

**TO THE HONORABLE COUNTY JUDGE AND COMMISSIONERS
COURT OF COMAL COUNTY TEXAS**

**Prayer for Relief and Control of Potential Water Contamination
Of Dry Comal Creek**

**Response to Petition for Creation of Meyer Ranch Water Control and
Improvement District by Petitioners (file #201406039749)**

I

In Paragraph 1 of their Petition, Petitioners request formation of a Ranch Water Control and Improvement District.

II

The relief requested is a far cry from what is planned. Requesting “ranch water control” does not state whose ‘ranch’ is to be controlled by the entity requested.

No relief of control can be granted for control by someone other than the Petitioners.

Respondents say they have no quarrel with Petitioners requesting control of their own ‘ranch’ known as “Myer Ranch”. But the underlying request is requesting control of others ranches and holdings.

III

The Petitioners request also “improvement district”. Can it be logically argued that ‘improvement’ means discharging wastewater effluent into Dry Comal Creek which crosses others land and ranches? Who would agree that this is “Improvement”?

Petitioners request of Comal County Commissioners Court to blindly grant their petition when on its face is not water control – its sewage effluent water released onto other’s properties. It is not an ‘improvement’ district, it is a ‘non-improvement and degradation’ of the Dry Comal Creek for all who border the creek which will eventually be discharged at the “Tube Chute” in downtown New Braunfels.

Can this possibly be water control and improving that this County and City of New Braunfels wants?

IV

The Petition can be granted if real and decisive limitations are imposed on the Petitioners. Texas laws and regulations would govern the effluent in this case.

Trouble is, you and I know, anything governed by a governmental agency in Texas (particularly the TCEQ which is a political machine to enhance development in Texas) is screwed up before it gets going.

TCEQ would take a sample of the effluent and test it. The testing could take several days and in the meantime, the downstream people are covered up with “S _ _ _” and sewage effluent.

I can see it now, “we’re sorry the test showed that the effluent didn’t pass”

What do you do now?

Who cleans up when your creek is covered up with smelling gross looking dangerous effluent?

The state will not clean it up!

The Frankie Myer group will not clean it up!

The cleanup will be done at great expense by those affected!

Will anyone guarantee that this will not happen? It will happen!

The population of Comal County in the Dry Comal Creek are entitled to assurance of no damages due to effluent on their property.

We need a protection that is immediate and reliable and can be checked by normal everyday people.

Our research has discovered a process that would protect all involved by following a few useful rules and tools.

**TITLE 47 LEGISLATIVE RULE DEPARTMENT OF ENVIRONMENTAL
PROTECTION WATER RESOURCES**

**SERIES 2 REQUIREMENTS GOVERNING WATER QUALITY
STANDARDS**

§47-2-3. Conditions Not Allowable In State Waters.

3.1. Certain characteristics of sewage, industrial wastes, and other wastes and certain water withdrawal activities cause pollution or conditions and that are objectionable in all waters of the state. Therefore, the Secretary does hereby proclaim that the following general conditions are not to be allowed in any of the waters of the state.

3.2. No sewage, industrial wastes or other wastes present in any of the waters of the state or water withdrawal activities shall cause therein or materially contribute to any of the following conditions thereof:

3.2. A. Distinctly visible floating or settleable solids, suspended solids, scum, foam or oily slicks;

3.2.b. Deposits or sludge banks on the bottom;

3.2.c. Odors in the vicinity of the waters;

3.2.d. Taste or odor that would adversely affect the designated uses of the affected waters;

3.2.e. Materials in concentrations which are harmful, hazardous or toxic to man, animal or aquatic life;

3.2.f. Distinctly visible color;

3.2.g. Algae blooms or concentrations Concentrations of bacteria which may impair or interfere with the designated uses of the affected waters;

3.2.h. Requiring an unreasonable degree of treatment for the production of potable water by modern water treatment processes as commonly employed; and

3.2.i. Any other condition, including radiological exposure, which adversely alters the integrity of the waters of the State including wetlands; no significant adverse impact to the chemical, physical, hydrologic, or biological components of aquatic ecosystems, shall be allowed.

V

PRAYER FOR RELIEF:

The Friends of Dry Comal Creek request the Commissioners Court

1. Not take any action for several days until more information can be developed as to what type and volume of effluent will be run down Dry Comal Creek.
2. In the event that the County Commissioners wish to vote on the Petition put forth by the Meyer Group that the County Commissioners vote to ‘REJECT the Petition.
3. If the vote is to ‘grant’ the Petition, the Friends of Dry Comal Creek would request that the County Commissioners add an addendum to their granting of the Petition setting out all the conditions as stated in Section 47-2-3
Conditions Not Allowable in State Waters

Respectfully Submitted

Members of the Friends of Dry Comal Creek

Frankie Meyer Ranch (Present condition of Dry Comal Creek, BEAUTIFUL!)

2958 South Cranes Mill Road, New Braunfels, TX 78132



Land - Off Market

Price: N/A

Lot Size: 700 AC

Property Type: Land

Property Sub-type: Residential (land)

Listing ID 18105906

Last Updated: over 1 year ago

Utilities

- Electricity/Power - Pedernales Electric Coop
- Water - Wells/CLWSC Intent to Service
- Telephone - Guadalupe Valley Phone Coop
- Cable - Guadalupe Valley Phone Coop
- Gas/Propane - Guadalupe Gas Service/Others

Highlights

- Over 700 acres of beautiful, unrestricted & undeveloped Texas Hill Country Property North of San Antonio!
- Canyon Lake Chamber of Commerce refers to nearby towns as Water Recreational Capital of Texas!
- One of the last remaining unrestricted properties with abundant wildlife and fantastic views!
- **Canyon Lake Water Service Company has provided a letter of Intent to Serve our water needs!**
- Mineral Rights are negotiable (seller has 100%). Perimeter and cross fenced.
- Property has NO RESTRICTIONS! Taxed with Agricultural open space exemption.

Description

Last 700 acre unrestricted, undeveloped Central Texas Hill Country land tract from the Frankie Meyer Ranch. This property is located in Comal County, part of the Greater San Antonio area found in the Texas Triangle. Beautiful rolling scenic Edwards hills with elevations of 1,200 feet in the lower country with a wet weather creek and 1,400 feet in the upper country with long range panoramic views. Two wells in the lower country with electric submerged pumps. One well in the high country with a windmill. Water hole in creek has fish and can be supplemented with well water for wild life, animals, and fish in dry weather. Wildlife includes deer, raccoon, coyotes, hogs, turkey, doves and other birds. Native Grass. Live oak (some large), Elm, Hackberry, blackjack, post oak, plum, cedar, yaupon holly, persimmon, sumac and other trees. Land Restrictions-NONE! Mineral Rights are negotiable (seller has 100%). Property is taxed with open space exemption. Sellers will negotiate with a buyer wishing to invest and hold. Other requirements of buyer will also be negotiable.

North of San Antonio, Texas and just minutes from the Water Recreational Capital of Texas, this ranch lies about halfway between IH 35 in New Braunfels and Hwy 281 near Bulverde. The ranch is approximately 9 miles west of New Braunfels on Hwy 46 West. Around three-quarters miles west of the intersection of Hwy 46 West and South Cranes Mill Road on the north and Herbelin Road on the south. And about one-half mile east of the intersection of Hwy 3009 and Hwy 46 West. Access: Highway frontage on south Cranes Mill road is 3,750 feet with an additional 1,131 feet frontage on HWY 46 West.

Map of 2958 South Cranes Mill Road, New Braunfels, TX 78132 (Comal County)