advise whether this request of the Board is accepted by the City, so that Mr. Johndroe may currently assist Mr. Pope if necessary.

Mr. Alex Pope has advised the Board, through our attorney Mr. Scott, that he is presently of the opinion that it will be necessary to amend the pending application to eliminate the flood storage contemplated by the original application and enlarge the conservation storage to the quantity desired by the City. We have

requested and directed Freese, Nichols & Endress to cooperate with Mr. Pope in preparing the amendment to the application and the necessary engineering data, and of course to be present and assist in the hearing on the application.

Mr. Pope also advises that under the rules of the State Board of Water Engineers re-publication of the notice of the hearing will probably be required, and that if required by the State Board, the hearing now scheduled for December 4 will be delayed in final conclusion until a later time as fixed by the State Board of Water Engineers.

Freese, Nichols & Endress have been requested to prepare schedules of estimated maintenance and operation expense of the reservoir along with the remaining data necessary to properly present the application to the State Board of Water Engineers and to furnish a basis for negotiating a contract between the City and the Water District to provide for construction and operation. As soon as the necessary data is furnished to this District we will request Wainwright & Ramsey, our bond consultants, to prepare recommendations for a method of issuing bonds for the construction and operation of the Boyd Reservoir.

Our Board adopted a statement of its policy on September 29, 1961 relating to the construction of the Boyd Reservoir in which the Board decided that the reservoir should be constructed by issuing revenue bonds, copy of this policy was transmitted to you on September 29, 1961. We are now advised by our bond counsel that under the trust agreement securing the Cedar Creek bond issue, additional reservoirs in the system of the District will be subject to the trust and lien, and will necessarily be a combination of tax and revenue bonds of the type issued for the Cedar Creek project. However the policy of our Board remains unchanged in that revenues from the City of Fort Worth must be adequate to pay the cost of servicing the bonds for the Boyd Reservoir and the cost of maintaining and operating it. Therefore the Board does not contemplate a guaranty of a maximum price per 1,000 gallons of water to the City of Fort Worth insofar as the Boyd Reservoir is involved. This type of bond will require an election in the City and one in the District similar to the elections held in connection with the Cedar Creek project. At an appropriate time the Board will call an election in the District to coincide with an election among the voters of the City.

In conclusion we wish to assure you that while our Board does not recommend construction of the Boyd Reservoir at the present time, it fully accepts the decision of the City Council to proceed, and expects to tender to the City all cooperation in securing the necessary permit from the State Board of Water Engineers.

Yours very truly,

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

By /s/ Joe B. Hogsett
Joe B. Hogsett, President"

4.

President Hogsett reviewed for the Directors, the status of the U. S. Study Commission's Report on future water resources from the Trinity River Basin, as published and presented to the Governor of Texas on October 9, 1961. Mr. John M. Scott General Counsel and Marvin C. Nichols Consulting Engineer for the District, explained in detail their views of the matter, and in conclusion it was the unanimous opinion of the Directors and their order that a letter be forwarded to The Governor of Texas, with copies to interested parties, protesting the omission of the proposed Boyd Reservoir and its construction sometimes prior to the year 2000.

5.

Mr. Ben Hickey General Manager requested and recommended, that the District re-enter into a cooperation agreement which the U. S. Geological Service and the State Board of Water Engineers for operation and maintenance of six (6) gaging stations as located on the Trinity River on its tributaries, with the District participation being in the amount of \$4,240.00 for the ensuing year. Whereon Director Hill moved, seconded by Director Newton, that the District execute the contract as presented. All Directors voted aye thereon.

6.

Discussion was held regarding a proposed trip on October 7th to waterways of the Tombigbee River in Alabama, and it was the consensus of opinion of the Directors, and their order, that President Hogsett and Ben Hickey make the trip representing the District.

7.

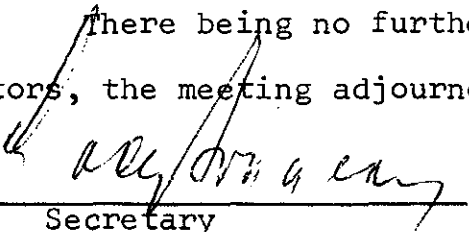
Mr. Ben Hickey, General Manager of the District, requested authority for the District to enter into Contracts for the purchase of the following described tracts of land required for the Cedar Creek Reservoir, and on the following basis for payment, to-wit:


- (a) Tract No. 102 - Beulah Johnson Estate - 15 acres more or less @ \$80.00 per acre.
- (b) Tract No. 11 - Dodge Gentry Estate - corrected Contract of Sale: authorized 8-25-61 for 3.92 ac. @ \$100.00 per acre. Correct to: District exchange 2.17 ac. of District owned land plus lump sum of \$790.15 for 10.43 ac. from seller.
- (c) Tract No. 96 - Bolie Richardson - 16 acres more or less @ Lump Sum \$1,200.00 @ \$75.00.
- (d) Tract No. 156 L. A. Avant - 217.52 ac. more or less @ \$90.00 per ac. + \$3,923.20 damages by the taking (\$108.00).
- (e) Tract No. 152 - J. D. McGlaun - 13-46/100 ac. more or less @ Lump Sum of \$1,200.00 and \$1,096.00 @ \$75.00 damages by the taking \$104.00 - Total @ \$89.00.
- (f) Tract No. 301 - Walter Legg, Jr. - 687.14 acres more or less @ Lump Sum Settlement of \$70,000.00 (Land \$63,129.00 @ \$91.00) + (damages by taking \$6,871.00) @ \$101.00 per ac.

Following a detailed presentation of the Tracts, and upon recommendation of management of the District, Director Hill, seconded by Director Newton, moved that the District be authorized to enter into Contracts for the purchase of the above described tracts and on the basis as shown. This meeting with the approval of all Directors, it was so ordered.

8.

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


Secretary


President