

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 6TH DAY OF AUGUST, 1965 AT 11:00 A.M.

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

PRESENT

Joe B. Hogsett  
Houston Hill  
Lacy Boggess  
Wayne E. Newton  
Clyde A. Penry

Also present were Messrs. William Brown, General Counsel 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 July 30, 1965 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 #505 to #516 inclusive, Construction Fund; voucher-  
check #2574 Cedar Creek Construction Fund and voucher-check #139  
Revenue 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 reviewed the status of the proposed Cedar Creek Watershed Flood Retarding Program initiated several years prior by the Soil Conservation Service and extending over Kaufman, VanZandt and Rockwall Counties which in substance comprises the Cedar Creek Watershed. It was pointed out that the initial construction of 19 flood retarding structures, and channel improvement, was scheduled for 1966 and that prior to any construction easements had to be acquired from the owners concerned; which President Hogsett stated was the necessity for action by this District in the granting of an easement over certain lands owned by the District, more particularly described in the permanent files of the District, to the Soil Conservation Service. Following a detailed discussion of the overall affects of the proposed program on the District's Cedar Creek Reservoir, in relation to siltation, flood control, etc., and upon recommendation of management and the consulting engineers for the District, Director Penry made a motion, seconded by Director Newton, that upon approval of Counsel for the District, an easement be granted for the purposes as discussed. Upon a vote taken all Directors voted aye and it was so ordered.

4.

Mr. Ben Hickey, General Manager of the District, reported to the Directors that during the past several years many conferences had been held by the Upper West Fork Soil Conservation District, Wise County Commissioners Court, Wise County Water Control and Improvement District No. 1 and the Soil Conservation Service of the U. S. Department of Agriculture in the planning for flood control and Water

Conservation Work in the Trinity River Watershed and especially that portion that affects the operation and maintenance of the District's Eagle Mountain Reservoir; and that at this time a work plan had been formulated for the construction and maintenance of twenty (20) flood retarding structures in conjunction with Creek channel improvements on Salt and Garrett Creeks above Eagle Mountain, and approximately 17 miles of river channel improvements. Mr. Hickey related the duties assigned each of the above listed agencies, duties that will begin upon completion of the works that will be constructed and paid for entirely by the Soil Conservation Service and then turned over to the above listed agencies for operation and maintenance. The duty of the Tarrant County Water Control and Improvement District Number One would be for the maintenance of the channels of the completed works. It was discussed at length the many advantages that would accrue to the benefit of this District by the planned work, especially that of flood control, siltation and the savings of water in the transportation of water to the Eagle Mountain Reservoir from the Bridgeport Reservoir. In conclusion, management and the consulting engineers for the District strongly recommended that the District enter into the cooperative plan as explained; whereon Director Boggess made a motion, seconded by Director Hill, that the District participate in the plan as presented to the Directors by Mr. Hickey. Upon a vote taken all Directors voted aye thereon and it was so ordered.

5.

President Hogsett presented the following letter, to-wit:

Mr. Ben F. Hickey  
General Manager  
Tarrant County Water Control and Improvement Dist. No. 1  
Danciger Building  
Ft. Worth, Texas

Dear Mr. Hickey:

The Commission is in receipt of an application for a term permit by the Wise County Water Supply District for the appropriation of 2300 acre-feet of water per annum for municipal use pursuant to a contract with the Tarrant County Water Control & Improvement District No. 1. This contract provides that the water will be diverted from the Bridgeport Reservoir under the authority of Permit 1073. An investigation of Permit 1073 has just been completed.

Our records reveal that this permit was issued on May 1, 1928, and provided for the appropriation of fifty-two thousand (52,000) acre-feet of water per annum for the irrigation of twenty-six thousand (26,000) acres of land in the Wise County Water Control & Improvement District No. 1 area. It also provided for the release of ninety-three thousand (93,000) acre-feet of water per year for the reservoir at Eagle Mountain. You will note that an appropriation for municipal purposes was not provided for in the original permit. The file does include an application, submitted to the Texas Water Commission on October 6, 1952, to amend Permit No. 1073 to provide for municipal purposes. However, a letter from Mr. Joe B. Hogsett, dated May 26, 1953, requested that this application to amend be withdrawn.

Therefore, the present status of Permit 1073 does not provide for the appropriation of water for municipal purposes. The Commission cannot consider the term permit application of Wise County Water Supply District until provision is made under this permit to allow a diversion for this use. I am enclosing a copy of a letter which this day is being forwarded to the Wise County Water Supply District.

I also note from an examination of the water use reports filed with Permit 1073 that for several years water has been diverted from Lake Bridgeport to provide municipal water for the City of Bridgeport and for mining purposes. I felt that you would like to be informed that diversion for these purposes is in violation of the rights granted in the original permit. I would suggest that you submit an application to amend Permit 1073 to provide for these uses in addition to the amount required to comply with the Wise District contract. Any application to amend should specify the amount of water needed, the proposed use for the water and, if applicable, any proposed change in the use of water already rightfully appropriated.

We will be happy to assist you on any problem that may arise in carrying out the amendment procedure.

Very truly yours,

TEXAS WATER COMMISSION

/s/ James C. Hay

James C. Hay  
Examiner

JCH:md

Following a discussion of the letter and upon recommendation of management and consulting engineers of the District, Director Penry made a motion that an application be filed immediately for Amending Permit No. 1073 as set forth in the above listed letter from the Texas Water Commission. Upon a vote taken all Directors voted aye thereon and it was so ordered.

6.

President Hogsett stated that the Fort Worth National Bank as Depository of the District for the Cedar Creek Project - Interest and Sinking Fund had requested authority to replace \$500,000.00, U. S. Treasury Notes @ 3-7/8% due 8-13-65 with \$500,000.00, U. S. Treasury Notes @ 4% due 2-15-65 as collateral for said Interest and Sinking Fund, that it would be in order to approve such an exchange; whereon Director Hill made a motion, seconded by Director Penry, and unanimously adopted that,

*"WHEREAS, The Fort Worth National Bank has qualified as the Depository for Tarrant County Water Control and Improvement District No. 1, and there are now pledged by it with the proper authorities of said District approved securities of the aggregate par value of \$500,000.00; and*

*WHEREAS, the said Bank desires to exercise its right of making substitution of securities pledged by it and desires to withdraw the following securities:*

3 7/8% U. S. Treasury Notes due 8-13-65 \$500,000.00

and to substitute in lieu thereof these securities:

4% U. S. Treasury Notes due 2-15-67 \$500,000.00

WHEREAS, the securities tendered by way of substitution meet with the requirements of the law;

NOW, THEREFORE, BE IT RESOLVED, that the securities tendered by way of substitution be, and they are hereby accepted and approved both as to kind and value, and there are hereby released to said Bank the above mentioned securities, which it desires to withdraw."

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 Program D - West Fork and Cedar Creek Pipeline Right-of-Way, and on the following basis for payment, to-wit:

PROGRAM D - WEST FORK

- (a) Tract No. 137 - M. W. Hovenkamp et al - Lot 15, Trinity Gardens Addition - in Fee @ \$700.00.

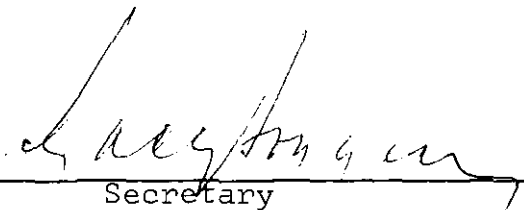
CEDAR CREEK PIPELINE RIGHT-OF-WAY

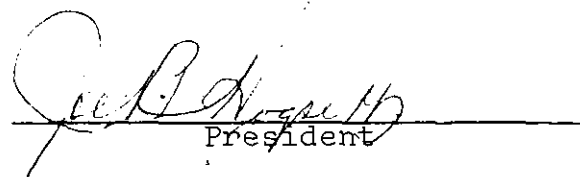
- (b) Tract No. T-7 - Carriage Development Company, Block 29, Shelby County School Land, 5-1/10+ Acres @ \$1,000.00 per acre. \$2,500.00 each for the portion Lots 6 and 7, Block 4, needed and required. An Easement over and across that portion required and needed of Lots 6,7,8,9, Block 3; lots 1,2,3,4,5, Block 4 - \$3,000.00.
- (c) Tract No. T-6 - Fort Worth Trust Company - Heritage Addition, Shelby County School Survey - Block 28, Lots 1,2,3,4,5,6 and 7, Block 1, Lots 9,10,11 and 12, Block 2, including severance and all damages due to taking @ \$3,000.00 per lot.
- (d) Tract No. T-4 - Mattie Stephenson Collier Estate - Shelby County School Survey - Block 15, 3.3 acres more or less @ \$3,000.00 per acre + \$12,350.00 Lump Sum for severance and damage due to taking.

Following a detailed presentation of the tracts, and upon recommendation of management of the District, Director Hill, seconded by Director Boggess, moved that the District be authorized to enter into Contract 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