



## Legislation Details (With Text)

**File #:** AI 13-1850    **Version:** 2    **Name:** Cano NOC  
**Type:** Action Item    **Status:** Passed  
**File created:** 7/2/2018    **In control:** Board of Directors  
**On agenda:** 8/14/2018    **Final action:** 8/14/2018

**Title:** Consider recommendation from the Permits/Enforcement Committee to approve a Notice of Claim to Interest in Initial Regular Permit No. P100-396 (BE00157) by Cano Investments.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. KSELP-#1540888-v3-T109-388\_Notice\_of\_claim\_-\_Tech\_Summary\_P100-396\_(BE00157)\_Cano\_Investments, 2. KSELP-#1540922-v3-T109-388\_NOC\_-\_Final\_Order\_granting\_notice\_of\_claim\_P100-396\_(BE00157)\_Cano\_Investments, 3. Cano Investments NOC - map

Date	Ver.	Action By	Action	Result
8/14/2018	2	Board of Directors	approved	
7/24/2018	1	Permits/Enforcement Committee		

**Consider recommendation from the Permits/Enforcement Committee to approve a Notice of Claim to Interest in Initial Regular Permit No. P100-396 (BE00157) by Cano Investments.**

### RECOMMENDED MOTION:

Move the board approve a Final Order Granting the Notice of Claim to Interest in Initial Regular Permit No. P100-396 (BE00157), by Cano Investments, and authorize staff to take all actions necessary to amend and issue any affected permits accordingly.

### SUMMARY:

The purpose of this agenda item is for the board to consider a Permits/Enforcement Committee recommendation to approve a Cano Investments claim to interest in Initial Regular Permit P100-396 (BE00157), and to authorize the General Manager to take all necessary actions required to amend the affected permit (Zalman Resources, Inc., and Mardoche Abdelhak) and issue a Regular Permit to Cano Investments individually.

On May 18, 2018, Cano Investments, (Claimant), submitted a Notice of Claim to Interest in 48.566 acre-feet per annum of Municipal groundwater rights associated with Initial Regular Permit (IRP) No. P100-396 (BE00157). This claim asserts that the Claimant owns 12.59 acres permitted as the legal place of use for the IRP P100-396 (BE00157) and that the 48.566 acre-feet of Municipal groundwater rights were conveyed with the land.

Staff reviewed submitted deeds associated with historical conveyances of interests in ownership in Edwards Aquifer IRP P100-396 (BE00157) and other relevant documents. Based on the information

submitted by the Claimant and information contained within the EAA's files and Bexar County deed records, current ownership of the place of use and groundwater withdrawal rights associated with P100-396 (BE00157) can be found in the detailed technical summary of the Notice of Claim to an interest in Initial Regular Permit No. P100-396 (BE00157), which is attached to this summary for the committee's reference. Also attached to this summary is a map identifying the historically irrigated lands and current owners.

At the July 24 meeting, the Permits/Enforcement Committee voted to recommend the board approve a Final Order Granting the Notice of Claim to Interest in Initial Regular Permit No. P100-396 (BE00157), by Cano Investments, and authorize staff to take all actions necessary to amend and issue any affected permits accordingly.

STRATEGIC PLAN REFERENCE:

This agenda item does not relate to a specific goal or action step within the Strategic Plan, but supports the general EAA mission.

FISCAL IMPACT:

None.