A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties,
operations, fiscal procedures, annexation authority, bond and
taxing authority, and the exercise of eminent domain by the
Lipan-Kickapoo Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Lipan-Kickapoo Water Conservation
District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT; PURPOSE. (a) Subject to
approval at an election required by Section 13 of this Act, the
Lipan-Kickapoo Water Conservation District is created under the
authority of Article XVI, Section 59, of the Texas Constitution.

(b) The district is created to provide for the conservation,
preservation, protection, recharge, and prevention of waste and
pollution of the underground and surface water of the district
consistent with the objectives of Article XVI, Section 59, of the
Texas Constitution, and Chapters 51 and 52, Water Code.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
that:

(1) the creation of the district is feasible and
practicable;

(2) the district will be a benefit to the land contained
within the boundaries of the district;

(3) there is a public necessity for the district; and

(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of the territory in Tom Green and Concho counties contained within the following described area:

BEGINNING in Tom Green County, Texas at the point of intersection of U. S. Highway 277 with the South Tom Green County Line, situated in the West part P. W. McNeise, Survey 3 for a POINT OF BEGINNING;

THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of said Section P. W. McNeise, Survey No. 3;

THENCE following the meanders of U. S. Highway 277 from the South boundary line of Section 1131, C&M RyCo to a point of intersection in the North boundary line of said Section 1131 and being the South boundary line of W. B. Hunter Survey 1130;

THENCE from said point of intersection in the Northerly direction along the East right-of-way line of said U. S. Highway 277 to the North boundary line of said W. B. Hunter Survey No. 1130 and the South boundary line of P. S. Wendall Survey No. 1886;

THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of said P. S. Wendall Survey No. 1886 and being in the most Northerly South boundary line of Survey No. 1009, HE&WTRYCoSurvey;

THENCE in a northerly direction along the East right-of-way line of 3/3
U. S. Highway 277 to the North boundary line of said Survey No. 1009, HE&WTRyCoSurvey and being the South boundary line of the J. F. Fuchs Survey No. 955;
THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of said J. F. Fuchs Survey 955 and being in the South boundary line of the C. Stahl Survey No. 954;
THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of the C. Stahl Survey No. 954 and being in the South boundary line of the J. Ennert Survey No. 953;
THENCE in a Northerly direction following the East right-of-way line of said U. S. Highway 277 to a point of intersection in the North boundary line of said J. Ennert Survey 953 and being the South boundary line of J. Ennert Survey No. 952;
THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point the North boundary line of said J. Ennert Survey No. 952 and in the South boundary line of C. Gleismer Survey No. 1833;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point of intersection in the North boundary line of the C. Gleismer Survey No. 1833 and being in the South boundary line of the C. Gleismer Survey No. 1831;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of C. Gleismer Survey No. 1831 and in the South boundary line of C. A. Clark Survey No. 70;
THENCE in a Northeasterly direction along the East right-of-way boundary line of U. S. Highway 277 to a point of intersection in the North line of C. A. Clark Survey No. 70 and being in the South Boundary line of L. Straus Survey No. 1829;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 and crossing the South Concho River to the north bank thereof situated in the J. Zerbach Survey No. 1827;

THENCE continuing in a northerly direction and along the East right-of-way line of U. S. Highway 277 to a point of intersection situated on the North bank of the South Concho River and in the North boundary line of the J. Zerbach Survey No. 1827 and being a point in the South boundary line of the J. Eldridge Survey No. 73 and being a point in the South boundary of the Tom Green County Water Supply District #2;

THENCE with the north or northeast bank of the South Concho River South 51° East 200 feet; South 67° East 300 feet to the confluence of Mc Kettric Creek with the South Concho River;

THENCE with the north and northwest bank of Mc Kettric Creek North 38° East 235 feet; North 21° East 327 feet, crossing the East line of Block No. 2, Voss Addition to the Town of Christoval and Rudd Road, and following the south and southwest lines of Willie McCutchan tract to a point in the north or northeast bank of Mc Kettric Creek;

THENCE North 13 feet to a 1 1/2 inch G. I. pipe marked "N.L. 3-" and set in concrete in the east side of Rudd Road set for the Northwest corner of Block No. 3, Voss Addition to the town of Christoval;

THENCE along the southwest line of said Block 3 and being along the
northeast line of Texas F.M. 2084 South 27° 52' 39" East following
a curve to the left in said road and passing a concrete
right-of-way marker to a 1/2" iron pipe set for the most southerly
corner of the Tom Green County Water Supply District No. 2 and
being on the northeast right-of-way of Texas F.M. 2084;
THENCE North 62° 04' 45" East 2,116.73 feet to a 1/2" iron pipe set
for the Southeast corner of said Tom Green County Water Supply
District No. 2;
THENCE North 0° 21' 12" East 815.37 feet with the east line of
Block No. 10, Voss Addition to the town of Christoval to the
southeast corner of the Original Town of Christoval as shown by
plat recorded in Volume 65, Page 566, Tom Green County Deed
Records, to which plat and its record reference is here made for
all pertinent purposes, and being at the intersection of the south
line of Voss Street and the east line of Ninth Street;
THENCE North 2,249.88 feet to the most eastern northeast corner of
the Original Town of Christoval and being the northeast corner of
Block No. 34 Original Town of Christoval;
THENCE North 89° West along the north boundary line of the town of
Christoval to the northwest corner of Block No. 35, Original Town
of Christoval;
THENCE North with a northerly projection of the West line of said
Block No. 35 244.05 feet to a corner in the west line of said
Block No. 35;
THENCE West along a projection of the most northerly north line of
Block No. 37, Original Town of Christoval to the northeast corner
of Lot No. 4, Block No. 37, Original Town of Christoval;
THENCE North 1° East with the east line of the Original Town of Christoval to the northeast corner of the Original Town of Christoval and a point in the north line of Holland Street, said northeast corner being due North of the northeast corner of said Lot No. 4, Block No. 51, Original Town of Christoval;

THENCE West with the north line of Holland Street to the southwest corner of the 10-acre tract conveyed to George Atkins by G. W. Lewis by deed dated December 15, 1927, recorded in Volume 137, Page 446, Tom Green County Records, the same being 60 feet north of the northwest corner of Block No. 52, Original Town of Christoval;

THENCE North with the west line of the Lewis 10-acre tract 628.03 feet to an iron pipe set for the northeast corner of the Tom Green County Water Supply District No. 2 and being in the West line of the said Lewis 10-acre tract;

THENCE South 82° 34' 47" West 184.04 feet to a 2" iron pipe fence corner post for a corner;

THENCE South 54° 11' 08" West with a fence 64.98 feet to a 2" iron pipe fence angle post for a corner'

THENCE South 40° 46' 39" West with a fence 365.48 feet to a 2" iron pipe fence angle post;

THENCE South 34° 59' 00" West with a fence 353.32 feet to a point which is 676.46 feet West of the Southwest corner of the above described Lewis 10-acre tract;

THENCE West along the north line of Holland Street to a stake in the north line of Holland Street at a point due North of the northwest corner of Lot No. 1, Block No. 54, Original Town of Christoval;
THENCE North 314 feet to a stake for the most northern northeast
corner of the Tom Green County Water Supply District No. 2;
THENCE West 470 feet to a stake for the most northern northwest
corner of the Tom Green County Water Supply District No. 2;
THENCE South 314 feet to a stake in the north line of Holland
Street and being due North of the northeast corner of Block No. 56,
Original Town of Christoval;
THENCE West 880.58 feet with the north line of Holland Street to a
point in the west right-of-way line of U.S. Highway 277 situated
situated within the J. Eldridge Survey No. 73 referred to
hereinabove;
THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point in the North boundary line of J.
Eldridge Survey No. 73 and being in the South boundary line of A.
Black Survey No. 75;\(\frac{3}{4}\)
THENCE in a Northeasterly direction along the East right-of-way
line of said U. S. Highway 277 to a point in the North boundary
line of J. Webb Survey No. 77, being in the South boundary line of
E. A. McGill Survey No. 79;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
E. Smith Survey No. 81 and being in the South boundary line of\(\frac{7}{8}\)
Webb Survey No. 83;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
G. Smith Survey No. 1825 and being in the South line of C. S.
Jackson Survey No. 1823;
THENCE in a Northeasterly direction following the East right-of-way line of U. S. Highway 277 to a point in the North line of C. S. Jackson Survey No. 1823 and being in the South line of M. Harrison Survey No. 89;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of M. Harrison Survey No. 89 and being in the South boundary line of R. A. Abbott Survey No. 91;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of R. A. Abbott Survey No. 91 and being in the South boundary line of J. E. Deboer Survey No. 93;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North line of J. E. Deboer Survey No. 93 and being the South line of D. Chandler Survey No. 1819;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the East boundary line of D. Chandler Survey No. 1819 and being a point in the most Westerly boundary line of the J. R. Craddock Survey No. 1;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 across the J. R. Craddock Survey No. 1, crossing the most Westerly Northwestern corner of S. Hehl Survey No. 536 and the Southeastern corner of George Smith Survey No. 1813 to a point in the Northeastern boundary line of the panhandle of the J. R. Craddock Survey No. 1 and being a point in the West boundary line of C. Gowin Survey No. 535;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of C. Gowin Survey No. 535 and being in the South boundary line of David Lloyd Survey No. 101;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of David Lloyd Survey No. 101 and being in a point in the South boundary line of the Washington County School Land Survey No. 103;

THENCE in a Northeasterly direction and following the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of Washington County School Land Survey No. 103 and being a point in the South boundary line of Washington County School Land Survey No. 105;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of Washington County School Land Survey No. 105 to a point in the South boundary line of P. W. McNeise Survey No. 1;

THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point of intersection of said U. S. Highway 277 with Texas Highway Loop 306;

THENCE in an Easterly direction along the South right-of-way line of said Texas Highway Loop 306 to a point of intersection in the West boundary line of Section No. 75, District 11, SFRyCoSurvey and continuing Easterly along the South boundary line of said Loop 306 crossing said Section No. 75, Section No. 74, District 11, SFRyCoSurvey, and continuing Easterly into Section No. 73, District 11, SFRyCoSurvey at which point the direction of Texas Highway Loop
306 turns Northerly and continuing in a Northerly direction along the Eastern right-of-way line of said Loop 306 crossing the North boundary line of said Section No. 73 and continuing along the East boundary line of said Loop 306 across Section No. 76, District 11, SPRyCoSurvey; crossing Section No. 95, District 11, SPRyCoSurvey, continuing in a Northerly direction along East boundary line of said Loop 306 and crossing HT&BRYCoSurvey No. 1 to a point in the South boundary line of J. G. Murphy Survey No. 2;

THENCE in a Northwesterly direction and along the East right-of-way line of said Loop 306 and crossing J. G. Murphy Survey No. 2, the Southwest corner of L. Schuchert Survey No. 160, F. Klamberg Survey No. 161 and J. Waggoner Survey No. 162 at which point the East right-of-way line of said Texas Highway Loop 306 intersects with the North boundary line of said Section No. 162;

THENCE in a Northeasterly direction and following the meanders of the Concho River and being the Northern boundaries of J. Waggoner Survey No. 162 and continuing along the North boundary lines of F. Klamberg Survey No. 161; L. Schuchert Survey No. 160; V. Horne Survey No. 159; A. Zobel Survey No. 158; V. Horne Survey No. 157; 17 A. Bauman Survey No. 156; J. Cherry Survey No. 155 1/2; J. Beekmann Survey No. 155; W. R. Housemann Survey No. 154; J. Beekmann Survey No. 153; M. Suerth Survey No. 152; M. Feller Survey No. 151; J. Faltermier Survey No. 150; M. Feller Survey No. 149; J. Schneider Survey No. 148; J. Gembler Survey No. 147; J. Fischer Survey No. 146; P. Kellermann Survey No. 145; C. Spaurung Survey No. 144; Heirs of C. Buschel Survey No. 143; J. Reichile Survey No. 142; German Emigration Company Survey No. 575; German Emigration
Company Survey No. 574; H. Falter Survey No. 140; German
Emigration Company Surveys Nos. 573; 572; 571; 570; 569; 568;
567; 566; 565; 564; 563; 562; 561; 560; 559; 558; 557; 556; 555;
554; 553; 552; 551; 550 (the east boundary of which lays partially
in Concho County, Texas); continuing in Concho County, Texas in a
Northeasterly direction and following the meanders of the Concho
River and being the Northern boundaries of German Emigration
Company Survey Nos. 549; 548; 547; 546; 143; 142; 141; 140; 139;
138; 137; 136; 135; 134; 133; 132; 131; 130; 129; 128; 127; 126;
125; 124; 123; 122; 121; 120; 119; 118; 117; 116; 115; 114; 113;
112; 111; 110 to a point in the Northwest corner of said Section
No. 110 and being the Northeast corner of German Emigration
Company Survey No. 109;
THENCE in a Southerly direction along the West boundary line of
said German Emigration Company Survey No. 109 to the Southwest
corner of said Survey No. 109, thence in an Easterly direction
along the South boundary line of said German Emigration Company
Survey No. 109 to the most Southerly Northwestern corner of
EL&RRyCoSurvey No. 1, thence with the most Westerly boundary line
of EL&RRyCoSurvey No. 1 to the Southwest corner of said
EL&RRyCoSurvey No. 1;
THENCE in an Easterly direction along the South boundary line of
the EL&RRyCoSurvey No. 1 to a point and being the Northwest corner
of R. T. Trail Survey No. 2;
THENCE in a Southerly direction along the West boundary line of R.
T. Trail Survey No. 2 to a point and being the most Easterly
Northeast corner of Section No. 7, Block No. 11, H&TCRyCoSurvey,
Concho County, Texas and being the most Easterly Northeast corner
of Block No. 11, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 11,
H&TCRYCoSurvey line of H&TCRYCoSurvey and along the East boundary
lines of Sections Nos. 7, 6, 3, & 2 of said H&TCRYCoSurvey, Block
No. 11, to a point in the Southeast corner of said Survey No. 2,
Block No. 11, H&TCRYCoSurvey and being the Northeast corner of
Section No. 1, Block No. 10, H&TCRYCoSurvey and being the
Northeastern corner of Block No. 10, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 10,
H&TCRYCoSurvey lines and being the East boundary lines of Sections
Nos. 1, 2, 3, 4, 5 & 6 to a point and being in the East boundary
line of Section No. 6, Block No. 10, H&TCRYCoSurvey, Concho
County, Texas, and being the most Western Southwest corner of Henry
A. Robertson Survey No. 9;
THENCE along the West boundary line of Henry A. Robertson Survey
No. 9 to the most Northerly Southwest corner of said Henry A. 1/3
Robertson Survey No. 9;
THENCE in an Easterly direction along the most Southerly South
boundary line to a point in the most Westerly East boundary line of
Henry A. Robertson Survey No. 9 and being a point in the West
boundary line of Carl Schartz Survey No. 276 and being the
Northeast corner of John Morris Survey No. 3;
THENCE in a Southerly direction along the East boundary line of
said John Morris Survey No. 3 to a point and being the common
Southwest boundary of Survey No. 157, Block No. 72, T&NORYCoSurvey
and the Northwest corner of Robert Lacky Survey No. 18;
THENCE along the West boundary line of Robert Lacky Survey No. 18
to a point of intersection in the North boundary line of Survey No.
158, Block No. 72, T&NORyCoSurvey and being the Southwest corner of
Robert Lacky Survey No. 18;
THENCE in a Westerly direction along the North boundary line of
Survey No. 158, Block No. 72, T&NORyCoSurvey to a point for the
Northwest corner of said Survey No. 158 and the Northwest corner of
Block No. 72, T&NORyCoSurvey;
THENCE in a Southerly direction following the West boundary line of
Block No. 72, T&NORyCoSurvey and being the West boundary lines of
and T. J. Dodson Survey No. 2, John H. Gibson Survey No. 1, William
H. Hughes Survey No. 6, Survey No. 175, H. W. Jacoby Survey No.
176, Michael Sougert Survey No. 2073, Chris Mens Survey No. 2074,
continuing Southerly along the West boundary line of Block No. 72,
T&NORyCoSurvey and the West boundary line of Beaty, Seale and
Forwood Survey No. 70 and the East right-of-way line of Texas
Highway No. 176 and continuing Southerly along the said Western
boundary of Block No. 72, T&NORyCoSurvey and the West right-of-way
line of Texas Highway No. 176 crossing said Beaty, Seale and
Forwood Survey No. 70, Valentine Survey Nos. 2084, Hohmann Survey
No. 2083, R. L. Woodward Survey No. 2, Alexander Survey No. 2086,
Sator Survey No. 2087, J. H. Johnson Survey No. 68, J. M. Pfluger
Survey No. 68 1/2, George B. Mayer Survey No. 2095 to a point of
intersection in the City Limits of the City of Live Oak, Texas;
THENCE in an Easterly direction along the city limits of said City
of Live Oak, Texas to a point in the most Northeasterly city limits
lying in said Liveoak, Texas and being in George B. Mayer Survey
No. 2095;

THENCE in a Southerly direction along the East boundary line of
said city limits of the City of Liveoak, Texas to a point for the
most Southeasterly city limits lying in George B. Mayer Survey No.
2095;

THENCE in a Westerly direction along the City Limits of the City of
Liveoak situated in George B. Mayer Survey No. 2095 to a point of
intersection in the Western boundary line of Block No. 72,
T&NORyCoSurvey and being the West boundary line of George B. Mayer
Survey No. 2095 and the East right-of-way line of State Highway
176;

THENCE in a Southerly direction along the West boundary line of
Block No. 72, T&NORyCoSurvey, and being a point in the West
boundary line of George B. Mayer Survey No. 2095 and in the East
right-of-way line of State Highway No. 176 and crossing George B.
Mayer Survey No. 2096, G. A. Ford Survey No. 2, Chris Funk Survey
No. 2124, Chris Metzing Survey No. 2125 to a point for the
Southwest corner of the Chris Metzing Survey No. 2125 in the
Southwest corner of Block No. 72, T&NORyCoSurvey;

THENCE East along the South boundary line of Block No. 72,
T&NORyCoSurvey and the common South boundary line of Chris Metzing
Survey No. 2125, Block No. 72, T&NORyCoSurvey line to a point in
said South boundary line for a corner and being the most South
Northeasterly corner of FL&RR RyCoSurvey No. 143;

THENCE in a Southerly direction along the East boundary line of
said FL&RR RyCoSurvey No. 143 to the Southeast corner of said
SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date of this Act, the following persons are designated as temporary directors of the district:

Michael Heisler

SECTION 7. POWERS AND DUTIES. Except to the extent of any conflict with this Act or as specifically limited by the Act, the district, in the exercise of the powers contained in this Act, shall exercise the general powers granted by and subject to Chapter 52, Water Code, and may exercise all of the powers provided by Chapter 52, Water Code; GENERAL.

Thence from said southern corner in a westerly direction along the South boundary line of Tom Green County, Texas, to the point of intersection with the Tom Green County boundary line and being the southwest corner of Concho County and the southeast corner of Tom Green County.

THENCE in a westerly direction along the South boundary line of Concho County, Texas; and continuing in a southerly direction along the East boundary line of said Section No. 108 to a point of intersection in the Concho County-Meard County boundary lines to a point of intersection where the East right-of-way line of U.S. Highway 277 intersects with the South boundary line of Tom Green County, Texas.

THENCE from said common corner in a westerly direction along the South boundary line of Tom Green County, Texas to the point of beginning of the district, and thence through the said land to the point of beginning.
(2) James Ripple;
(3) Gregory Phinney;
(4) Harvey Williams;
(5) F. C. Brown;
(6) Joe Brosig; and
(7) A. H. Denis III.

(b) If a vacancy occurs in the office of temporary director, the remaining temporary directors shall select a person with the qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their successors are elected and have qualified.

SECTION 7. QUALIFICATIONS OF BOARD MEMBERS. (a) To be qualified for election as a director, a person must be:

(1) a resident of the district or proposed district;
(2) at least 18 years of age; and
(3) not otherwise disqualified by Section 50.026, Water Code.

(b) In addition to the requirements of Subsection (a) of this section, a director from a county area must be a resident of that county.

SECTION 8. COMPOSITION OF BOARD OF DIRECTORS. (a) The board of directors of the district is composed of seven members, three directors from Tom Green County, three directors from Concho County, and one director from the district as a whole, who shall be elected by a majority vote of the qualified voters residing in the
area of each portion of a county included in the district.

(b) If a vacancy occurs in the office of director, the remaining directors shall select a person with the qualifications as provided by Section 7 of this Act. The person selected serves until the next directors' election. If the position is not regularly scheduled to be filled at that election, the person elected serves for the remainder of the unexpired term.

SECTION 9. ELECTION OF DIRECTORS. (a) Beginning in the second year following the creation election, an election shall be held on the third Saturday in May every second year to elect the appropriate number of directors to the board.

(b) A director takes office at the first regular meeting of the board following election to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial directors of the district, directors shall serve for terms of four years.

(b) The four initial directors receiving the highest number of votes at the confirmation election shall serve as directors until the four persons elected at the second regular election of directors have qualified, and the other three initial directors shall serve until the three persons elected at the first regular directors' election have qualified. After the second regular directors' election, three directors shall be elected at one election and four at the next election in continuing sequence.

SECTION 11. COMPENSATION. A director is entitled to receive for his services an amount not to exceed $25 a day for each day actually engaged in duties for the district.
SECTION 12. QUORUM. A majority of the members of the board constitute a quorum for the transaction of business of the
district, but an official action of the board is not valid without
the affirmative vote of a majority of the members of the board.

SECTION 13. CREATION ELECTION. (a) Not later than the 90th
day after the effective date of this Act, the temporary directors
shall meet and shall call an election to be held not later than the
180th day after the effective date of this Act within the
boundaries of the proposed district to approve the creation of the
district. 

Section 41.001(a), Election Code, does not apply to an
election called under this section.

(b) In the order calling the election, the temporary
directors shall designate county area places and the at-large
position and polling places for the election.

(d) The propositions to be voted on shall include the
question of whether the establishment of the district is confirmed
and the election of the board of directors. The election may also
include the question of levying, assessing, and collecting an ad
valorem tax throughout the district.

(e) The temporary directors shall publish notice of the
election two times in one or more newspapers of general circulation
within the boundaries of the proposed district. The notice must be
published not later than the 30th day and the 10th day preceding
the date of the election.

(f) Returns of the election shall be made to the temporary
directors who shall canvass the returns and declare the results of
the election.

(g) If the creation of the district is defeated, all of the
propositions relating to the district are defeated, and another
election may not be called and held during the 12-month period
immediately following the date on which the most recent election on
the proposition or propositions was held. If the district is not
created within five years after the effective date of this Act,
this Act expires.

(h) Except as specifically provided by this section, an
election under this Act is governed by the Election Code.

SECTION 14. ADDITIONAL RIGHTS AND POWERS. (a) The board
may enter into contracts as provided by Chapter 51, Water Code, and
those contracts shall be executed by the board in the name of the
district.

(b) The board may adopt a seal for the district.

(c) If the district regulates production of underground
water by permit as provided by Chapter 52, Water Code, the board
may not deny a permit to drill a well to the owner of land, his
heirs, assigns, and lessees on his land and the right to produce
water from that well under rules adopted by the district.

(d) The district may control, store, and preserve the storm
water and floodwater in the district, and the water of rivers and
streams in the district for irrigation of arid land, prevention of
floods and flood damage in the district, and domestic,
agricultural, and industrial use.

(e) The district may reclaim land within the district and
may construct the necessary works, facilities, and improvements to
accomplish this purpose.

(f) The district may construct and maintain terraces and
other structures on land in the district and may engage in and
promote land treatment measures for soil conservation and
improvement.

(g) The district may construct or acquire and improve and
maintain works, facilities, and improvements necessary to carry out
the purposes, powers, and plans of the district.

(h) The district may construct and acquire works, facilities, and improvements in the manner provided by Chapter 51, Water Code.

(i) The district may acquire by gift, grant, devise, lease,
purchase, or condemnation any land or other property necessary to
carry out this Act.

(j) Subject to this Act and Chapters 51 and 52, Water Code,
the district may sell or otherwise dispose of land and other
property of the district that the board determines is not necessary
to carry out the purposes or powers of the district.

(k) The district may not enter into any contract or engage
in any action to supply underground water or surface water inside
or outside the district.

(l) The district through the members of the board or its
general manager may appear before the Railroad Commission of Texas
and present evidence and information relating to any pending permit
application for an injection well to be located within the
district.

(m) The district may borrow money for any purpose authorized
(n) Except to the extent of any conflict with this Act or as specifically limited by this Act, the district may exercise the powers granted and shall perform the duties under Subchapters D, O, and P, Chapter 51, Water Code.

SECTION 15. SUPERVISION OF DISTRICT. The district is subject to the continuing right of supervision by the state, to be exercised by the Texas Water Commission.

SECTION 16. PROTECTION OF WATER RIGHTS. The ownership and rights of the owner of land, his lessees, and assigns in underground water and any surface water rights are recognized and this Act does not deprive or divest the owner, his lessees, or assigns of those ownership rights.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives, within the required time. All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have
been fulfilled and accomplished.

SECTION 18. EMERGENCY. The importance of this legislation
and the crowded condition of the calendars in both houses create an
emergency and an imperative public necessity that the
constitutional rule requiring bills to be read on three several
days in each house be suspended, and this rule is hereby suspended,
and that this Act take effect and be in force from and after its 2\(\frac{1}{2}\)th
passage, and it is so enacted.
STATE OF TEXAS
COUNTY OF TOM GREEN

On this 4th day of May 1987 personally appeared before me the undersigned,

a Notary Public in and for said county and state,

James Neary - Financial Director

of the Standard Times
daily newspaper published at SAN ANGELO, County of TOM GREEN, State of TEXAS, who, being by me duly sworn, states that the attached advertisement, a true copy of which is hereto annexed, was published in said newspaper in its issues thereof of the following dates:

30th day of March 1987
1st day of April 1987
19th day of May 1987

James Neary - Financial Director

Subscribed and sworn to before me this 4th day of May 1987

Doris M. Cape
Notary Public, Tom Green County, Texas

My Commission expires 8-17-87
By: Sims  
S.B. No. 1525  
(In the Senate - Filed May 15, 1987; May 15, 1987, read first  
time and referred to Committee on Natural Resources; May 21, 1987,  
reported favorably, as amended, by the following vote: Yeas 6,  
Nays 0; May 21, 1987, sent to printer.)

COMMITTEE VOTE

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COMMITTEE AMENDMENT NO. 1

Amend S.B. No. 1525 by striking SECTION 5 on page 7 and  
substituting the following:

SECTION 5. APPLICATION OF CHAPTERS 50 AND 52, WATER CODE;  
GENERAL POWERS AND DUTIES. Except to the extent of any conflict  
with this Act or as specifically limited by this Act, the district  
is governed by and subject to Chapters 50 and 52, Water Code, and  
may exercise all of the powers contained in these chapters,  
including the powers to issue bonds and levy and collect taxes and  
the power of eminent domain. The district shall exercise all of  
the duties provided by Chapters 50 and 52, Water Code.

A BILL TO BE ENTITLED  
AN ACT  

relating to the creation, administration, powers, duties,  
operations, fiscal procedures, annexation authority, bond and  
taxing authority, and the exercise of eminent domain by the  
Lipan-Kickapoo Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
SECTION 1. DEFINITIONS. In this Act:  
(1) "District" means the Lipan-Kickapoo Water Conservation  
District.  
(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT; PURPOSE. (a) Subject to  
approval at an election required by Section 13 of this Act, the  
Lipan-Kickapoo Water Conservation District is created under the  
authority of Article XVI, Section 59, of the Texas Constitution.

(b) The district is created to provide for the conservation,  
preservation, protection, recharge, and prevention of waste and  
pollution of the underground and surface water of the district  
consistent with the objectives of Article XVI, Section 59, of the  
Texas Constitution, and Chapters 51 and 52, Water Code.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds  
that:

(1) the creation of the district is feasible and  
practicable;  
(2) the district will be a benefit to the land contained  
within the boundaries of the district;  
(3) there is a public necessity for the district; and  
(4) the district will provide a benefit and utility to the  
public.

SECTION 4. BOUNDARIES. The district shall include all of  
the territory in Tom Green and Concho counties contained within the  
following described area:  
BEGINNING in Tom Green County, Texas at the point of intersection  
of U. S. Highway 277 with the South Tom Green County Line,  
situated in the West part P. W. McNeise, Survey 3 for a POINT OF
BEGINNING;
THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of said Section P. W. McNeise, Survey No. 3;
THENCE following the meanders of U. S. Highway 277 from the South boundary line of Section 1131, C&MRYCo to a point of intersection in the North boundary line of said Section 1131 and being the South boundary line of W. B. Hunter Survey 1130;
THENCE from said point of intersection in the Northerly direction along the East right-of-way line of said U. S. Highway 277 to the North boundary line of said W. B. Hunter Survey No. 1130 and the South boundary line of P. S. Wendall Survey No. 1886;
THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of said P. S. Wendall Survey No. 1886 and being in the most Northerly South boundary line of Survey No. 1009, HE&WTRyCoSurvey;
THENCE in a northerly direction along the East right-of-way line of U. S. Highway 277 to the North boundary line of said Survey No. 1009, HE&WTRyCoSurvey and being the South boundary line of the J. F. Fuchs Survey No. 955;
THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of said J. F. Fuchs Survey No. 955 and being in the South boundary line of the C. Stahl Survey No. 954;
THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of the C. Stahl Survey No. 954 and being in the South boundary line of the J. Ennett Survey No. 953;
THENCE in a Northerly direction following the East right-of-way line of said U. S. Highway 277 to a point of intersection in the North boundary line of said J. Ennett Survey 953 and being the South boundary line of J. Ennett Survey No. 952;
THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of said J. Ennett Survey No. 952 and in the South boundary line of C. Gleismer Survey No. 1833;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point of intersection in the North boundary line of the C. Gleismer Survey No. 1833 and being in the South boundary line of the C. Gleismer Survey No. 1831;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of C. Gleismer Survey No. 1831 and in the South boundary line of C. A. Clark Survey No. 70;
THENCE in a Norheasterly direction along the East right-of-way boundary line of U. S. Highway 277 to a point of intersection in the North boundary line of C. A. Clark Survey No. 70 and being in the South boundary line of L. Straus Survey No. 1829;
THENCE in a Norheasterly direction along the East right-of-way line of U. S. Highway 277 and crossing the South Concho River to the north bank thereof situated in the J. Zerbach Survey No. 1827;
THENCE continuing in a northerly direction and along the East right-of-way line of U. S. Highway 277 to a point of intersection situated on the North bank of the South Concho River and in the North boundary line of the J. Zerbach Survey No. 1827 and being a point in the South boundary line of the J. Eldridge Survey No. 73 and being a point in the South boundary of the Tom Green County Water Supply District #2;
THENCE with the north or northeast bank of the South Concho River South 51° East 200 feet; South 67° East 300 feet to the confluence of Mc Kettrick Creek with the South Concho River;
THENCE with the north and northwest bank of Mc Kettrick Creek North 38° East 235 feet; North 21° East 327 feet, crossing the East line of Block No. 2, Voss Addition to the Town of Christoval and Rudd Road, and following the south and southwest lines of Willie Mcketchan tract to a point in the north or northeast bank of Mc Kettrick Creek;
THENCE North 13 feet to a 1 1/2 inch G.I. pipe marked "N.L. 3-" and set in concrete in the east side of Rudd Road set for the Northwest corner of Block No. 3, Voss Addition to the town of Christoval;
THENCE along the southwest line of said Block 3 and being along the
northeast line of Texas F.M. 2084 South 27° 52' 39" East following
a curve to the left in said road and passing a concrete
right-of-way marker to a 1/2" iron pipe set for the most southerly
corner of the Tom Green County Water Supply District No. 2 and
being on the northeast right-of-way of Texas F.M. 2084;
THENCE North 62° 04' 45" East 2,116.73 feet to a 1/2" iron pipe set
for the southeast corner of said Tom Green County Water Supply
District No. 2;
THENCE North 0° 21' 12" East 815.37 feet with the east line of
Block No. 10, Voss Addition to the town of Christoval to the
southeast corner of the Original Town of Christoval as shown by
plat recorded in Volume 65, Page 566, Tom Green County Deed
Records, to which plat and its record reference is here made for
all pertinent purposes, and being at the intersection of the south
line of Voss Street and the east line of Ninth Street;
THENCE North 2,249.88 feet to the most eastern northeast corner of
the Original Town of Christoval and being the northeast corner of
Block No. 34 Original Town of Christoval;
THENCE North 89° West along the north boundary line of the town of
Christoval to the northwest corner of Block No. 35, Original Town
of Christoval;
THENCE North with a northerly projection of the West line of said
Block No. 35 244.05 feet to a corner in the west line of said
Block No. 35;
THENCE West along a projection of the most northerly north line of
Block No. 37, Original Town of Christoval to the northeast corner
of Lot No. 4, Block No. 37, Original Town of Christoval;
THENCE North 1° East with the east line of the Original Town of
Christoval to the northeast corner of the Original Town of
Christoval and a point in the north line of Holland Street, said
northeast corner being due North of the northeast corner of said
Lot No. 4, Block No. 51, Original Town of Christoval;
THENCE West with the north line of Holland Street to the southwest
corner of the 10-acre tract conveyed to George Atkins by G. W.
Lewis by deed dated December 15, 1927, recorded in Volume 137, Page
466, Tom Green County Records, the same being 60 feet north of the
northeast corner of Block No. 52, Original Town of Christoval;
THENCE North with the west line of the Lewis 10-acre tract 628.03
feet to an iron pipe set for the northeast corner of the Tom Green
County Water Supply District No. 2 and being in the West line of
the said Lewis 10-acre tract;
THENCE South 82° 34' 47" West 184.04 feet to a 2" iron pipe fence
corner post for a corner;
THENCE South 54° 11' 08" West with a fence 64.98 feet to a 2" iron
pipe fence angle post for a corner;
THENCE South 40° 46' 39" West with a fence 365.48 feet to a 2" iron
pipe fence angle post;
THENCE South 34° 59' 00" West with a fence 353.32 feet to a point
which is 676.46 feet West of the Southwest corner of the above
described Lewis 10-acre tract;
THENCE West along the north line of Holland Street to a stake in
the north line of Holland Street at a point due North of the
northeast corner of Lot No. 1, Block No. 54, Original Town of
Christoval;
THENCE North 314 feet to a stake for the most northern northeast
corner of the Tom Green County Water Supply District No. 2;
THENCE West 470 feet to a stake for the most northern northwest
corner of the Tom Green County Water Supply District No. 2;
THENCE South 314 feet to a stake in the north line of Holland
Street and being due North of the northeast corner of Block No. 56,
Original Town of Christoval;
THENCE West 880.58 feet with the north line of Holland Street to a
point in the west right-of-way line of U.S. Highway 277 situated
situated within the J. Eldridge Survey No. 73 referred to
hearinabove;
THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point in the North boundary line of J.
Eldridge Survey No. 73 and being in the South boundary line of A.
Black Survey No. 75;
THENCE in a Northeasterly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of J. Webb Survey No. 77, being in the South boundary line of E. A. McGill Survey No. 79;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of E. Smith Survey No. 81 and being in the South boundary line of J. Webb Survey No. 83;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of G. Smith Survey No. 1825 and being in the South line of C. S. Jackson Survey No. 1823;
THENCE in a Northeasterly direction following the East right-of-way line of U. S. Highway 277 to a point in the North line of C. S. Jackson Survey No. 1823 and being in the South line of M. Harrison Survey No. 89;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of M. Harrison Survey No. 89 and being in the South boundary line of R. A. Abbott Survey No. 91;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of R. A. Abbott Survey No. 91 and being in the South boundary line of J. E. Deboer Survey No. 93;
THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North line of J. E. Deboer Survey No. 93 and being the South line of D. Chandler Survey No. 1819;
THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the East boundary line of D. Chandler Survey No. 1819 and being a point in the most Westerly boundary line of the J. R. Craddock Survey No. 1;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 across the J. R. Craddock Survey No. 1, crossing the most Westerly Northwestern corner of S. Hehl Survey No. 536 and the Southeastern corner of George Smith Survey No. 1813 to a point in the Northeastern boundary line of the panhandle of the J. R. Craddock Survey No. 1 and being a point in the West boundary line of C. Govin Survey No. 535;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of C. Gwinn Survey No. 535 and being in the South boundary line of David Lloyd Survey No. 101;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of David Lloyd Survey No. 101 and being in a point in the South boundary line of the Washington County School Land Survey No. 103;
THENCE in a Northeasterly direction and following the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of Washington County School Land Survey No. 103 and being a point in the South boundary line of Washington County School Land Survey No. 105;
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of Washington County School Land Survey No. 105 to a point in the South boundary line of P. W. McNeese Survey No. 1;
THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point of intersection of said U. S. Highway 277 with Texas Highway Loop 306;
THENCE in an Easterly direction along the South right-of-way line of said Texas Highway Loop 306 to a point of intersection in the West boundary line of Section No. 75, District 11, SPRyCoSurvey and continuing Easterly along the South boundary line of said Loop 306 crossing said Section No. 75, Section No. 74, District 11, SPRyCoSurvey and continuing Easterly into Section No. 73, District 11, SPRyCoSurvey at which point the direction of Texas Highway Loop 306 turns Northerly and continuing in a Northerly direction along the Eastern right-of-way line of said Loop 306 crossing the North boundary line of said Section No. 73 and continuing along the East boundary line of said Loop 306 across Section No. 76, District 11,
S.B. No. 1525

SPRyCoSurvey; crossing Section No. 95, District 11, SPRyCoSurvey,
continuing in a Northerly direction along East boundary line of
said Loop 306 and crossing H2&BryCoSurvey No. 1 to a point in the
South boundary line of J. C. Murphy Survey No. 2;
THENCE in a Northerly direction and along the East right-of-way
line of said Loop 306 and crossing J. C. Murphy Survey No. 2, the
Southwest corner of L. Schuchert Survey No. 160, F. Klamberg Survey
No. 161 and J. Waggoner Survey No. 162 at which point the East
right-of-way line of said Texas Highway Loop 306 intersects with
the North boundary line of said Section No. 162;
THENCE in a Northeasterly direction and following the meanders of
the Concho River and being the Northern boundaries of J. Waggoner
Survey No. 162 and continuing along the North boundary lines of F.
Klamberg Survey No. 161; L. Schuchert Survey No. 160; V. Horne
Survey No. 159; A. Zobel Survey No. 158; V. Horne Survey No. 157;
A. Bauman Survey No. 156; J. Cherry Survey No. 155 1/2; J. Beekman
Survey No. 155; W. R. Houseman Survey No. 154; J. Beekman Survey
No. 153; M. Suerth Survey No. 152; M. Feller Survey No. 151; J.
Faltermier Survey No. 150; M. Feller Survey No. 149; J. Schneider
Survey No. 148; J. Gembler Survey No. 147; J. Fischer Survey No.
146; P. Kellermann Survey No. 145; C. Spauring Survey No. 144;
Heirs of C. Buschel Survey No. 143; J. Reichle Survey No. 142;
German Emigration Company Survey No. 575; German Emigration
Company Survey No. 574; H. Falter Survey No. 140; German
Emigration Company Surveys Nos. 573, 572, 571, 570; 569; 568;
567; 566; 565; 564; 563; 562; 561; 560; 559; 558; 557; 556; 555;
554; 553; 552; 551; 550 (the east boundary of which lays partially
in Concho County, Texas); continuing in Concho County, Texas in a
Northeasterly direction and following the meanders of the Concho
River and being the Northern boundaries of German Emigration
Company Survey Nos. 549; 548; 547; 546; 543; 542; 141; 140; 139;
138; 137; 136; 135; 134; 133; 132; 131; 130; 129; 128; 127; 126;
125; 124; 123; 122; 121; 120; 119; 118; 117; 116; 115; 114; 113;
112; 111; 110 to a point in the Northwest corner of said Section
No. 110 and being the Northeast corner of German Emigration
Company Survey No. 109;
THENCE in a Southerly direction along the West boundary line of
said German Emigration Company Survey No. 109 to the Southwest
corner of said Survey No. 109, thence in an Easterly direction
along the South boundary line of said German Emigration Company
Survey No. 109 to the most Southerly Northwestern corner of
EL&RkyCoSurvey No. 1, thence with the most Westerly boundary line
of EL&RkyCoSurvey No. 1 to the Southwest corner of said
EL&RkyCoSurvey No. 1;
THENCE in an Easterly direction along the South boundary line of
the EL&RkyCoSurvey No. 1 to a point and being the Northwest corner
of R. T. Trail Survey No. 2;
THENCE in a Southerly direction along the West boundary line of R.
T. Trail Survey No. 2 to a point and being the most Easterly
Northeast corner of Section No. 7, Block No. 11; H&TCRYCoSurvey,
Concho County, Texas and being the most Easterly Northeast corner
of Block No. 11, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 11,
H&TCRYCoSurvey line of H&TCRYCoSurvey and along the East boundary
lines of Sections Nos. 7, 6, 3, & 2 of said H&TCRYCoSurvey, Block
No. 11, to a point in the Southeast corner of said Survey No. 2,
Block No. 11, H&TCRYCoSurvey and being the Northeast corner of
Section No. 11, Block No. 10, H&TCRYCoSurvey and being the
Northeastern corner of Block No. 10, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 10,
H&TCRYCoSurvey lines and being the East boundary lines of Sections
Nos. 1, 2, 3, 4, 5 & 6 to a point and being in the East boundary
line of Section No. 6, Block No. 10, H&TCRYCoSurvey, Concho
County, Texas, and being the most Western Southwest corner of Henry
A. Robertson Survey No. 9;
THENCE along the West boundary line of Henry A. Robertson Survey
No. 9 to the most Northerly Southwest corner of said Henry A.
Robertson Survey No. 9;
THENCE in an Easterly direction along the most Southerly South
boundary line to a point in the most Westerly East boundary line of
S.B. No. 1525

Henry A. Robertson Survey No. 9 and being a point in the West boundary line of Carl Schartz Survey No. 276 and being the Northeast corner of John Morris Survey No. 3;

THENCE in a Southerly direction along the East boundary line of said John Morris Survey No. 3 to a point and being the common Southwest boundary of Survey No. 157, Block No. 72, TNRovyCoSurvey and the Northwest corner of Robert Lacy Survey No. 18;

THENCE along the West boundary line of Robert Lacy Survey No. 18, to a point of intersection in the North boundary line of Survey No. 158, Block No. 72, TNRovyCoSurvey and being the Southwest corner of Robert Lacy Survey No. 18;

THENCE in a Westerly direction along the North boundary line of Survey No. 158, Block No. 72, TNRovyCoSurvey to a point for the Northwest corner of said Survey No. 158 and the Northwest corner of Block No. 72, TNRovyCoSurvey;

THENCE in a Southerly direction following the West boundary line of Block No. 72, TNRovyCoSurvey and being the West boundary lines of Sections Nos. 158, 2001, J. H. Gibson Survey No. 1, J. F. and T. J. Dodson Survey No. 2, John H. Gibson Survey No. 1, William H. Hughes Survey No. 6, Survey No. 175, H. W. Jacoby Survey No. 176, Michael Soguet Survey No. 2073, Chris Mens Survey No. 2074, continuing Southerly along the West boundary line of Block No. 72, TNRovyCoSurvey and the West boundary line of Beatty, Seale and Forwood Survey No. 70 and the East right-of-way line of Texas Highway No. 176 and continuing Southerly along the said Western boundary of Block No. 72, TNRovyCoSurvey and the West right-of-way line of Texas Highway No. 176 crossing said Beatty, Seale and Forwood Survey No. 70, Valentine Survey No. 2084, Holmham Survey No. 2083, R. L. Woodward Survey No. 2, Alexander Survey No. 2086, Sator Survey No. 2087, J. H. Johnson Survey No. 68, J. M. Pfleuger Survey No. 68 1/2, George B. Mayer Survey No. 2095 to a point of intersection in the City Limits of the City of Liveoak, Texas;

THENCE in an Easterly direction along the city limits of said City of Liveoak, Texas to a point in the Northeast city limits lying in said Liveoak, Texas and being in George B. Mayer Survey No. 2095;

THENCE in a Southerly direction along the East boundary line of said city limits of the City of Liveoak, Texas to a point for the most southeasterly city limits lying in George B. Mayer Survey No. 2095;

THENCE in a Westerly direction along the City Limits of the City of Liveoak situated in George B. Mayer Survey No. 2095 to a point of intersection in the Western boundary line of Block No. 72, TNRovyCoSurvey and being the West boundary line of George B. Mayer Survey No. 2095 and the East right-of-way line of State Highway 176;

THENCE in a Southerly direction along the West boundary line of Block No. 72, TNRovyCoSurvey, and being a point in the West boundary line of George B. Mayer Survey No. 2095 and in the East right-of-way line of State Highway No. 176 and crossing George B. Mayer Survey No. 2096, G. A. Ford Survey No. 2, Chris Funk Survey No. 2124, Chris Metzing Survey No. 2125 to a point for the Southwest corner of the Chris Metzing Survey No. 2125 in the Southwest corner of Block No. 72, TNRovyCoSurvey;

THENCE East along the South boundary line of Block No. 72, TNRovyCoSurvey and the common South boundary line of Chris Metzing Survey No. 2125, Block No. 72, TNRovyCoSurvey line to a point in said South boundary line for a corner and being the most South Northeasterly corner of FL&RR RyCoSurvey No. 143;

THENCE in a Southerly direction along the East boundary line of said FL&RR RyCoSurvey No. 143 to the Southeast corner of said Section No. 143 and being the Northeast corner of Survey No. 108 and continuing in a Southerly direction along the East boundary line of said Section No. 108 to a point of intersection in the South boundary line of Concho County, Texas;

THENCE in a Westerly direction along the South boundary line of the Concho County-Menard County boundary lines to a point of intersection with the Tom Green County boundary line and being the Southwest corner of Concho County, the Northwest corner of Menard County and the Southeast corner of Tom Green County;
THENCE from said common corner in a Westerly direction along the
South boundary line of Tom Green County, Texas to the point of
intersection where the East right-of-way line of U.S. Highway 277
intersects with the South boundary line of the Tom Green County
county line and being situated in P. W. McNeese Survey No. 3 for
the POINT OF BEGINNING.

SECTION 5. APPLICATION OF CHAPTER 52, WATER CODE; GENERAL
POWERS AND DUTIES. Except to the extent of any conflict with this
Act or as specifically limited by this Act, the district is
governed by and subject to Chapter 52, Water Code, and may exercise
all of the powers contained in that chapter, including the power to
issue bonds and levy and collect taxes and the power of eminent
domain. The district shall exercise all of the duties provided by
Chapter 52, Water Code.

SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date
of this Act, the following persons are designated as temporary
directors of the district:

(1) Michael Hoelscher;
(2) James Ripple;
(3) Gregory Phinney;
(4) Harvey Williams;
(5) F. G. Brown;
(6) Joe Brosig; and
(7) A. H. Denis III.

(b) If a vacancy occurs in the office of temporary director,
the remaining temporary directors shall select a person with the
qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members
persons to serve as chairperson, vice-chairperson, and secretary.
(d) The temporary directors shall serve until their
successors are elected and have qualified.

SECTION 7. QUALIFICATIONS OF BOARD MEMBERS. (a) To be
qualified for election as a director, a person must be:
(1) a resident of the district or proposed district;
(2) at least 18 years of age; and
(3) not otherwise disqualified by Section 50.026, Water
Code.

(b) In addition to the requirements of Subsection (a) of
this section, a director from a county area must be a resident of
that county.

SECTION 8. COMPOSITION OF BOARD OF DIRECTORS. (a) The
board of directors of the district is composed of seven members,
three directors from Tom Green County, three directors from Concho
County, and one director from the district as a whole, who shall be
elected by a majority vote of the qualified voters residing in the
area of each portion of a county included in the district.

(b) If a vacancy occurs in the office of director, the
remaining directors shall select a person with the qualifications
as provided by Section 7 of this Act. The person selected serves
until the next directors' election. If the position is not
regularly scheduled to be filled at that election, the person
elected serves for the remainder of the unexpired term.

SECTION 9. ELECTION OF DIRECTORS. (a) Beginning in the
second year following the creation election, an election shall be
held on the third Saturday in May every second year to elect the
appropriate number of directors to the board.

(b) A director takes office at the first regular meeting of
the board following election to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial
directors of the district, directors shall serve for terms of four
years.

(b) The four initial directors receiving the highest number
of votes at the confirmation election shall serve as directors
until the four persons elected at the second regular election of
directors have qualified, and the other three initial directors
shall serve until the three persons elected at the first regular
directors' election have qualified. After the second regular
directors' election, three directors shall be elected at one
election and four at the next election in continuing sequence.

SECTION 11. COMPENSATION. A director is entitled to receive
for his services an amount not to exceed $25 a day for each day actually engaged in duties for the district.

SECTION 12. QUORUM. A majority of the members of the board constitutes a quorum for the transaction of business of the district, but an official action of the board is not valid without the affirmative vote of a majority of the members of the board.

SECTION 13. CREATION ELECTION. (a) Not later than the 90th day after the effective date of this Act, the temporary directors shall meet and shall call an election to be held not later than the 180th day after the effective date of this Act within the boundaries of the proposed district to approve the creation of the district.

(b) Subsection (a), Section 41.001, Election Code, does not apply to an election called under this section.

(c) In the order calling the election, the temporary directors shall designate county area places and the at-large position and polling places for the election.

(d) The propositions to be voted on shall include the question of whether the establishment of the district is confirmed and the election of the board of directors. The election may also include the question of levying, assessing, and collecting an ad valorem tax throughout the district.

(e) The temporary directors shall publish notice of the election two times in one or more newspapers of general circulation within the boundaries of the proposed district. The notice must be published not later than the 30th day and the 10th day preceding the date of the election.

(f) Returns of the election shall be made to the temporary directors who shall canvass the returns and declare the results of the election.

(g) If the creation of the district is defeated, all of the propositions relating to the district are defeated, and another election may not be called and held during the 12-month period immediately following the date on which the most recent election on the proposition or propositions was held. If the district is not created within five years after the effective date of this Act, this Act expires.

(h) Except as specifically provided by this section, an election under this Act is governed by the Election Code.

SECTION 14. ADDITIONAL RIGHTS AND POWERS. (a) The board may enter into contracts as provided by Chapter 51, Water Code, and those contracts shall be executed by the board in the name of the district.

(b) The board may adopt a seal for the district.

(c) If the district regulates production of underground water by permit as provided by Chapter 52, Water Code, the board may not deny a permit to drill a well to the owner of land, his heirs, assigns, and lessees on his land and the right to produce water from that well under rules adopted by the district.

(d) The district may control, store, and preserve the storm water and floodwater in the district and the water of rivers and streams in the district for irrigation of arid land, prevention of floods and flood damage in the district, and domestic, agricultural, and industrial use.

(e) The district may reclaim land within the district and may construct the necessary works, facilities, and improvements to accomplish this purpose.

(f) The district may construct and maintain terraces and other structures on land in the district and may engage in and promote land treatment measures for soil conservation and improvement.

(g) The district may construct or acquire and improve and maintain works, facilities, and improvements necessary to carry out the purposes, powers, and plans of the district.

(h) The district may construct and acquire works, facilities, and improvements in the manner provided by Chapter 51, Water Code.

(i) The district may acquire by gift, grant, devise, lease, purchase, or condemnation any land or other property necessary to carry out this Act.
(j) Subject to this Act and Chapters 51 and 52, Water Code, the district may sell or otherwise dispose of land and other property of the district that the board determines is not necessary to carry out the purposes or powers of the district.

(k) The district may not enter into any contract or engage in any action to supply underground water or surface water inside or outside the district.

(1) The district through the members of the board or its general manager may appear before the Railroad Commission of Texas and present evidence and information relating to any pending permit application for an injection well to be located within the district.

(m) The district may borrow money for any purpose authorized by this Act.

(n) Except to the extent of any conflict with this Act or as specifically limited by this Act, the district may exercise the powers granted and shall perform the duties under Subchapters D, O, and P, Chapter 51, Water Code.

SECTION 15. SUPERVISION OF DISTRICT. The district is subject to the continuing right of supervision by the state, to be exercised by the Texas Water Commission.

SECTION 16. PROTECTION OF WATER RIGHTS. The ownership and rights of the owner of land, his lessees, and assigns in underground water and any surface water rights are recognized and this Act does not deprive or divest the owner, his lessees, or assigns of those ownership rights.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the Governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives, within the required time. All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 18. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

* * * * *

Austin, Texas
May 21, 1987

Hon. William P. Hobby
President of the Senate

Sir:

We, your Committee on Natural Resources to which was referred S.B. No. 1525, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

Santiesteban, Chairman
Lt. Governor William P. Hobby  
President of the Senate

Sir:

We, your Committee on NATURAL RESOURCES to which was referred \(481525\) by \(Sims\) have on \(5/20\), 1987 had the same \(\text{(measure)}\) \(\text{(sponsor)}\) \(\text{(hearing date)}\) under consideration and I am instructed to report it back with the recommendation (s) that it

\(\checkmark\) do pass with __________ amendments, and be printed

\(\) do pass as amended, and be ordered not printed

\(\) and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. \(\checkmark\) yes \(\) no

A revised fiscal note was requested. \(\) yes \(\) no

An actuarial analysis was requested. \(\) yes \(\checkmark\) no

Considered by subcommittee. \(\) yes \(\checkmark\) no

Senate Sponsor of House Measure \(\text{Sims}\)

The measure was reported from Committee by the following vote:

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TOTAL VOTES \(6\) \(0\) \(0\) \(5\)

COMMITTEE CLERK

CHAIRMAN

Paper clip the original and one copy of this form to the original bill along with the original and one copy of each committee amendment adopted. Retain one copy of this form for your file.
Amend S.B. 1525 by striking SECTION 5 on page 15 and substituting the following:

SECTION 5. APPLICATION OF CHAPTERS 50 AND 52, WATER CODE;

GENERAL POWERS AND DUTIES. Except to the extent of any conflict with this Act or as specifically limited by this Act, the district is governed by and subject to Chapters 50 and 52, Water Code, and may exercise all of the powers contained in those chapters, including the power to issue bonds and levy and collect taxes and the power of eminent domain. The district shall exercise all of the duties provided by Chapters 50 and 52, Water Code.

ADOPTED
MAY 23 1987

Secretary of the Senate

Com. Am. # 1
5/2/1/87
5/30/87
AMEND THE CAPTION TO CONFORM TO THE BODY OF THE BILL

ADOPTED

MAY 23 1987

[Signature]
Secretary of the Senate
By: Sims
(Burnett). S.B. No. 1525

A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties,
operations, fiscal procedures, annexation authority, bond and
taxing authority, and the exercise of eminent domain by the
Lipan-Kickapoo Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Lipan-Kickapoo Water Conservation
District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT; PURPOSE. (a) Subject to
approval at an election required by Section 13 of this Act, the
Lipan-Kickapoo Water Conservation District is created under the
authority of Article XVI, Section 59, of the Texas Constitution.

(b) The district is created to provide for the conservation,
preservation, protection, recharge, and prevention of waste and
pollution of the underground and surface water of the district
consistent with the objectives of Article XVI, Section 59, of the
Texas Constitution, and Chapters 51 and 52, Water Code.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
that:

(1) the creation of the district is feasible and
practicable;

(2) the district will be a benefit to the land contained
within the boundaries of the district;
(3) there is a public necessity for the district; and
(4) the district will provide a benefit and utility to the
public.

SECTION 4. BOUNDARIES. The district shall include all of
the territory in Tom Green and Concho counties contained within the
following described area:
BEGINNING in Tom Green County, Texas at the point of intersection
of U. S. Highway 277 with the South Tom Green County Line,
situated in the West part P. W. McNeise, Survey 3 for a POINT OF
BEGINNING;
THENCE in a Northerly direction along the East right-of-way line of
said U. S. Highway 277 to a point in the North boundary line of
said Section P. W. McNeise, Survey No. 3;
THENCE following the meanders of U. S. Highway 277 from the South
boundary line of Section 1131, C&M RyCo to a point of intersection
in the North boundary line of said Section 1131 and being the South
boundary line of W. B. Hunter Survey 1130;
THENCE from said point of intersection in the Northerly direction
along the East right-of-way line of said U. S. Highway 277 to the
North boundary line of said W. B. Hunter Survey No. 1130 and the
South boundary line of P. S. Wendall Survey No. 1886;
THENCE in a Northerly direction along the East right-of-way line of
said U. S. Highway 277 to a point in the North boundary line of
said P. S. Wendall Survey No. 1886 and being in the most Northerly
South boundary line of Survey No. 1009, HE&WTRYCoSurvey;
THENCE in a northerly direction along the East right-of-way line of
U. S. Highway 277 to the North boundary line of said Survey No. 1009, HE&WTRyCoSurvey and being the South boundary line of the J. F. Fuchs Survey No. 955;

THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of said J. F. Fuchs Survey 955 and being in the South boundary line of the C. Stahl Survey No. 954;

THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of the C. Stahl Survey No. 954 and being in the South boundary line of the J. Ennert Survey No. 953;

THENCE in a Northerly direction following the East right-of-way line of said U. S. Highway 277 to a point of intersection in the North boundary line of said J. Ennert Survey 953 and being the South boundary line of J. Ennert Survey No. 952;

THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point the North boundary line of said J. Ennert Survey No. 952 and in the South boundary line of C. Gleismer Survey No. 1833;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point of intersection in the North boundary line of the C. Gleismer Survey No. 1833 and being in the South boundary line of the C. Gleismer Survey No. 1831;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of C. Gleismer Survey No. 1831 and in the South boundary line of C. A.
Clark Survey No. 70;

THENCE in a Northeasterly direction along the East right-of-way boundary line of U. S. Highway 277 to a point of intersection in the North line of C. A. Clark Survey No. 70 and being in the South Boundary line of L. Straus Survey No. 1829;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 and crossing the South Concho River to the north bank thereof situated in the J. Zerbach Survey No. 1827;

THENCE continuing in a northerly direction and along the East right-of-way line of U. S. Highway 277 to a point of intersection situated on the North bank of the South Concho River and in the North boundary line of the J. Zerbach Survey No. 1827 and being a point in the South boundary line of the J. Eldridge Survey No. 73 and being a point in the South boundary of the Tom Green County Water Supply District #2;

THENCE with the north or northeast bank of the South Concho River South 51° East 200 feet; South 67° East 300 feet to the confluence of Mc Kettric Creek with the South Concho River;

THENCE with the north and northwest bank of Mc Kettric Creek North 38° East 235 feet; North 21° East 327 feet, crossing the East line of Block No. 2, Voss Addition to the Town of Christoval and Rudd Road, and following the south and southwest lines of Willie McCutchan tract to a point in the north or northeast bank of Mc Kettric Creek;

THENCE North 13 feet to a 1 1/2 inch C.I. pipe marked "N.L. 3-" and set in concrete in the east side of Rudd Road set for the Northwest
corner of Block No. 3, Voss Addition to the town of Christoval;

THENCE along the southwest line of said Block 3 and being along the
northeast line of Texas F.M. 2084 South 27° 52' 39" East following
a curve to the left in said road and passing a concrete
right-of-way marker to a 1/2" iron pipe set for the most southerly
corner of the Tom Green County Water Supply District No. 2 and
being on the northeast right-of-way of Texas F.M. 2084;

THENCE North 62° 04' 45" East 2,116.73 feet to a 1/2" iron pipe set
for the Southeast corner of said Tom Green County Water Supply
District No. 2;

THENCE North 0° 21' 12" East 815.37 feet with the east line of
Block No. 10, Voss Addition to the town of Christoval to the
southeast corner of the Original Town of Christoval as shown by
plat recorded in Volume 65, Page 566, Tom Green County Deed
Records, to which plat and its record reference is here made for
all pertinent purposes, and being at the intersection of the south
line of Voss Street and the east line of Ninth Street;

THENCE North 2,249.88 feet to the most eastern northeast corner of
the Original Town of Christoval and being the northeast corner of
Block No. 34 Original Town of Christoval;

THENCE North 89° West along the north boundary line of the town of
Christoval to the northwest corner of Block No. 35, Original Town
of Christoval;

THENCE North with a northerly projection of the West line of said
Block No. 35 244.05 feet to a corner in the west line of said
Block No. 35;
THENCE West along a projection of the most northerly north line of Block No. 37, Original Town of Christoval to the northeast corner of Lot No. 4, Block No. 37, Original Town of Christoval;

THENCE North 1° East with the east line of the Original Town of Christoval to the northeast corner of the Original Town of Christoval and a point in the north line of Holland Street, said northeast corner being due North of the northeast corner of said Lot No. 4, Block No. 51, Original Town of Christoval;

THENCE West with the north line of Holland Street to the southwest corner of the 10-acre tract conveyed to George Atkins by G. W. Lewis by deed dated December 15, 1927, recorded in Volume 137, Page 446, Tom Green County Records, the same being 60 feet north of the northwest corner of Block No. 52, Original Town of Christoval;

THENCE North with the west line of the Lewis 10-acre tract 628.03 feet to an iron pipe set for the northeast corner of the Tom Green County Water Supply District No. 2 and being in the West line of the said Lewis 10-acre tract;

THENCE South 82° 34' 47" West 184.04 feet to a 2" iron pipe fence corner post for a corner;

THENCE South 54° 11' 08" West with a fence 64.98 feet to a 2" iron pipe fence angle post for a corner;

THENCE South 40° 46' 39" West with a fence 365.48 feet to a 2" iron pipe fence angle post;

THENCE South 34° 59' 00" West with a fence 353.32 feet to a point which is 676.46 feet West of the Southwest corner of the above described Lewis 10-acre tract;
THENCE West along the north line of Holland Street to a stake in the north line of Holland Street at a point due North of the northwest corner of Lot No. 1, Block No. 54, Original Town of Christoval;

THENCE North 314 feet to a stake for the most northern northeast corner of the Tom Green County Water Supply District No. 2;

THENCE West 470 feet to a stake for the most northern northwest corner of the Tom Green County Water Supply District No. 2;

THENCE South 314 feet to a stake in the north line of Holland Street and being due North of the northeast corner of Block No. 56, Original Town of Christoval;

THENCE West 880.58 feet with the north line of Holland Street to a point in the west right-of-way line of U.S. Highway 277 situated within the J. Eldridge Survey No. 73 referred to hereinabove;

THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of J. Eldridge Survey No. 73 and being in the South boundary line of A. Black Survey No. 75;

THENCE in a Northeasterly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of J. Webb Survey No. 77, being in the South boundary line of E. A. McGill Survey No. 79;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of E. Smith Survey No. 81 and being in the South boundary line of J.
Webb Survey No. 83;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of G. Smith Survey No. 1825 and being in the South line of C. S. Jackson Survey No. 1823;

THENCE in a Northeasterly direction following the East right-of-way line of U. S. Highway 277 to a point in the North line of C. S. Jackson Survey No. 1823 and being in the South line of M. Harrison Survey No. 89;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of M. Harrison Survey No. 89 and being in the South boundary line of R. A. Abbott Survey No. 91;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of R. A. Abbott Survey No. 91 and being in the South boundary line of J. E. Deboer Survey No. 93;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North line of J. E. Deboer Survey No. 93 and being the South line of D. Chandler Survey No. 1819;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the East boundary line of D. Chandler Survey No. 1819 and being a point in the most Westerly boundary line of the J. R. Craddock Survey No. 1;

THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 across the J. R. Craddock Survey No. 1,
crossing the most Westerly Northwestern corner of S. Hehl Survey
No. 536 and the Southeastern corner of George Smith Survey No. 1813
to a point in the Northeastern boundary line of the panhandle of
the J. R. Craddock Survey No. 1 and being a point in the West
boundary line of C. Gowin Survey No. 535;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
C. Gowin Survey No. 535 and being in the South boundary line of
David Lloyd Survey No. 101;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
David Lloyd Survey No. 101 and being in a point in the South
boundary line of the Washington County School Land Survey No. 103;
THENCE in a Northeasterly direction and following the East
right-of-way line of U. S. Highway 277 to a point in the North
boundary line of Washington County School Land Survey No. 103 and
being a point in the South boundary line of Washington County
School Land Survey No. 105;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
Washington County School Land Survey No. 105 to a point in the
South boundary line of P. W. McNeise Survey No. 1;
THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point of intersection of said U. S. Highway
277 with Texas Highway Loop 306;
THENCE in an Easterly direction along the South right-of-way line of said Texas Highway Loop 306 to a point of intersection in the West boundary line of Section No. 75, District 11, SPRyCoSurvey and continuing Easterly along the South boundary line of said Loop 306 crossing said Section No. 75, Section No. 74, District 11, SPRyCoSurvey, and continuing Easterly into Section No. 73, District 11, SPRyCoSurvey at which point the direction of Texas Highway Loop 306 turns Northerly and continuing in a Northerly direction along the Eastern right-of-way line of said Loop 306 crossing the North boundary line of said Section No. 73 and continuing along the East boundary line of said Loop 306 across Section No. 76, District 11, SPRyCoSurvey; crossing Section No. 95, District 11, SPRyCoSurvey, continuing in a Northerly direction along East boundary line of said Loop 306 and crossing HT&BRYCoSurvey No. 1 to a point in the South boundary line of J. G. Murphy Survey No. 2;

THENCE in a Northwesterly direction and along the East right-of-way line of said Loop 306 and crossing J. G. Murphy Survey No. 2, the Southwest corner of L. Schuchert Survey No. 160, F. Klamberg Survey No. 161 and J. Waggoner Survey No. 162 at which point the East right-of-way line of said Texas Highway Loop 306 intersects with the North boundary line of said Section No. 162;

THENCE in a Northeasterly direction and following the meanders of the Concho River and being the Northern boundaries of J. Waggoner Survey No. 162 and continuing along the North boundary lines of F. Klamberg Survey No. 161; L. Schuchert Survey No. 160; V. Horne Survey No. 159; A. Zobel Survey No. 158; V. Horne Survey No. 157;
S.B. No. 1525

A. Bauman Survey No. 156; J. Cherry Survey No. 155 1/2; J. Beekmann Survey No. 155; W. R. Housemann Survey No. 154; J. Beekmann Survey No. 153; M. Suerth Survey No. 152; M. Feller Survey No. 151; J. Faltermier Survey No. 150; M. Feller Survey No. 149; J. Schneider Survey No. 148; J. Gembler Survey No. 147; J. Fischer Survey No. 146; P. Kellermann Survey No. 145; C. Spauring Survey No. 144; Heirs of C. Buschel Survey No. 143; J. Reichile Survey No. 142; German Emigration Company Survey No. 575; German Emigration Company Survey No. 574; H. Falter Survey No. 140; German Emigration Company Surveys Nos. 573; 572; 571; 570; 569; 568; 567; 566; 565; 564; 563; 562; 561; 560; 559; 558; 557; 556; 555; 554; 553; 552; 551; 550 (the east boundary of which lays partially in Concho County, Texas); continuing in Concho County, Texas in a Northeastern direction and following the meanders of the Concho River and being the Northern boundaries of German Emigration Company Survey Nos. 549; 548; 547; 546; 143; 142; 141; 140; 139; 138; 137; 136; 135; 134; 133; 132; 131; 130; 129; 128; 127; 126; 125; 124; 123; 122; 121; 120; 119; 118; 117; 116; 115; 114; 113; 112; 111; 110 to a point in the Northwest corner of said Section No. 110 and being the Northeast corner of German Emigration Company Survey No. 109;

THENCE in a Southerly direction along the West boundary line of said German Emigration Company Survey No. 109 to the Southwest corner of said Survey No. 109, thence in an Easterly direction along the South boundary line of said German Emigration Company Survey No. 109 to the most Southerly Northwestern corner of
EL&RRyCoSurvey No. 1, thence with the most Westerly boundary line
of EL&RRyCoSurvey No. 1 to the Southwest corner of said
EL&RRyCoSurvey No. 1;
THENCE in an Easterly direction along the South boundary line of
the EL&RRyCoSurvey No. 1 to a point and being the Northwest corner
of R. T. Trail Survey No. 2;
THENCE in a Southerly direction along the West boundary line of R.
T. Trail Survey No. 2 to a point and being the most Easterly
Northeast corner of Section No. 7, Block No. 11, H&TCRYCoSurvey,
Concho County, Texas and being the most Easterly Northeast corner
of Block No. 11, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 11, H&TCRYCoSurvey line of H&TCRYCoSurvey and along the East boundary
lines of Sections Nos. 7, 6, 3, & 2 of said H&TCRYCoSurvey, Block
No. 11, to a point in the Southeast corner of said Survey No. 2,
Block No. 11, H&TCRYCoSurvey and being the Northeast corner of
Section No. 1, Block No. 10, H&TCRYCoSurvey and being the
Northeastern corner of Block No. 10, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 10, H&TCRYCoSurvey lines and being the East boundary lines of Sections
Nos. 1, 2, 3, 4, 5 & 6 to a point and being in the East boundary
line of Section No. 6, Block No. 10, H&TCRYCoSurvey, Concho
County, Texas, and being the most Western Southwest corner of Henry
A. Robertson Survey No. 9;
THENCE along the West boundary line of Henry A. Robertson Survey
No. 9 to the most Northerly Southwest corner of said Henry A.
Robertson Survey No. 9;

THENCE in an Easterly direction along the most Southerly South boundary line to a point in the most Westerly East boundary line of Henry A. Robertson Survey No. 9 and being a point in the West boundary line of Carl Schartz Survey No. 276 and being the Northeast corner of John Morris Survey No. 3;

THENCE in a Southerly direction along the East boundary line of said John Morris Survey No. 3 to a point and being the common Southwest boundary of Survey No. 157, Block No. 72, T&NORyCoSurvey and the Northwest corner of Robert Lacky Survey No. 18;

THENCE along the West boundary line of Robert Lacky Survey No. 18 to a point of intersection in the North boundary line of Survey No. 158, Block No. 72, T&NORyCoSurvey and being the Southwest corner of Robert Lacky Survey No. 18;

THENCE in a Westerly direction along the North boundary line of Survey No. 158, Block No. 72, T&NORyCoSurvey to a point for the Northwest corner of said Survey No. 158 and the Northwest corner of Block No. 72, T&NORyCoSurvey;

THENCE in a Southerly direction following the West boundary line of Block No. 72, T&NORyCoSurvey and being the West boundary lines of Sections Nos. 158, 2002, 2001, J. H. Gibson Survey No. 1, J. F. and T. J. Dodson Survey No. 2, John H. Gibson Survey No. 1, William H. Hughes Survey No. 6, Survey No. 175, H. W. Jacoby Survey No. 176, Michael Sougert Survey No. 2073, Chris Mens Survey No. 2074, continuing Southerly along the West boundary line of Block No. 72, T&NORyCoSurvey and the West boundary line of Beaty, Seale and
Forwood Survey No. 70 and the East right-of-way line of Texas Highway No. 176 and continuing Southerly along the said Western boundary of Block No. 72, T&NORyCoSurvey and the West right-of-way line of Texas Highway No. 176 crossing said Beatty, Seale and Forwood Survey No. 70, Valentine Survey Nos. 2084, Hohmann Survey No. 2083, R. L. Woodward Survey No. 2, Alexander Survey No. 2086, Sator Survey No. 2087, J. H. Johnson Survey No. 68, J. M. Pfluger Survey No. 68 1/2, George B. Mayer Survey No. 2095 to a point of intersection in the City Limits of the City of Liveoak, Texas;

THENCE in an Easterly direction along the city limits of said City of Liveoak, Texas to a point in the most Northeasterly city limits lying in said Liveoak, Texas and being in George B. Mayer Survey No. 2095;

THENCE in a Southerly direction along the East boundary line of said city limits of the City of Liveoak, Texas to a point for the most Southeasterly city limits lying in George B. Mayer Survey No. 2095;

THENCE in a Westerly direction along the City Limits of the City of Liveoak situated in George B. Mayer Survey No. 2095 to a point of intersection in the Western boundary line of Block No. 72, T&NORyCoSurvey and being the West boundary line of George B. Mayer Survey No. 2095 and the East right-of-way line of State Highway 176;

THENCE in a Southerly direction along the West boundary line of Block No. 72, T&NORyCoSurvey, and being a point in the West boundary line of George B. Mayer Survey No. 2095 and in the East
right-of-way line of State Highway No. 176 and crossing George B. Mayer Survey No. 2096, G. A. Ford Survey No. 2, Chris Funck Survey No. 2124, Chris Metzing Survey No. 2125 to a point for the Southwest corner of the Chris Metzing Survey No. 2125 in the Southwest corner of Block No. 72, T&NORYCoSurvey; THENCE East along the South boundary line of Block No. 72, T&NORYCoSurvey and the common South boundary line of Chris Metzing Survey No. 2125, Block No. 72, T&NORYCoSurvey line to a point in said South boundary line for a corner and being the most South Northeasterly corner of FL&RR RyCoSurvey No. 143; THENCE in a Southerly direction along the East boundary line of said FL&RR RyCoSurvey No. 143 to the Southeast corner of said Section No. 143 and being the Northeast corner of Survey No. 108 and continuing in a Southerly direction along the East boundary line of said Section No. 108 to a point of intersection in the South boundary line of Concho County, Texas; THENCE in a Westerly direction along the South boundary line of the Concho County-Menard County boundary lines to a point of intersection with the Tom Green County boundary line and being the Southwest corner of Concho County, the Northwest corner of Menard County and the Southeast corner of Tom Green County; THENCE from said common corner in a Westerly direction along the South boundary line of Tom Green County, Texas to the point of intersection where the East right-of-way line of U.S. Highway 277 intersects with the South boundary line of the Tom Green County county line and being situated in P. W. McNeise Survey No. 3 for
the POINT OF BEGINNING.

SECTION 5. APPLICATION OF CHAPTERS 50 AND 52, WATER CODE;
GENERAL POWERS AND DUTIES. Except to the extent of any conflict
with this Act or as specifically limited by this Act, the district
is governed by and subject to Chapters 50 and 52, Water Code, and
may exercise all of the powers contained in these chapters,
including the powers to issue bonds and levy and collect taxes and
the power of eminent domain. The district shall exercise all of
the duties provided by Chapters 50 and 52, Water Code.

SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date
of this Act, the following persons are designated as temporary
directors of the district:

(1) Michael Hoelscher;
(2) James Ripple;
(3) Gregory Phinney;
(4) Harvey Williams;
(5) F. G. Brown;
(6) Joe Brosig; and
(7) A. H. Denis III.

(b) If a vacancy occurs in the office of temporary director,
the remaining temporary directors shall select a person with the
qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members
persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their
successors are elected and have qualified.
SECTION 7. QUALIFICATIONS OF BOARD MEMBERS. (a) To be qualified for election as a director, a person must be:
   (1) a resident of the district or proposed district;
   (2) at least 18 years of age; and
   (3) not otherwise disqualified by Section 50.026, Water Code.

(b) In addition to the requirements of Subsection (a) of this section, a director from a county area must be a resident of that county.

SECTION 8. COMPOSITION OF BOARD OF DIRECTORS. (a) The board of directors of the district is composed of seven members, three directors from Tom Green County, three directors from Concho County, and one director from the district as a whole, who shall be elected by a majority vote of the qualified voters residing in the area of each portion of a county included in the district.

(b) If a vacancy occurs in the office of director, the remaining directors shall select a person with the qualifications as provided by Section 7 of this Act. The person selected serves until the next directors' election. If the position is not regularly scheduled to be filled at that election, the person elected serves for the remainder of the unexpired term.

SECTION 9. ELECTION OF DIRECTORS. (a) Beginning in the second year following the creation election, an election shall be held on the third Saturday in May every second year to elect the appropriate number of directors to the board.

(b) A director takes office at the first regular meeting of
the board following election to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial directors of the district, directors shall serve for terms of four years.

(b) The four initial directors receiving the highest number of votes at the confirmation election shall serve as directors until the four persons elected at the second regular election of directors have qualified, and the other three initial directors shall serve until the three persons elected at the first regular directors' election have qualified. After the second regular directors' election, three directors shall be elected at one election and four at the next election in continuing sequence.

SECTION 11. COMPENSATION. A director is entitled to receive for his services an amount not to exceed $25 a day for each day actually engaged in duties for the district.

SECTION 12. QUORUM. A majority of the members of the board constitutes a quorum for the transaction of business of the district, but an official action of the board is not valid without the affirmative vote of a majority of the members of the board.

SECTION 13. CREATION ELECTION. (a) Not later than the 90th day after the effective date of this Act, the temporary directors shall meet and shall call an election to be held not later than the 180th day after the effective date of this Act within the boundaries of the proposed district to approve the creation of the district.

(b) Subsection (a), Section 41.001, Election Code, does not
apply to an election called under this section.

(c) In the order calling the election, the temporary directors shall designate county area places and the at-large position and polling places for the election.

(d) The propositions to be voted on shall include the question of whether the establishment of the district is confirmed and the election of the board of directors. The election may also include the question of levying, assessing, and collecting an ad valorem tax throughout the district.

(e) The temporary directors shall publish notice of the election two times in one or more newspapers of general circulation within the boundaries of the proposed district. The notice must be published not later than the 30th day and the 10th day preceding the date of the election.

(f) Returns of the election shall be made to the temporary directors who shall canvass the returns and declare the results of the election.

(g) If the creation of the district is defeated, all of the propositions relating to the district are defeated, and another election may not be called and held during the 12-month period immediately following the date on which the most recent election on the proposition or propositions was held. If the district is not created within five years after the effective date of this Act, this Act expires.

(h) Except as specifically provided by this section, an election under this Act is governed by the Election Code.
SECTION 14. ADDITIONAL RIGHTS AND POWERS. (a) The board
may enter into contracts as provided by Chapter 51, Water Code, and
those contracts shall be executed by the board in the name of the
district.

(b) The board may adopt a seal for the district.

(c) If the district regulates production of underground
water by permit as provided by Chapter 52, Water Code, the board
may not deny a permit to drill a well to the owner of land, his
heirs, assigns, and lessees on his land and the right to produce
water from that well under rules adopted by the district.

(d) The district may control, store, and preserve the storm
water and floodwater in the district and the water of rivers and
streams in the district for irrigation of arid land, prevention of
floods and flood damage in the district, and domestic, agricultural, and industrial use.

(e) The district may reclaim land within the district and
may construct the necessary works, facilities, and improvements to
accomplish this purpose.

(f) The district may construct and maintain terraces and
other structures on land in the district and may engage in and
promote land treatment measures for soil conservation and
improvement.

(g) The district may construct or acquire and improve and
maintain works, facilities, and improvements necessary to carry out
the purposes, powers, and plans of the district.

(h) The district may construct and acquire works,
facilities, and improvements in the manner provided by Chapter 51, Water Code.

(i) The district may acquire by gift, grant, devise, lease, purchase, or condemnation any land or other property necessary to carry out this Act.

(j) Subject to this Act and Chapters 51 and 52, Water Code, the district may sell or otherwise dispose of land and other property of the district that the board determines is not necessary to carry out the purposes or powers of the district.

(k) The district may not enter into any contract or engage in any action to supply underground water or surface water inside or outside the district.

(l) The district through the members of the board or its general manager may appear before the Railroad Commission of Texas and present evidence and information relating to any pending permit application for an injection well to be located within the district.

(m) The district may borrow money for any purpose authorized by this Act.

(n) Except to the extent of any conflict with this Act or as specifically limited by this Act, the district may exercise the powers granted and shall perform the duties under Subchapters D, O, and P, Chapter 51, Water Code.

SECTION 15. SUPERVISION OF DISTRICT. The district is subject to the continuing right of supervision by the state, to be exercised by the Texas Water Commission.
SECTION 16. PROTECTION OF WATER RIGHTS. The ownership and
rights of the owner of land, his lessees, and assigns in
underground water and any surface water rights are recognized and
this Act does not deprive or divest the owner, his lessees, or
assigns of those ownership rights.

SECTION 17. NOTICE, ETC. The legislature finds that proper
and legal notice of the intention to introduce this Act, setting
forth the general substance of this Act, has been published as
provided by law, and the notice and a copy of this Act have been
furnished to all persons, agencies, officials, or entities to which
they are required to be furnished by the constitution and laws of
this state, including the Governor of Texas, who has submitted the
notice and Act to the Texas Water Commission. Also, the
legislature finds that the Texas Water Commission has filed its
recommendations relating to this Act with the governor, lieutenant
governor, and speaker of the house of representatives, within the
required time. All requirements of the constitution and laws of
this state and the rules and procedures of the legislature with
respect to the notice, introduction, and passage of this Act have
been fulfilled and accomplished.

SECTION 18. EMERGENCY. The importance of this legislation
and the crowded condition of the calendars in both houses create an
emergency and an imperative public necessity that the
constitutional rule requiring bills to be read on three several
days in each house be suspended, and this rule is hereby suspended,
and that this Act take effect and be in force from and after its
passage, and it is so enacted.
By: Sims
(Burnett)

S.B. No. 1525

A BILL TO BE ENTITLED

AN ACT

relating to the creation, administration, powers, duties,
operations, fiscal procedures, annexation authority, bond and
taxing authority, and the exercise of eminent domain by the
Lipan-Kickapoo Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Lipan-Kickapoo Water Conservation
District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT; PURPOSE. (a) Subject to
approval at an election required by Section 13 of this Act, the
Lipan-Kickapoo Water Conservation District is created under the
authority of Article XVI, Section 59, of the Texas Constitution.

(b) The district is created to provide for the conservation,
preservation, protection, recharge, and prevention of waste and
pollution of the underground and surface water of the district
consistent with the objectives of Article XVI, Section 59, of the
Texas Constitution, and Chapters 51 and 52, Water Code.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
that:

(1) the creation of the district is feasible and
practicable;

(2) the district will be a benefit to the land contained
within the boundaries of the district;
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(3) there is a public necessity for the district; and
(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of the territory in Tom Green and Concho counties contained within the following described area:
BEGINNING in Tom Green County, Texas at the point of intersection of U. S. Highway 277 with the South Tom Green County Line, situated in the West part P. W. McNeise, Survey 3 for a POINT OF BEGINNING;
THENKE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of said Section P. W. McNeise, Survey No. 3;
THENKE following the meanders of U. S. Highway 277 from the South boundary line of Section 1131, C&MRyCo to a point of intersection in the North boundary line of said Section 1131 and being the South boundary line of W. B. Hunter Survey 1130;
THENKE from said point of intersection in the Northerly direction along the East right-of-way line of said U. S. Highway 277 to the North boundary line of said W. B. Hunter Survey No. 1130 and the South boundary line of P. S. Wendall Survey No. 1886;
THENKE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of said P. S. Wendall Survey No. 1886 and being in the most Northerly South boundary line of Survey No. 1009; HEWTRYCoSurvey;
THENKE in a northerly direction along the East right-of-way line of
S.B. No. 1525

1 U. S. Highway 277 to the North boundary line of said Survey No. 1009, HE&NTRY Co Survey and being the South boundary line of the J.
2 F. Fuchs Survey No. 955;
3 THENCE in a Northerly direction along the East right-of-way line of
4 U. S. Highway 277 to a point in the North boundary line of said J.
5 F. Fuchs Survey 955 and being in the South boundary line of the C.
6 Stahl Survey No. 954;
7 THENCE in a Northerly direction along the East right-of-way line of
8 said U. S. Highway 277 to a point in the North boundary line of the
9 C. Stahl Survey No. 954 and being in the South boundary line of the
10 J. Ennert Survey No. 953;
11 THENCE in a Northerly direction following the East right-of-way
12 line of said U. S. Highway 277 to a point of intersection in the
13 North boundary line of said J. Ennert Survey 953 and being the
14 South boundary line of J. Ennert Survey No. 952;
15 THENCE in a Northerly direction along the East right-of-way line of
16 U. S. Highway 277 to a point the North boundary line of said J.
17 Ennert Survey No. 952 and in the South boundary line of C. Gleismer
18 Survey No. 1833;
19 THENCE in a Northeasterly direction along the East right-of-way
20 line of U. S. Highway 277 to a point of intersection in the North
21 boundary line of the C. Gleismer Survey No. 1833 and being in the
22 South boundary line of the C. Gleismer Survey No. 1831;
23 THENCE in a Northeasterly direction along the East right-of-way
24 line of U. S. Highway 277 to a point in the North boundary line of
25 C. Gleismer Survey No. 1831 and in the South boundary line of C. A.
Clark Survey No. 70;

THENCE in a Northeasterly direction along the East right-of-way boundary line of U. S. Highway 277 to a point of intersection in the North line of C. A. Clark Survey No. 70 and being in the South Boundary line of L. Straus Survey No. 1829;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 and crossing the South Concho River to the north bank thereof situated in the J. Zerbach Survey No. 1827;

THENCE continuing in a northerly direction and along the East right-of-way line of U.S. Highway 277 to a point of intersection situated on the North bank of the South Concho River and in the North boundary line of the J. Zerbach Survey No. 1827 and being a point in the South boundary line of the J. Eldridge Survey No. 73 and being a point in the South boundary of the Tom Green County Water Supply District #2;

THENCE with the north or northeast bank of the South Concho River South 51° East 200 feet; South 67° East 300 feet to the confluence of Mc Kettric Creek with the South Concho River;

THENCE with the north and northwest bank of Mc Kettric Creek North 38° East 235 feet; North 21° East 327 feet, crossing the East line of Block No. 2, Voss Addition to the Town of Christoval and Rudd Road, and following the south and southwest lines of Willie McCutchan tract to a point in the north or northeast bank of Mc Kettric Creek;

THENCE North 13 feet to a 1 1/2 inch G.I. pipe marked "N.L. 3-" and set in concrete in the east side of Rudd Road set for the Northwest
corner of Block No. 3, Voss Addition to the town of Christoval;

THENCE along the southwest line of said Block 3 and being along the
northeast line of Texas F.M. 2084 South 27° 52' 39" East following
a curve to the left in said road and passing a concrete
right-of-way marker to a 1/2" iron pipe set for the most southerly
corner of the Tom Green County Water Supply District No. 2 and
being on the northeast right-of-way of Texas F.M. 2084;

THENCE North 62° 04' 45" East 2,116.73 feet to a 1/2" iron pipe set
for the Southeast corner of said Tom Green County Water Supply
District No. 2;

THENCE North 0° 21' 12" East 815.37 feet with the east line of
Block No. 10, Voss Addition to the town of Christoval to the
southeast corner of the Original Town of Christoval as shown by
plat recorded in Volume 65, Page 566, Tom Green County Deed
Records, to which plat and its record reference is here made for
all pertinent purposes, and being at the intersection of the south
line of Voss Street and the east line of Ninth Street;

THENCE North 2,249.88 feet to the most eastern northeast corner of
the Original Town of Christoval and being the northeast corner of
Block No. 34 Original Town of Christoval;

THENCE North 89° West along the north boundary line of the town of
Christoval to the northwest corner of Block No. 35, Original Town
of Christoval;

THENCE North with a northerly projection of the West line of said
Block No. 35 244.05 feet to a corner in the west line of said
Block No. 35;
THENCE West along a projection of the most northerly north line of Block No. 37, Original Town of Christoval to the northeast corner of Lot No. 4, Block No. 37, Original Town of Christoval;
THENCE North 1° East with the east line of the Original Town of Christoval to the northeast corner of the Original Town of Christoval and a point in the north line of Holland Street, said northeast corner being due North of the northeast corner of said Lot No. 4, Block No. 51, Original Town of Christoval;
THENCE West with the north line of Holland Street to the southwest corner of the 10-acre tract conveyed to George Atkins by G. W. Lewis by deed dated December 15, 1927, recorded in Volume 137, Page 446, Tom Green County Records, the same being 60 feet north of the northwest corner of Block No. 52, Original Town of Christoval;
THENCE North with the west line of the Lewis 10-acre tract 628.03 feet to an iron pipe set for the northeast corner of the Tom Green County Water Supply District No. 2 and being in the West line of the said Lewis 10-acre tract;
THENCE South 82° 34' 47" West 184.04 feet to a 2" iron pipe fence corner post for a corner;
THENCE South 54° 11' 08" West with a fence 64.98 feet to a 2" iron pipe fence angle post for a corner;
THENCE South 40° 46' 39" West with a fence 365.48 feet to a 2" iron pipe fence angle post;
THENCE South 34° 59' 00" West with a fence 353.32 feet to a point which is 676.46 feet West of the Southwest corner of the above described Lewis 10-acre tract;
THENCE West along the north line of Holland Street to a stake in
the north line of Holland Street at a point due North of the
northwest corner of Lot No. 1, Block No. 54, Original Town of
Christoval;
THENCE North 314 feet to a stake for the most northern northeast
corner of the Tom Green County Water Supply District No. 2;
THENCE West 470 feet to a stake for the most northern northwest
corner of the Tom Green County Water Supply District No. 2;
THENCE South 314 feet to a stake in the north line of Holland
Street and being due North of the northeast corner of Block No. 56,
Original Town of Christoval;
THENCE West 880.58 feet with the north line of Holland Street to a
point in the west right-of-way line of U.S. Highway 277 situated
situated within the J. Eldridge Survey No. 73 referred to
hereinabove;
THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point in the North boundary line of J.
Eldridge Survey No. 73 and being in the South boundary line of A.
Black Survey No. 75;
THENCE in a Northeasterly direction along the East right-of-way
line of said U. S. Highway 277 to a point in the North boundary
line of J. Webb Survey No. 77, being in the South boundary line of
E. A. McGill Survey No. 79;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
E. Smith Survey No. 81 and being in the South boundary line of J.
Webb Survey No. 83;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of G. Smith Survey No. 1825 and being in the South line of C. S. Jackson Survey No. 1823;

THENCE in a Northeasterly direction following the East right-of-way line of U. S. Highway 277 to a point in the North line of C. S. Jackson Survey No. 1823 and being in the South line of M. Harrison Survey No. 89;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of M. Harrison Survey No. 89 and being in the South boundary line of R. A. Abbott Survey No. 91;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of R. A. Abbott Survey No. 91 and being in the South boundary line of J. E. Deboer Survey No. 93;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North line of J. E. Deboer Survey No. 93 and being the South line of D. Chandler Survey No. 1819;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the East boundary line of D. Chandler Survey No. 1819 and being a point in the most Westerly boundary line of the J. R. Craddock Survey No. 1;

THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 across the J. R. Craddock Survey No. 1,
crossing the most Westerly Northwestern corner of S. Hehl Survey
No. 536 and the Southeastern corner of George Smith Survey No. 1813
to a point in the Northeastern boundary line of the panhandle of
the J. R. Craddock Survey No. 1 and being a point in the West
boundary line of C. Gowin Survey No. 535;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
C. Gowin Survey No. 535 and being in the South boundary line of
David Lloyd Survey No. 101;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
David Lloyd Survey No. 101 and being in a point in the South
boundary line of the Washington County School Land Survey No. 103;
THENCE in a Northeasterly direction and following the East
right-of-way line of U. S. Highway 277 to a point in the North
boundary line of Washington County School Land Survey No. 103 and
being a point in the South boundary line of Washington County
School Land Survey No. 105;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
Washington County School Land Survey No. 105 to a point in the
South boundary line of P. W. McNeise Survey No. 1;
THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point of intersection of said U. S. Highway
277 with Texas Highway Loop 306;
THENCE in an Easterly direction along the South right-of-way line of said Texas Highway Loop 306 to a point of intersection in the West boundary line of Section No. 75, District 11, SPRyCoSurvey and continuing Easterly along the South boundary line of said Loop 306 crossing said Section No. 75, Section No. 74, District 11, SPRyCoSurvey, and continuing Easterly into Section No. 73, District 11, SPRyCoSurvey at which point the direction of Texas Highway Loop 306 turns Northerly and continuing in a Northerly direction along the Eastern right-of-way line of said Loop 306 crossing the North boundary line of said Section No. 73 and continuing along the East boundary line of said Loop 306 across Section No. 76, District 11, SPRyCoSurvey; crossing Section No. 95, District 11, SPRyCoSurvey, continuing in a Northerly direction along East boundary line of said Loop 306 and crossing HT&BryCoSurvey No. 1 to a point in the South boundary line of J. G. Murphy Survey No. 2;

THENCE in a Northwesterly direction and along the East right-of-way line of said Loop 306 and crossing J. G. Murphy Survey No. 2, the Southwest corner of L. Schuchert Survey No. 160, F. Klamberg Survey No. 161 and J. Waggoner Survey No. 162 at which point the East right-of-way line of said Texas Highway Loop 306 intersects with the North boundary line of said Section No. 162;

THENCE in a Northeasterly direction and following the meanders of the Concho River and being the Northern boundaries of J. Waggoner Survey No. 162 and continuing along the North boundary lines of F. Klamberg Survey No. 161; L. Schuchert Survey No. 160; V. Horne Survey No. 159; A. Zobel Survey No. 158; V. Horne Survey No. 157;
A. Bauman Survey No. 156; J. Cherry Survey No. 155 1/2; J. Beekmann Survey No. 155; W. R. Housemann Survey No. 154; J. Beekmann Survey No. 153; M. Suerth Survey No. 152; M. Feller Survey No. 151; J. Faltermier Survey No. 150; M. Feller Survey No. 149; J. Schneider Survey No. 148; J. Gembler Survey No. 147; J. Fischer Survey No. 146; P. Kellermann Survey No. 145; C. Spauring Survey No. 144; Heirs of C. Buschel Survey No. 143; J. Reichile Survey No. 142; German Emigration Company Survey No. 575; German Emigration Company Survey Nos. 573; 572; 571; 570; 569; 568; 567; 566; 565; 564; 563; 562; 561; 560; 559; 558; 557; 556; 555; 554; 553; 552; 551; 550 (the east boundary of which lays partially in Concho County, Texas); continuing in Concho County, Texas in a Northeasterly direction and following the meanders of the Concho River and being the Northern boundaries of German Emigration Company Survey Nos. 549; 548; 547; 546; 143; 142; 141; 140; 139; 138; 137; 136; 135; 134; 133; 132; 131; 130; 129; 128; 127; 126; 125; 124; 123; 122; 121; 120; 119; 118; 117; 116; 115; 114; 113; 112; 111; 110 to a point in the Northwest corner of said Section No. 110 and being the Northeast corner of German Emigration Company Survey No. 109; THENCE in a Southerly direction along the West boundary line of said German Emigration Company Survey No. 109 to the Southwest corner of said Survey No. 109, thence in an Easterly direction along the South boundary line of said German Emigration Company Survey No. 109 to the most Southerly Northwestern corner of
EL&RRyCoSurvey No. 1, thence with the most Westerly boundary line
of EL&RRyCoSurvey No. 1 to the Southwest corner of said
EL&RRyCoSurvey No. 1;
THENCE in an Easterly direction along the South boundary line of
the EL&RRyCoSurvey No. 1 to a point and being the Northwest corner
of R. T. Trail Survey No. 2;
THENCE in a Southerly direction along the West boundary line of R.
T. Trail Survey No. 2 to a point and being the most Easterly
Northeast corner of Section No. 7, Block No. 11, H&TCRyCoSurvey,
Concho County, Texas and being the most Easterly Northeast corner
of Block No. 11, H&TCRyCoSurvey;
THENCE in a Southerly direction along the Block No. 11,
H&TCRyCoSurvey line of H&TCRyCoSurvey and along the East boundary
lines of Sections Nos. 7, 6, 3, & 2 of said H&TCRyCoSurvey, Block
No. 11, to a point in the Southeast corner of said Survey No. 2,
Block No. 11, H&TCRyCoSurvey and being the Northeast corner of
Section No. 1, Block No. 10, H&TCRyCoSurvey and being the
Northeastern corner of Block No. 10, H&TCRyCoSurvey;
THENCE in a Southerly direction along the Block No. 10,
H&TCRyCoSurvey lines and being the East boundary lines of Sections
Nos. 1, 2, 3, 4, 5 & 6 to a point and being in the East boundary
line of Section No. 6, Block No. 10, H&TCRyCoSurvey, Concho
County, Texas, and being the most Western Southwest corner of Henry
A. Robertson Survey No. 9;
THENCE along the West boundary line of Henry A. Robertson Survey
No. 9 to the most Northerly Southwest corner of said Henry A.
Robertson Survey No. 9;
THENCE in an Easterly direction along the most Southerly South boundary line to a point in the most Westerly East boundary line of Henry A. Robertson Survey No. 9 and being a point in the West boundary line of Carl Schartz Survey No. 276 and being the Northeast corner of John Morris Survey No. 3;
THENCE in a Southerly direction along the East boundary line of said John Morris Survey No. 3 to a point and being the common Southwest boundary of Survey No. 157, Block No. 72, T&NORyCoSurvey and the Northwest corner of Robert Lacky Survey No. 18;
THENCE along the West boundary line of Robert Lacky Survey No. 18 to a point of intersection in the North boundary line of Survey No. 158, Block No. 72, T&NORyCoSurvey and being the Southwest corner of Robert Lacky Survey No. 18;
THENCE in a Westerly direction along the North boundary line of Survey No. 158, Block No. 72, T&NORyCoSurvey to a point for the Northwest corner of said Survey No. 158 and the Northwest corner of Block No. 72, T&NORyCoSurvey;
THENCE in a Southerly direction following the West boundary line of Block No. 72, T&NORyCoSurvey and being the West boundary lines of Sections Nos. 158, 2002, 2001, J. H. Gibson Survey No. 1, J. F. and T. J. Dodson Survey No. 2, John H. Gibson Survey No. 1, William H. Hughes Survey No. 6, Survey No. 175, H. W. Jacoby Survey No. 176, Michael Sougert Survey No. 2073, Chris Mens Survey No. 2074, continuing Southerly along the West boundary line of Block No. 72, T&NORyCoSurvey and the West boundary line of Beaty, Seale and
Forwood Survey No. 70 and the East right-of-way line of Texas Highway No. 176 and continuing Southerly along the said Western boundary of Block No. 72, T&NORyCoSurvey and the West right-of-way line of Texas Highway No. 176 crossing said Beaty, Seale and Forwood Survey No. 70, Valentine Survey Nos. 2084, Hohmann Survey No. 2083, R. L. Woodward Survey No. 2, Alexander Survey No. 2086, Sator Survey No. 2087, J. H. Johnson Survey No. 68, J. M. Pfluger Survey No. 68 1/2, George B. Mayer Survey No. 2095 to a point of intersection in the City Limits of the City of Liveoak, Texas;

THENCE in an Easterly direction along the city limits of said City of Liveoak, Texas to a point in the most Northeasterly city limits lying in said Liveoak, Texas and being in George B. Mayer Survey No. 2095;

THENCE in a Southerly direction along the East boundary line of said city limits of the City of Liveoak, Texas to a point for the most Southeasterly city limits lying in George B. Mayer Survey No. 2095;

THENCE in a Westerly direction along the City Limits of the City of Liveoak situated in George B. Mayer Survey No. 2095 to a point of intersection in the Western boundary line of Block No. 72, T&NORyCoSurvey and being the West boundary line of George B. Mayer Survey No. 2095 and the East right-of-way line of State Highway 176;

THENCE in a Southerly direction along the West boundary line of Block No. 72, T&NORyCoSurvey, and being a point in the West boundary line of George B. Mayer Survey No. 2095 and in the East
right-of-way line of State Highway No. 176 and crossing George B.
Mayer Survey No. 2096, C. A. Ford Survey No. 2, Chris Funck Survey
No. 2124, Chris Metzing Survey No. 2125 to a point for the
Southwest corner of the Chris Metzing Survey No. 2125 in the
Southwest corner of Block No. 72, T&NORyCoSurvey;
THENCE East along the South boundary line of Block No. 72,
T&NORyCoSurvey and the common South boundary line of Chris Metzing
Survey No. 2125, Block No. 72, T&NORyCoSurvey line to a point in
said South boundary line for a corner and being the most South
Northeasterly corner of FL&RR RyCoSurvey No. 143;
THENCE in a Southerly direction along the East boundary line of
said FL&RR RyCoSurvey No. 143 to the Southeast corner of said
Section No. 143 and being the Northeast corner of Survey No. 108
and continuing in a Southerly direction along the East boundary
line of said Section No. 108 to a point of intersection in the
South boundary line of Concho County, Texas;
THENCE in a Westerly direction along the South boundary line of the
Concho County-Menard County boundary lines to a point of
intersection with the Tom Green County boundary line and being the
Southwest corner of Concho County, the Northwest corner of Menard
County and the Southeast corner of Tom Green County;
THENCE from said common corner in a Westerly direction along the
South boundary line of Tom Green County, Texas to the point of
intersection where the East right-of-way line of U.S. Highway 277
intersects with the South boundary line of the Tom Green County
county line and being situated in P. W. McNeise Survey No. 3 for
the POINT OF BEGINNING.

SECTION 5. APPLICATION OF CHAPTERS 50 AND 52, WATER CODE;
GENERAL POWERS AND DUTIES. Except to the extent of any conflict
with this Act or as specifically limited by this Act, the district
is governed by and subject to Chapters 50 and 52, Water Code, and
may exercise all of the powers contained in these chapters,
including the powers to issue bonds and levy and collect taxes and
the power of eminent domain. The district shall exercise all of
the duties provided by Chapters 50 and 52, Water Code.

SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date
of this Act, the following persons are designated as temporary
directors of the district:

(1) Michael Hoelscher;
(2) James Ripple;
(3) Gregory Phinney;
(4) Harvey Williams;
(5) F. G. Brown;
(6) Joe Brosig; and
(7) A. H. Denis III.

(b) If a vacancy occurs in the office of temporary director,
the remaining temporary directors shall select a person with the
qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members
persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their
successors are elected and have qualified.
SECTION 7. QUALIFICATIONS OF BOARD MEMBERS. (a) To be qualified for election as a director, a person must be:
   (1) a resident of the district or proposed district;
   (2) at least 18 years of age; and
   (3) not otherwise disqualified by Section 50.026, Water Code.
(b) In addition to the requirements of Subsection (a) of this section, a director from a county area must be a resident of that county.

SECTION 8. COMPOSITION OF BOARD OF DIRECTORS. (a) The board of directors of the district is composed of seven members, three directors from Tom Green County, three directors from Concho County, and one director from the district as a whole, who shall be elected by a majority vote of the qualified voters residing in the area of each portion of a county included in the district.
(b) If a vacancy occurs in the office of director, the remaining directors shall select a person with the qualifications as provided by Section 7 of this Act. The person selected serves until the next directors' election. If the position is not regularly scheduled to be filled at that election, the person elected serves for the remainder of the unexpired term.

SECTION 9. ELECTION OF DIRECTORS. (a) Beginning in the second year following the creation election, an election shall be held on the third Saturday in May every second year to elect the appropriate number of directors to the board.
(b) A director takes office at the first regular meeting of
the board following election to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial directors of the district, directors shall serve for terms of four years.

(b) The four initial directors receiving the highest number of votes at the confirmation election shall serve as directors until the four persons elected at the second regular election of directors have qualified, and the other three initial directors shall serve until the three persons elected at the first regular directors' election have qualified. After the second regular directors' election, three directors shall be elected at one election and four at the next election in continuing sequence.

SECTION 11. COMPENSATION. A director is entitled to receive for his services an amount not to exceed $25 a day for each day actually engaged in duties for the district.

SECTION 12. QUORUM. A majority of the members of the board constitutes a quorum for the transaction of business of the district, but an official action of the board is not valid without the affirmative vote of a majority of the members of the board.

SECTION 13. CREATION ELECTION. (a) Not later than the 90th day after the effective date of this Act, the temporary directors shall meet and shall call an election to be held not later than the 180th day after the effective date of this Act within the boundaries of the proposed district to approve the creation of the district.

(b) Subsection (a), Section 41.001, Election Code, does not
apply to an election called under this section.

(c) In the order calling the election, the temporary
directors shall designate county area places and the at-large
position and polling places for the election.

(d) The propositions to be voted on shall include the
question of whether the establishment of the district is confirmed
and the election of the board of directors. The election may also
include the question of levying, assessing, and collecting an ad
valorem tax throughout the district.

(e) The temporary directors shall publish notice of the
election two times in one or more newspapers of general circulation
within the boundaries of the proposed district. The notice must be
published not later than the 30th day and the 10th day preceding
the date of the election.

(f) Returns of the election shall be made to the temporary
directors who shall canvass the returns and declare the results of
the election.

(g) If the creation of the district is defeated, all of the
propositions relating to the district are defeated, and another
election may not be called and held during the 12-month period
immediately following the date on which the most recent election on
the proposition or propositions was held. If the district is not
created within five years after the effective date of this Act,
this Act expires.

(h) Except as specifically provided by this section, an
election under this Act is governed by the Election Code.
SECTION 14. ADDITIONAL RIGHTS AND POWERS. (a) The board
may enter into contracts as provided by Chapter 51, Water Code, and
those contracts shall be executed by the board in the name of the
district.
(b) The board may adopt a seal for the district.
(c) If the district regulates production of underground
water by permit as provided by Chapter 52, Water Code, the board
may not deny a permit to drill a well to the owner of land, his
heirs, assigns, and lessees on his land and the right to produce
water from that well under rules adopted by the district.
(d) The district may control, store, and preserve the storm
water and floodwater in the district and the water of rivers and
streams in the district for irrigation of arid land, prevention of
floods and flood damage in the district, and domestic, agricultural, and industrial use.
(e) The district may reclaim land within the district and
may construct the necessary works, facilities, and improvements to
accomplish this purpose.
(f) The district may construct and maintain terraces and
other structures on land in the district and may engage in and
promote land treatment measures for soil conservation and
improvement.
(g) The district may construct or acquire and improve and
maintain works, facilities, and improvements necessary to carry out
the purposes, powers, and plans of the district.
(h) The district may construct and acquire works,
facilities, and improvements in the manner provided by Chapter 51, Water Code.

(i) The district may acquire by gift, grant, devise, lease, purchase, or condemnation any land or other property necessary to carry out this Act.

(j) Subject to this Act and Chapters 51 and 52, Water Code, the district may sell or otherwise dispose of land and other property of the district that the board determines is not necessary to carry out the purposes or powers of the district.

(k) The district may not enter into any contract or engage in any action to supply underground water or surface water inside or outside the district.

(l) The district through the members of the board or its general manager may appear before the Railroad Commission of Texas and present evidence and information relating to any pending permit application for an injection well to be located within the district.

(m) The district may borrow money for any purpose authorized by this Act.

(n) Except to the extent of any conflict with this Act or as specifically limited by this Act, the district may exercise the powers granted and shall perform the duties under Subchapters D, O, and P, Chapter 51, Water Code.

SECTION 15. SUPERVISION OF DISTRICT. The district is subject to the continuing right of supervision by the state, to be exercised by the Texas Water Commission.
SECTION 16. PROTECTION OF WATER RIGHTS. The ownership and rights of the owner of land, his lessees, and assigns in underground water and any surface water rights are recognized and this Act does not deprive or divest the owner, his lessees, or assigns of those ownership rights.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the Governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives, within the required time. All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 18. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its
passage, and it is so enacted.
COMMITTEE REPORT

The Honorable Gib Lewis
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON NATURAL RESOURCES,

to whom was referred SB 1525 (measure)

have had the same under consideration and beg to report back with the recommendation that it

(χ) do pass, without amendment.
( ) do pass, with amendment(s).
( ) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. ( ) yes (χ) no

An actuarial analysis was requested. ( ) yes (χ) no

An author's fiscal statement was requested. (χ) yes ( ) no

The Committee recommends that this measure be placed on the ( ) first or (C) Consent Calendar.

This measure (χ) proposes new law. ( ) amends existing law.

House Sponsor of Senate Measure _____ Burnett

The measure was reported from Committee by the following vote:

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<tr>
<th>AYE</th>
<th>NAY</th>
<th>PNV</th>
<th>ABSENT</th>
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<tr>
<td>Smith, T., Ch.</td>
<td>X</td>
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<td>Harris, J., V.C.</td>
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<td>Johnson, C., C.B.O.</td>
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<td>Hammond</td>
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Total: 5 aye
0 nay
0 present, not voting
4 absent

CHAIRMAN

COMMITTEE COORDINATOR
SB 1525  
By Sims  

BILL ANALYSIS

Background

It is believed that the Citizens of Tom Green and Concho Counties would benefit from the creation of a water conservation district.

Purpose of the Bill

This bill would create the Lipan-Kickapoo Water Conservation District.

Section by Section Analysis

SECTION 1. Definitions.

SECTION 2. Provides for the creation of the district under Article XVI, Section 59, Texas Constitution.

SECTION 3. States legislative findings.

SECTION 4. Sets forth boundaries of the district.

SECTION 5. Provides that the district is governed by Chapters 50 and 52, Water Code, except where it conflicts with this Act.

SECTION 6. Names the temporary directors, and provides for organization and filling vacancies.

SECTION 7. Provides for the qualifications of the directors.

SECTION 8. Provides for the composition of a board of seven elected directors, three from Tom Green County, three from Concho County, and one elected at large. Provides for filling vacancies.

SECTION 9. Provides for election of directors.

SECTION 10. Provides for four year staggered terms for the directors.

SECTION 11. Provides for a $25 per diem for directors.

SECTION 12. Provides for a majority quorum.

SECTION 13. Provides for a confirmation election and that Section 41.001(a), Election Code, does not apply.

SECTION 14. Provides for additional powers, including that the district has contracting authority as provided for in Chapter 51, Water Code, acquire or sell property, control storm water, and reclaim land. Provides for certain restrictions on the powers of the district. Specifically provides the powers granted under Subchapters D, O, and P, Chapter 51, Water Code.
SECTION 15. Provides that the district is subject to the continuing supervision of the Texas Water Commission.

SECTION 16. Recognizes the rights of landowners in water.

SECTION 17. States legislative finding that proper procedure has been followed.

SECTION 18. Emergency clause.

Rulemaking Authority

It is the opinion of this committee that this bill does not delegate rulemaking authority to any state agency, officer, department, or institution.

Summary of Committee Action

Pursuant to an announcement on the Floor of the House, a formal meeting was held on May 26, 1987.

On May 26, 1987, the full committee voted to report SB 1525 without amendments with the recommendation that it do pass and be placed on the Consent Calendar by a record vote of 5 ayes, zero nays, and zero present, not voting.
AN ACT

relating to the creation, administration, powers, duties, operations, fiscal procedures, annexation authority, bond and taxing authority, and the exercise of eminent domain by the Lipan-Kickapoo Water Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "District" means the Lipan-Kickapoo Water Conservation District.

(2) "Board" means the district's board of directors.

SECTION 2. CREATION OF DISTRICT; PURPOSE. (a) Subject to approval at an election required by Section 13 of this Act, the Lipan-Kickapoo Water Conservation District is created under the authority of Article XVI, Section 59, of the Texas Constitution.

(b) The district is created to provide for the conservation, preservation, protection, recharge, and prevention of waste and pollution of the underground and surface water of the district consistent with the objectives of Article XVI, Section 59, of the Texas Constitution, and Chapters 51 and 52, Water Code.

SECTION 3. LEGISLATIVE FINDINGS. The legislature finds that:

(1) the creation of the district is feasible and practicable;

(2) the district will be a benefit to the land contained within the boundaries of the district;
(3) there is a public necessity for the district; and
(4) the district will provide a benefit and utility to the public.

SECTION 4. BOUNDARIES. The district shall include all of
the territory in Tom Green and Concho counties contained within the
following described area:
BEGINNING in Tom Green County, Texas at the point of intersection
of U. S. Highway 277 with the South Tom Green County Line,
situated in the West part P. W. McNeise, Survey 3 for a POINT OF
BEGINNING;
THENCE in a Northerly direction along the East right-of-way line of
said U. S. Highway 277 to a point in the North boundary line of
said Section P. W. McNeise, Survey No. 3;
THENCE following the meanders of U. S. Highway 277 from the South
boundary line of Section 1131, C&M Ry Co to a point of intersection
in the North boundary line of said Section 1131 and being the South
boundary line of W. B. Hunter Survey 1130;
THENCE from said point of intersection in the Northerly direction
along the East right-of-way line of said U. S. Highway 277 to the
North boundary line of said W. B. Hunter Survey No. 1130 and the
South boundary line of P. S. Wendall Survey No. 1886;
THENCE in a Northerly direction along the East right-of-way line of
said U. S. Highway 277 to a point in the North boundary line of
said P. S. Wendall Survey No. 1886 and being in the most Northerly
South boundary line of Survey No. 1009, HE&WTRY Co Survey;
THENCE in a northerly direction along the East right-of-way line of
U. S. Highway 277 to the North boundary line of said Survey No. 1009, HEATrYCoSurvey and being the South boundary line of the J. F. Fuchs Survey No. 955;

THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of said J. F. Fuchs Survey 955 and being in the South boundary line of the C. Stahl Survey No. 954;

THENCE in a Northerly direction along the East right-of-way line of said U. S. Highway 277 to a point in the North boundary line of the C. Stahl Survey No. 954 and being in the South boundary line of the J. Ennert Survey No. 953;

THENCE in a Northerly direction following the East right-of-way line of said U. S. Highway 277 to a point of intersection in the North boundary line of said J. Ennert Survey 953 and being the South boundary line of J. Ennert Survey No. 952;

THENCE in a Northerly direction along the East right-of-way line of U. S. Highway 277 to a point the North boundary line of said J. Ennert Survey No. 952 and in the South boundary line of C. Gleismer Survey No. 1833;

THENCE in a Northeasternly direction along the East right-of-way line of U. S. Highway 277 to a point of intersection in the North boundary line of the C. Gleismer Survey No. 1833 and being in the South boundary line of the C. Gleismer Survey No. 1831;

THENCE in a Northeasternly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of C. Gleismer Survey No. 1831 and in the South boundary line of C. A.
Clark Survey No. 70;

THENCE in a Northeasterly direction along the East right-of-way boundary line of U. S. Highway 277 to a point of intersection in the North line of C. A. Clark Survey No. 70 and being in the South Boundary line of L. Straus Survey No. 1829;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 and crossing the South Concho River to the north bank thereof situated in the J. Zerbach Survey No. 1827;

THENCE continuing in a northerly direction and along the East right-of-way line of U.S. Highway 277 to a point of intersection situated on the North bank of the South Concho River and in the North boundary line of the J. Zerbach Survey No. 1827 and being a point in the South boundary line of the J. Eldridge Survey No. 73 and being a point in the South boundary of the Tom Green County Water Supply District #2;

THENCE with the north or northeast bank of the South Concho River South 51° East 200 feet; South 67° East 300 feet to the confluence of McKettric Creek with the South Concho River;

THENCE with the north and northwest bank of McKettric Creek North 38° East 235 feet; North 21° East 327 feet, crossing the East line of Block No. 2, Voss Addition to the Town of Christoval and Rudd Road, and following the south and southwest lines of Willie McCutchan tract to a point in the north or northeast bank of McKettric Creek;

THENCE North 13 feet to a 1 1/2 inch G.I. pipe marked "N.L. 3-" and set in concrete in the east side of Rudd Road set for the Northwest
corner of Block No. 3, Voss Addition to the town of Christoval;
THENCE along the southwest line of said Block 3 and being along the
northeast line of Texas F.M. 2084 South 27° 52' 39" East following
a curve to the left in said road and passing a concrete
right-of-way marker to a 1/2" iron pipe set for the most southerly
corner of the Tom Green County Water Supply District No. 2 and
being on the northeast right-of-way of Texas F.M. 2084;
THENCE North 62° 04' 45" East 2,116.73 feet to a 1/2" iron pipe set
for the Southeast corner of said Tom Green County Water Supply
District No. 2;
THENCE North 0° 21' 12" East 815.37 feet with the east line of
Block No. 10, Voss Addition to the town of Christoval to the
southeast corner of the Original Town of Christoval as shown by
plat recorded in Volume 65, Page 566, Tom Green County Deed
Records, to which plat and its record reference is here made for
all pertinent purposes, and being at the intersection of the south
line of Voss Street and the east line of Ninth Street;
THENCE North 2,249.88 feet to the most eastern northeast corner of
the Original Town of Christoval and being the northeast corner of
Block No. 34 Original Town of Christoval;
THENCE North 89° West along the north boundary line of the town of
Christoval to the northwest corner of Block No. 35, Original Town
of Christoval;
THENCE North with a northerly projection of the West line of said
Block No. 35 244.05 feet to a corner in the west line of said
Block No. 35.
THENCE West along a projection of the most northerly north line of Block No. 37, Original Town of Christoval to the northeast corner of Lot No. 4, Block No. 37, Original Town of Christoval;

THENCE North 1° East with the east line of the Original Town of Christoval to the northeast corner of the Original Town of Christoval and a point in the north line of Holland Street, said northeast corner being due North of the northeast corner of said Lot No. 4, Block No. 51, Original Town of Christoval;

THENCE West with the north line of Holland Street to the southwest corner of the 10-acre tract conveyed to George Atkins by G. W. Lewis by deed dated December 15, 1927, recorded in Volume 137, Page 446, Tom Green County Records, the same being 60 feet north of the northwest corner of Block No. 52, Original Town of Christoval;

THENCE North with the west line of the Lewis 10-acre tract 628.03 feet to an iron pipe set for the northeast corner of the Tom Green County Water Supply District No. 2 and being in the West line of the said Lewis 10-acre tract;

THENCE South 82° 34' 47" West 184.04 feet to a 2" iron pipe fence corner post for a corner;

THENCE South 54° 11' 08" West with a fence 64.98 feet to a 2" iron pipe fence angle post for a corner' 

THENCE South 40° 46' 39" West with a fence 365.48 feet to a 2" iron pipe fence angle post;

THENCE South 34° 59' 00" West with a fence 353.32 feet to a point which is 676.46 feet West of the Southwest corner of the above described Lewis 10-acre tract;
THENCE West along the north line of Holland Street to a stake in
the north line of Holland Street at a point due North of the
northwest corner of Lot No. 1, Block No. 54, Original Town of
Christoval;

THENCE North 314 feet to a stake for the most northern northeast
corner of the Tom Green County Water Supply District No. 2;
THENCE West 470 feet to a stake for the most northern northwest
corner of the Tom Green County Water Supply District No. 2;
THENCE South 314 feet to a stake in the north line of Holland
Street and being due North of the northeast corner of Block No. 56,
Original Town of Christoval;
THENCE West 880.58 feet with the north line of Holland Street to a
point in the west right-of-way line of U.S. Highway 277 situated
situated within the J. Eldridge Survey No. 73 referred to
hereinabove;
THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point in the North boundary line of J.
Eldridge Survey No. 73 and being in the South boundary line of A.
Black Survey No. 75;
THENCE in a Northeasterly direction along the East right-of-way
line of said U. S. Highway 277 to a point in the North boundary
line of J. Webb Survey No. 77, being in the South boundary line of
E. A. McGill Survey No. 79;
THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
E. Smith Survey No. 81 and being in the South boundary line of J.
THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of G. Smith Survey No. 1825 and being in the South line of C. S. Jackson Survey No. 1823;

THENCE in a Northeasterly direction following the East right-of-way line of U. S. Highway 277 to a point in the North line of C. S. Jackson Survey No. 1823 and being in the South line of M. Harrison Survey No. 89;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of M. Harrison Survey No. 89 and being in the South boundary line of R. A. Abbott Survey No. 91;

THENCE in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North boundary line of R. A. Abbott Survey No. 91 and being in the South boundary line of J. E. Deboer Survey No. 93;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the North line of J. E. Deboer Survey No. 93 and being the South line of D. Chandler Survey No. 1819;

THENCE continuing in a Northeasterly direction along the East right-of-way line of U. S. Highway 277 to a point in the East boundary line of D. Chandler Survey No. 1819 and being a point in the most Westerly boundary line of the J. R. Craddock Survey No. 1;

THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 across the J. R. Craddock Survey No. 1,
crossing the most Westerly Northwestern corner of S. Hehl Survey
No. 536 and the Southeastern corner of George Smith Survey No. 1813
to a point in the Northeastern boundary line of the panhandle of
the J. R. Craddock Survey No. 1 and being a point in the West
boundary line of C. Gowin Survey No. 535;

THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
C. Gowin Survey No. 535 and being in the South boundary line of
David Lloyd Survey No. 101;

THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
David Lloyd Survey No. 101 and being in a point in the South
boundary line of the Washington County School Land Survey No. 103;

THENCE in a Northeasterly direction and following the East
right-of-way line of U. S. Highway 277 to a point in the North
boundary line of Washington County School Land Survey No. 103 and
being a point in the South boundary line of Washington County
School Land Survey No. 105;

THENCE in a Northeasterly direction along the East right-of-way
line of U. S. Highway 277 to a point in the North boundary line of
Washington County School Land Survey No. 105 to a point in the
South boundary line of P. W. McNeise Survey No. 1;

THENCE in a Northerly direction along the East right-of-way line of
U. S. Highway 277 to a point of intersection of said U. S. Highway
277 with Texas Highway Loop 306;
THENCE in an Easterly direction along the South right-of-way line of said Texas Highway Loop 306 to a point of intersection in the West boundary line of Section No. 75, District 11, SPRyCoSurvey and continuing Easterly along the South boundary line of said Loop 306 crossing said Section No. 75, Section No. 74, District 11, SPRyCoSurvey, and continuing Easterly into Section No. 73, District 11, SPRyCoSurvey at which point the direction of Texas Highway Loop 306 turns Northerly and continuing in a Northerly direction along the Eastern right-of-way line of said Loop 306 crossing the North boundary line of said Section No. 73 and continuing along the East boundary line of said Loop 306 across Section No. 76, District 11, SPRyCoSurvey; crossing Section No. 95, District 11, SPRyCoSurvey, continuing in a Northerly direction along East boundary line of said Loop 306 and crossing HT&BRyCoSurvey No. 1 to a point in the South boundary line of J. G. Murphy Survey No. 2;

THENCE in a Northwesterly direction and along the East right-of-way line of said Loop 306 and crossing J. G. Murphy Survey No. 2, the Southwest corner of L. Schuchert Survey No. 160, F. Klamberg Survey No. 161 and J. Waggoner Survey No. 162 at which point the East right-of-way line of said Texas Highway Loop 306 intersects with the North boundary line of said Section No. 162;

THENCE in a Northeasterly direction and following the meanders of the Concho River and being the Northern boundaries of J. Waggoner Survey No. 162 and continuing along the North boundary lines of F. Klamberg Survey No. 161; L. Schuchert Survey No. 160; V. Horne Survey No. 159; A. Zobel Survey No. 158; V. Horne Survey No. 157;
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1 A. Bauman Survey No. 156; J. Cherry Survey No. 155 1/2; J. Beekmann
2 Survey No. 155; W. R. Housemann Survey No. 154; J. Beekmann Survey
3 No. 153; M. Suerth Survey No. 152; M. Feller Survey No. 151; J.
4 Faltermier Survey No. 150; M. Feller Survey No. 149; J. Schneider
5 Survey No. 148; J. Gembler Survey No. 147; J. Fischer Survey No.
6 146; P. Kellermann Survey No. 145; C. Spauring Survey No. 144;
7 Heirs of C. Buschel Survey No. 143; J. Reichile Survey No. 142;
8 German Emigration Company Survey No. 575; German Emigration
9 Company Survey No. 574; H. Falter Survey No. 140; German
10 Emigration Company Surveys Nos. 573; 572; 571; 570; 569; 568;
11 567; 566; 565; 564; 563; 562; 561; 560; 559; 558; 557; 556; 555;
12 554; 553; 552; 551; 550 (the east boundary of which lays partially
13 in Concho County, Texas); continuing in Concho County, Texas in a
14 Northeasterly direction and following the meanders of the Concho
15 River and being the Northern boundaries of German Emigration
16 Company Survey Nos. 549; 548; 547; 546; 143; 142; 141; 140; 139;
17 138; 137; 136; 135; 134; 133; 132; 131; 130; 129; 128; 127; 126;
18 125; 124; 123; 122; 121; 120; 119; 118; 117; 116; 115; 114; 113;
19 112; 111; 110 to a point in the Northwest corner of said Section
20 No. 110 and being the Northeast corner of German Emigration
21 Company Survey No. 109;
22 THENCE in a Southerly direction along the West boundary line of
23 said German Emigration Company Survey No. 109 to the Southwest
24 corner of said Survey No. 109, thence in an Easterly direction
25 along the South boundary line of said German Emigration Company
26 Survey No. 109 to the most Southerly Northwestern corner of
EL&RRyCoSurvey No. 1, thence with the most Westerly boundary line
of EL&RRyCoSurvey No. 1 to the Southwest corner of said
EL&RRyCoSurvey No. 1;
THENCE in an Easterly direction along the South boundary line of
the EL&RRyCoSurvey No. 1 to a point and being the Northwest corner
of R. T. Trail Survey No. 2;
THENCE in a Southerly direction along the West boundary line of R.
T. Trail Survey No. 2 to a point and being the most Easterly
Northeast corner of Section No. 7, Block No. 11, H&TCRYCoSurvey,
Concho County, Texas and being the most Easterly Northeast corner
of Block No. 11, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 11,
H&TCRYCoSurvey line of H&TCRYCoSurvey and along the East boundary
lines of Sections Nos. 7, 6, 3, & 2 of said H&TCRYCoSurvey, Block
No. 11, to a point in the Southeast corner of said Survey No. 2,
Block No. 11, H&TCRYCoSurvey and being the Northeast corner of
Section No. 1, Block No. 10, H&TCRYCoSurvey and being the
Northeastern corner of Block No. 10, H&TCRYCoSurvey;
THENCE in a Southerly direction along the Block No. 10,
H&TCRYCoSurvey lines and being the East boundary lines of Sections
Nos. 1, 2, 3, 4, 5 & 6 to a point and being in the East boundary
line of Section No. 6, Block No. 10, H&TCRYCoSurvey, Concho
County, Texas, and being the most Western Southwest corner of Henry
A. Robertson Survey No. 9;
THENCE along the West boundary line of Henry A. Robertson Survey
No. 9 to the most Northerly Southwest corner of said Henry A.
Robertson Survey No. 9;

THENCE in an Easterly direction along the most Southerly South boundary line to a point in the most Westerly East boundary line of Henry A. Robertson Survey No. 9 and being a point in the West boundary line of Carl Schartz Survey No. 276 and being the Northeast corner of John Morris Survey No. 3;

THENCE in a Southerly direction along the East boundary line of said John Morris Survey No. 3 to a point and being the common Southwest boundary of Survey No. 157, Block No. 72, T&NORYCoSurvey and the Northwest corner of Robert Lacky Survey No. 18;

THENCE along the West boundary line of Robert Lacky Survey No. 18 to a point of intersection in the North boundary line of Survey No. 158, Block No. 72, T&NORYCoSurvey and being the Southwest corner of Robert Lacky Survey No. 18;

THENCE in a Westerly direction along the North boundary line of Survey No. 158, Block No. 72, T&NORYCoSurvey to a point for the Northwest corner of said Survey No. 158 and the Northwest corner of Block No. 72, T&NORYCoSurvey;

THENCE in a Southerly direction following the West boundary line of Block No. 72, T&NORYCoSurvey and being the West boundary lines of Sections Nos. 158, 2002, 2001, J. H. Gibson Survey No. 1, J. F. and T. J. Dodson Survey No. 2, John H. Gibson Survey No. 1, William H. Hughes Survey No. 6, Survey No. 175, H. W. Jacoby Survey No. 176, Michael Sougert Survey No. 2073, Chris Mens Survey No. 2074, continuing Southerly along the West boundary line of Block No. 72, T&NORYCoSurvey and the West boundary line of Beaty, Seale and
Forwood Survey No. 70 and the East right-of-way line of Texas Highway No. 176 and continuing Southerly along the said Western boundary of Block No. 72, T&NORyCoSurvey and the West right-of-way line of Texas Highway No. 176 crossing said Beatty, Seale and Forwood Survey No. 70, Valentine Survey Nos. 2084, Hohmann Survey No. 2083, R. L. Woodward Survey No. 2, Alexander Survey No. 2086, Sator Survey No. 2087, J. H. Johnson Survey No. 68, J. M. Pfluger Survey No. 68 1/2, George B. Mayer Survey No. 2095 to a point of intersection in the City Limits of the City of Liveoak, Texas; THENCE in an Easterly direction along the city limits of said City of Liveoak, Texas to a point in the most Northeasterly city limits lying in said Liveoak, Texas and being in George B. Mayer Survey No. 2095; THENCE in a Southerly direction along the East boundary line of said city limits of the City of Liveoak, Texas to a point for the most Southeasterly city limits lying in George B. Mayer Survey No. 2095; THENCE in a Westerly direction along the City Limits of the City of Liveoak situated in George B. Mayer Survey No. 2095 to a point of intersection in the Western boundary line of Block No. 72, T&NORyCoSurvey and being the West boundary line of George B. Mayer Survey No. 2095 and the East right-of-way line of State Highway 176; THENCE in a Southerly direction along the West boundary line of Block No. 72, T&NORyCoSurvey, and being a point in the West boundary line of George B. Mayer Survey No. 2095 and in the East
right-of-way line of State Highway No. 176 and crossing George B.
Mayer Survey No. 2096, G. A. Ford Survey No. 2, Chris Funck Survey
No. 2124, Chris Metzing Survey No. 2125 to a point for the
Southwest corner of the Chris Metzing Survey No. 2125 in the
Southwest corner of Block No. 72, T&NRYCoSurvey;
THENCE East along the South boundary line of Block No. 72,
T&NRYCoSurvey and the common South boundary line of Chris Metzing
Survey No. 2125, Block No. 72, T&NRYCoSurvey line to a point in
said South boundary line for a corner and being the most South
Northeasterly corner of FL&RR RyCoSurvey No. 143;
THENCE in a Southerly direction along the East boundary line of
said FL&RR RyCoSurvey No. 143 to the Southeast corner of said
Section No. 143 and being the Northeast corner of Survey No. 108
and continuing in a Southerly direction along the East boundary
line of said Section No. 108 to a point of intersection in the
South boundary line of Concho County, Texas;
THENCE in a Westerly direction along the South boundary line of the
Concho County-Menard County boundary lines to a point of
intersection with the Tom Green County boundary line and being the
Southwest corner of Concho County, the Northwest corner of Menard
County and the Southeast corner of Tom Green County;
THENCE from said common corner in a Westerly direction along the
South boundary line of Tom Green County, Texas to the point of
intersection where the East right-of-way line of U.S. Highway 277
intersects with the South boundary line of the Tom Green County
county line and being situated in P. W. McNeilise Survey No. 3 for
the POINT OF BEGINNING.

SECTION 5. APPLICATION OF CHAPTERS 50 AND 52, WATER CODE;
GENERAL POWERS AND DUTIES. Except to the extent of any conflict
with this Act or as specifically limited by this Act, the district
is governed by and subject to Chapters 50 and 52, Water Code, and
may exercise all of the powers contained in these chapters,
including the powers to issue bonds and levy and collect taxes and
the power of eminent domain. The district shall exercise all of
the duties provided by Chapters 50 and 52, Water Code.

SECTION 6. TEMPORARY DIRECTORS. (a) On the effective date
of this Act, the following persons are designated as temporary
directors of the district:

(1) Michael Hoelscher;
(2) James Ripple;
(3) Gregory Phinney;
(4) Harvey Williams;
(5) F. G. Brown;
(6) Joe Brosig; and
(7) A. H. Denis III.

(b) If a vacancy occurs in the office of temporary director,
the remaining temporary directors shall select a person with the
qualifications as provided by Section 7 of this Act.

(c) The temporary directors shall select from their members
persons to serve as chairperson, vice-chairperson, and secretary.

(d) The temporary directors shall serve until their
successors are elected and have qualified.
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SECTION 7. QUALIFICATIONS OF BOARD MEMBERS. (a) To be qualified for election as a director, a person must be:

(1) a resident of the district or proposed district;

(2) at least 18 years of age; and

(3) not otherwise disqualified by Section 50.026, Water Code.

(b) In addition to the requirements of Subsection (a) of this section, a director from a county area must be a resident of that county.

SECTION 8. COMPOSITION OF BOARD OF DIRECTORS. (a) The board of directors of the district is composed of seven members, three directors from Tom Green County, three directors from Concho County, and one director from the district as a whole, who shall be elected by a majority vote of the qualified voters residing in the area of each portion of a county included in the district.

(b) If a vacancy occurs in the office of director, the remaining directors shall select a person with the qualifications as provided by Section 7 of this Act. The person selected serves until the next directors' election. If the position is not regularly scheduled to be filled at that election, the person elected serves for the remainder of the unexpired term.

SECTION 9. ELECTION OF DIRECTORS. (a) Beginning in the second year following the creation election, an election shall be held on the third Saturday in May every second year to elect the appropriate number of directors to the board.

(b) A director takes office at the first regular meeting of
the board following election to the board.

SECTION 10. TERM OF OFFICE. (a) Except for the initial
directors of the district, directors shall serve for terms of four
years.

(b) The four initial directors receiving the highest number
of votes at the confirmation election shall serve as directors
until the four persons elected at the second regular election of
directors have qualified, and the other three initial directors
shall serve until the three persons elected at the first regular
directors' election have qualified. After the second regular
directors' election, three directors shall be elected at one
election and four at the next election in continuing sequence.

SECTION 11. COMPENSATION. A director is entitled to receive
for his services an amount not to exceed $25 a day for each day
actually engaged in duties for the district.

SECTION 12. QUORUM. A majority of the members of the board
constitutes a quorum for the transaction of business of the
district, but an official action of the board is not valid without
the affirmative vote of a majority of the members of the board.

SECTION 13. CREATION ELECTION. (a) Not later than the 90th
day after the effective date of this Act, the temporary directors
shall meet and shall call an election to be held not later than the
180th day after the effective date of this Act within the
boundaries of the proposed district to approve the creation of the
district.

(b) Subsection (a), Section 41.001, Election Code, does not
apply to an election called under this section.

(c) In the order calling the election, the temporary
directors shall designate county area places and the at-large
position and polling places for the election.

(d) The propositions to be voted on shall include the
question of whether the establishment of the district is confirmed
and the election of the board of directors. The election may also
include the question of levying, assessing, and collecting an ad
valorem tax throughout the district.

(e) The temporary directors shall publish notice of the
election two times in one or more newspapers of general circulation
within the boundaries of the proposed district. The notice must be
published not later than the 30th day and the 10th day preceding
the date of the election.

(f) Returns of the election shall be made to the temporary
directors who shall canvass the returns and declare the results of
the election.

(g) If the creation of the district is defeated, all of the
propositions relating to the district are defeated, and another
election may not be called and held during the 12-month period
immediately following the date on which the most recent election on
the proposition or propositions was held. If the district is not
created within five years after the effective date of this Act,
this Act expires.

(h) Except as specifically provided by this section, an
election under this Act is governed by the Election Code.
SECTION 14. ADDITIONAL RIGHTS AND POWERS. (a) The board may enter into contracts as provided by Chapter 51, Water Code, and those contracts shall be executed by the board in the name of the district.

(b) The board may adopt a seal for the district.

(c) If the district regulates production of underground water by permit as provided by Chapter 52, Water Code, the board may not deny a permit to drill a well to the owner of land, his heirs, assigns, and lessees on his land and the right to produce water from that well under rules adopted by the district.

(d) The district may control, store, and preserve the storm water and floodwater in the district and the water of rivers and streams in the district for irrigation of arid land, prevention of floods and flood damage in the district, and domestic, agricultural, and industrial use.

(e) The district may reclaim land within the district and may construct the necessary works, facilities, and improvements to accomplish this purpose.

(f) The district may construct and maintain terraces and other structures on land in the district and may engage in and promote land treatment measures for soil conservation and improvement.

(g) The district may construct or acquire and improve and maintain works, facilities, and improvements necessary to carry out the purposes, powers, and plans of the district.

(h) The district may construct and acquire works,
facilities, and improvements in the manner provided by Chapter 51, Water Code.

(i) The district may acquire by gift, grant, devise, lease, purchase, or condemnation any land or other property necessary to carry out this Act.

(j) Subject to this Act and Chapters 51 and 52, Water Code, the district may sell or otherwise dispose of land and other property of the district that the board determines is not necessary to carry out the purposes or powers of the district.

(k) The district may not enter into any contract or engage in any action to supply underground water or surface water inside or outside the district.

(l) The district through the members of the board or its general manager may appear before the Railroad Commission of Texas and present evidence and information relating to any pending permit application for an injection well to be located within the district.

(m) The district may borrow money for any purpose authorized by this Act.

(n) Except to the extent of any conflict with this Act or as specifically limited by this Act, the district may exercise the powers granted and shall perform the duties under Subchapters D, O, and P, Chapter 51, Water Code.

SECTION 15. SUPERVISION OF DISTRICT. The district is subject to the continuing right of supervision by the state, to be exercised by the Texas Water Commission.
SECTION 16. PROTECTION OF WATER RIGHTS. The ownership and rights of the owner of land, his lessees, and assigns in underground water and any surface water rights are recognized and this Act does not deprive or divest the owner, his lessees, or assigns of those ownership rights.

SECTION 17. NOTICE, ETC. The legislature finds that proper and legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished by the constitution and laws of this state, including the Governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives, within the required time. All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act have been fulfilled and accomplished.

SECTION 18. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its
S.B. No. 1525

passage, and it is so enacted.

President of the Senate                     Speaker of the House

I hereby certify that S.B. No. 1525 passed the Senate on
May 23, 1987, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1525 passed the House on
May 29, 1987, by the following vote: Yeas 147, Nays 0, one present
not voting.

Chief Clerk of the House

Approved:

Date

Governor

23
BILL ANALYSIS

By: Sims

S.B. 1525
Enrolled

BACKGROUND:
The Concho County and Tom Green County Commissioners Courts have adopted resolutions in favor of creation of the Lipan-Kickapoo Water Conservation District, named after the Lipan Apaches and the Kickapoo Indians that inhabited the area. The proposed water conservation district does not cover any incorporated entity and is locally supported.

PURPOSE:
As proposed, S.B. 1525 creates, subject to confirmation by local voters, the Lipan-Kickapoo Water Conservation District.

RULEMAKING AUTHORITY:
It is the committee's opinion that this bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS:

SECTION 1. Defines "district" and "board."

SECTION 2. Creates, subject to confirmation by local voters, the Lipan-Kickapoo Water Conservation District (district) pursuant to Article XVI, Section 59, Texas Constitution.

SECTION 3. Provides the Legislature's findings.

SECTION 4. Provides the district's boundaries.

SECTION 5. Provides that the district is governed by and subject to Chapters 50 and 52, Water Code, and may exercise all powers contained in those chapters.

SECTION 6. Appoints temporary directors.

SECTION 7. Provides director qualifications.

SECTION 8. Provides that the board of directors (board) is composed of seven members, three from Tom Green County, three from Concho County, and one from the district as a whole.

SECTION 9. Provides for the election of directors.

SECTION 10. Provides four year terms for directors. Staggered the director's terms.

SECTION 11. Entitles a director to compensation of $25 a day.

SECTION 12. Requires a majority vote of the full board for approval of an official action.

SECTION 13. Requires the temporary directors to call a confirmation election. Allows the election to include the question of assessment of an ad valorem tax.

SECTION 14. Grants the board additional rights and powers.

SECTION 15. Allows the Texas Water Commission to supervise the district.

SECTION 16. Provides that the Act does not deprive an owner of any underground water rights or surface rights.

SECTION 17. Provides additional findings of the Legislature.

SECTION 18. Emergency clause.
Effective date. Upon passage.

ALS 8.16.88
PAGE 1 of 1
S. B. No. 1525

By

AN ACT relating to the creation, administration, powers, duties, operations, fiscal procedures, annexation authority, bond and taxing authority, and the exercise of eminent domain by the Lipan-Kickapoo Water Conservation District.

Filed with the Secretary of the Senate

NATURAL RESOURCES

MAY 15 1987
Read and referred to Committee on

MAY 21 1987
Reported favorably as amended

MAY 4 1987
Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

MAY 4 1987
Ordered not printed

MAY 4 1987
Laid before the Senate

MAY 23 1987
Senate and Constitutional Rules to permit consideration suspended by: 

unanimous consent

MAY 23 1987
Read second time, amended, and ordered engrossed by:

unanimous consent

MAY 23 1987
Caption ordered amended to conform to the body of the bill.

MAY 23 1987
Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 1 nays.

MAY 23 1987
Read third time, ____________, and passed by 20 yeas, 0 nays.

SECRETARY OF THE SENATE

OTHER ACTION:

MAY 23 1987
Engrossed

MAY 23 1987
Sent to House

Engrossing Clerk: Patsy Brown

MAY 23 1987
Received from the Senate

MAY 25 1987
Read first time and referred to Committee on

NATURAL RESOURCES

MAY 26 1987
Reported favorably amended, sent to Printer at 1:50 p.m.

MAY 26 1987
Printed and Distributed

1:59 p.m.

MAY 26 1987
Sent to Committee on Calendars

5:37 p.m.

MAY 29 1987
Read Second time (amended): passed to third reading (failed)

by

Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of ____________ yeas, ____________ nays present not voting.

MAY 29 1987
Read third time (amended); finally passed (failed) by a (Non-Record Vote) Record Vote of 147 yeas, 0 nays 1 present not voting.

MAY 30 1987
Caption ordered amended to conform to body of bill.

Returned to Senate.

MAY 30 1987
Returned from House without amendment.

MAY 30 1987
Returned from House with ______ amendments.

Concurred in House amendments by a viva voce vote ______ yeas, ______ nays.
Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

Senate conferees instructed.

Senate conferees appointed: ___________________________ Chairman; ___________________________.

______________________________, ___________________________, and ________________________________

House granted Senate request. House conferees appointed: ___________________________ Chairman;

______________________________

Conference Committee Report read and filed with the Secretary of the Senate.

Conference Committee Report adopted on the part of the House by: ____________________________

{ a viva voce vote

____ yeas, _____ nays

Conference Committee Report adopted on the part of the Senate by: ____________________________

{ a viva voce vote

____ yeas, _____ nays

OTHER ACTION:

Recommitted to Conference Committee

Conferees discharged

Conference Committee Report failed of adoption by: ____________________________

{ a viva voce vote

____ yeas, _____ nays
The Honorable Terral Smith, Chairman
House Natural Resources Committee
Texas House of Representatives
Austin, Texas

RE: Author's Fiscal Statement, Senate Bill 1525—Relating to the creation, administration, powers, duties, operations, fiscal procedures, and taxing authority of the Lipan-Kickapoo Water Conservation District.

Dear Mr. Chairman:

In response to your request for an Author's Fiscal Statement on Senate Bill 1525, I have determined the following:

1. COST TO STATE GOVERNMENT: Absolutely no fiscal implication is anticipated (per Legislative Budget Board).

2. COST TO TOM GREEN AND CONCHO COUNTIES: Funded through tax revenues and permits issued from the Lipan-Kickapoo Water Conservation District:
   
   A. Cost of confirming election: 1987   $ 3,000.00
   B. Per Diem expenses of board        4,750.00
   C. Compensation for any professional services (attorneys, engineers, studies, surveys, planning, etc.)  13,589.00
   D. Administrative expenses           55,517.00

3. FISCAL YEAR PROJECTIONS

   1988....Per Diem Board Expenses      4,750.00
   ...Compensation for any professional expenses 2,750.00
   ...Administrative Expenses          39,275.00
   1989....Same as 1988
   1990....Same as 1988
   1991....Same as 1988

Please advise me if I can provide further information to you.

Dick Burnett
S.B. No. 1525

President of the Senate
I hereby certify that S.B. No. 1525 (1) passed the Senate on May 2, 1987, by the following vote:
Yea 35 (3), Nays 0 (4).

Speaker of the House

Secretary of the Senate
I hereby certify that S.B. No. 1525 (1) passed the House on May 29, 1987, by the following vote:
Yea 47 (6), Nays 0 (7). (9) 

Chief Clerk of the House

Approved:

Date

Governor