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Eagle Lake Headlight

Thursday, August 29, 1985
 (USPS 153-700)
 Vol. 62, No. 21
 Eagle Publishing, Inc.
 P.O. Box 67
 Eagle Lake, Texas 77434
 (409) 234-0021
 32 CENTS PER COPY
 (60 CENTS PLUS TAX)

Austin raises irrigation water rights issue

Area farmers are being urged to attend a hearing in Austin on Friday in which the City of Austin is claiming the LCRA has no rights to use river water for irrigation.

Nearly four years after the Texas Water Commission entered a final determination for water rights in the Colorado River, including water rights in the Highland Lakes, the City of Austin filed an application for rehearing to contest the rulings.

In the notice of final determination dated in 1981, the water commission said such applications must be filed by August 29, 1985, and established the date of August 30, 1985, to act on such applications.

That hearing will be held at 10 a.m. this Friday in Austin in room 119 of the Stephen F. Austin State Office Building, 1700 North Congress Avenue. Monday during Colorado County commissioner's court, county judge Lester Cranek discussed the application, and suggested that farmers should plan to attend in large numbers. "I think those (water) commissioners would be influenced if they saw some farmers sitting out there," Cranek said. He suggested several car loads of farmers attend, and commissioner Bill Stiles suggested all the commissioners and the judge should attend as well.

The final determination order that gives LCRA the right to use the water, was written before the quasi-governmental agency purchased the Lakeside Water Division from Wintermann and Company two years ago. Therefore, the legal documents provided to The Headlight refer only to water used "from the Colorado River for irrigation of lands served by its (LCRA) Gulf Coast Water Division." It is assumed that any future order also would affect the Lakeside Division that now is owned by LCRA, and also affect the privately held Garwood Irrigation Co. since it buys water from LCRA.

Austin's application for a rehearing claims the Texas Water Commission's final determination contained five errors, including the provision concerning irrigation water.

Basically it claims the water commission erred when it did not recognize the city's rights under the "Special Act of 1961." Austin is asking for recognition of the act to allow it to maintain Tom Miller Dam and Lake Austin, and to divert and use water from Lake Austin for municipal and hydro-electric purposes.

It asks the commission to increase the time given the city to use water from Lake Austin and Town Lake for municipal demand to satisfy the city's projected needs to the year 2020, instead of the year 2020 as in the determination.

It also asks the commission to expand the city's rights to use water for industrial cooling at two generating stations.

Also, the city said that LCRA's granted right to use 781,000 acre-feet of water from Lake Travis and Lake Buchanan for other than hydro-electric power should be substantially reduced.

In discussing the water for irrigation, the Austin application asks that if the commission doesn't agree that the LCRA has no irrigation water rights, it should at least substantially reduce the maximum annual amounts and rates of diversion.

In general, the application says the commission's decisions are in violation of constitutional or statutory provisions, that they are in excess of statutory authority of the agency, that they were made upon unlawful procedure, and that they are not reasonably supported by substantial evidence in view of the reliable and probative evidence in the record. It also claims the order was arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

The commission could deny the application, or grant the application and set a rehearing date for the order.

Condemnation for airport suggested

A new tax rate for the City of Eagle Lake was adopted Tuesday by city council.

At the same meeting, council was urged to use its powers of condemnation to acquire the property needed to expand the runway at the municipal airport here. Council appeared very cool to the idea with mayor Elmer Struss suggesting that negotiations should continue. Council also has appeared cool to any other airport suggestion, including putting the question to voters in the form of a bond vote.

The land at the end of the runway is owned by Joe Fraxar, who apparently has agreed to sell it for \$2,000 an acre only if his entire 140-plus acre tract is purchased in one block. However, no one appears willing to take action on the proposal, and Struss said Tuesday he didn't think airport improvements would help industrial growth in the area.

Speaking as a representative of the chamber of commerce board, Dr. Russell Thomas said after the meeting he told council the board feels the airport improvements are crucial to the efforts in the area to improve employment prospects and attract industry. He told council it should continue negotiating in good faith, but should that fail, consider condemnation. "The needs of the few," he said, Becky Anderson suggested that if council wants to continue negotiating, it should also set a deadline for starting condemnation proceedings.

There was no action taken.

On other chamber suggestions, Struss asked city manager Robert Klockman to investigate whether the city has enough right of way to build a sidewalk on the west side of Cemetery St. from the northern edge of the Masonic Cemetery to Center St. During rainy weather, students walking to school must walk in the street.

The chamber also asked council to take action against the railroad to get the Southern Pacific right of way along FM 102 cleaned up. Struss told the chamber to write a strongly-worded letter to the city, and the city would send that letter and a city letter to the railroad.

The new tax rate will be .2798 cents, with the rate last Continued on Back Page

Rice school taxes higher

After two motions were rejected Monday by the majority of the Rice District school board, a third to increase the tax rate by .25-cents was approved.

The board also approved the budget for the 1985-86 school year, discussed the new portable building at the Eagle Lake Primary School, and learned that one of the three vocational home-economics teachers at Rice High has submitted her resignation to take a similar position in Columbia.

There was very little discussion about the budget of expenditures for the new school year that projects total costs at \$5.6 million. That includes cafeteria revenues, federal programs, and debt retirement. The local operating portion of expenses is projected to be \$4.4 million.

With the adopted tax rate of 74-cents tax for each \$100 taxable property, the district's revenues are projected to be \$5.4 million. The local tax produces about \$2.3 million, while the state kicks in about \$2.2 million. Revenue from other sources, such as cafeteria revenue, other local sources, and federal funds make up all but \$200,000 of the difference between revenues and expenditures. This year the board expects to use about \$200,000 of the revenue it invests each year. The state recommends each school district receive as much as three months revenue in investment accounts, but the Rice district keeps less than two months on hand.

The new budget includes \$36,000 for a new school bus, meaning the district will have purchased one new bus three of the last four years; \$90,000 for two portable classroom buildings (one is being constructed this September at Eagle Lake Primary School, and another the district probably will have to build next summer, also at ELMS, to handle the new state requirement for a pre-kindergarten for 4-year-old disadvantaged youth) and \$80,000 for a new bus barn (probably to be built at Rice High School) that will help the district make room for the pre-kindergarten classes for Garwood and Sheridan youth.

There was no other discussion of expenditures, so those had been worked out by board members at budget workshops held this summer. Fritz Leopold called it a compromise budget.

For the 1984-85 school year, the district had expenses of \$5.0 Continued on Back Page

Szymanski officially named to replace Mac Jones

Colorado County commissioners worked on a short agenda Monday that included such items as officially acting on the resignation of Mac Jones, Justice of the Peace in the Eagle Lake area, and discussion of the upcoming Colorado County Fair.

Jones, who last month gave commissioners his letter of resignation, officially resigned effective Sept. 1. On a motion by commissioner Bill Stiles, the county accepted the resignation "with regret."

It then appointed Mary Lou Szymanski as his replacement to serve the remaining year in Jones' term. She has worked in Jones' office for nearly six years, and has served for the past two years as Acting Municipal Judge for Eagle Lake when Jones was absent. Last year the judge was absent for several months due to illness and an operation.

Students can pick up class schedules at Middle School

The 1985-86 class schedules for Rice High School will be issued on Thursday, August 29. Students living in the Eagle Lake area are to report to the Eagle Lake Middle School between 8 and 10:00 a.m. on Thursday, students in the Garwood-Nada area are to report to the Garwood school between 11 and 12 a.m. on Thursday; and those students in living in the Sheridan area are to report to the Sheridan school between 1 and 2 p.m. on Thursday.

Students need to be dressed to meet school dress code when picking up their class schedules. Students will only be allowed to pick up their own schedule.

A freshman orientation will be held at Rice High School for incoming ninth grade students between 1 and 3 p.m. on Friday, August 30. This will give new high school students an opportunity to become familiar with the high school building and meet with their teachers.

Students and/or parents with questions may contact the high school counselors for information.



25TH Anniversary

Here are the winners in the poster contest sponsored by the Ladies Auxiliary of the Eagle Lake Volunteer Fire Department in honor of their 25th anniversary. Front row, from left, Shane Glaeser, first place, and Kristi Gertson, third place. Miss Gertson also is holding (to her left) the second place poster by Chris Tolliver, not pictured. Standing, from left, Shane Glaeser, second place; Todd Mascheck, third place; and Kimberly Powers, first place. To celebrate the 25th anniversary, the Ladies Auxiliary is sponsoring a dance Saturday, Sept. 7 from 9 p.m. to 1 a.m. at the Eagle Lake Community Center. Music will be by David Kiel, disc jockey. Admission is \$4-per-person-and-tickets are available from any auxiliary member. Proceeds are used to benefit the fire department.

*Approved payment of \$400

Primary School room mothers meet today

The mothers with pupils in grades 1, 2, 3 and Mrs. Darnell's room will meet in the home room of their child's teacher at 2:45 p.m. on Thursday, September 5. The kindergarten parents will meet at 11:45 a.m. the same day in the kindergarten building.

The class parties this year will be on October 23, December 20 and February 14. All parties will begin an hour before regular dismissal time.

Tips for safe school bus riding

- With school starting next week here are a few tips to safeguard our children. Tips for safe school bus riding:
1. Leave home early enough to arrive at your bus stop on time.
 2. Wait for your bus in a safe place; well off the roadway.
 3. Enter your bus in an orderly manner, and take your seat.
 4. Follow the instructions of your school bus driver.
 5. Remain in your seat while your bus is in motion.
 6. Keep your head and arms inside the bus at all times.
 7. Keep aisles clear at all times.
 8. Remain quiet and orderly.
 9. Be courteous to your school bus driver and fellow passengers.
 10. Be alert to traffic when leaving the bus.
 11. Walk to your bus stop - avoid parents driving you there.
 12. When waiting for a bus, don't start playing and run into the road.
 13. Wait until the bus comes to a full stop and door opens before trying to get on.
 14. If you are on the other side of the road when the bus arrives, wait for the bus driver to signal you to cross.
 15. Don't push and tag at others when getting on or off the bus.
 16. Don't talk to the driver unnecessarily. It interferes with his driving.
 17. After leaving a bus, go around to the front. Wait for the driver to signal you across.
 18. Watch for on-coming cars. Walk, never run, across the roadway.
 19. The driver of the bus is in charge of you when you are on his or her bus. Obey them.
- Parents please discuss the tips for safe school bus riding with your child and ask him or her to learn the school bus driver's name.
- Your child should understand that school bus riding is a privilege and permission to continue riding can be withdrawn if order and conduct is unruly.
- Let's have a safe and enjoyable ride to and from school.