



## **Judge rules on regions' water issue**

### **Locals win court ruling over Marvin Nichols**

By: Brandy S. Chewning - Texarkana Gazette

A district judge ruled in favor Monday of locals who filed a lawsuit against the state of Texas for lack of due diligence in Texas water planning.

The state is divided into planning groups, and the dispute arose from the proposed Marvin Nichols Reservoir in Region D.

The Region D. planning group, which includes Bowie County, submitted a water plan that excluded Marvin Nichols.

The Region C group, which includes the Dallas area, turned in a plan calling for Marvin Nichols to be kept on the table as an alternative water source.

Instead of working on a compromise between the conflicting plans, the Texas Water Development Board approved both.

Judge Gisela Triana determined the TWDB created a conflict by approving the two plans and should have worked toward a compromise. Her ruling reverses the Region C plan and remands it to the Water Development Board for further consideration.

Richard LeTourneau, former chairman of Region D, was a leader in the suit and said Tuesday he hopes the ruling restores an element that should have been in the process all along—communication.

"If this leads to better communication between Region C, Region D and the Texas Water Development Board, it will be well worth the effort," he said.

Representatives of the Texas Water Development Board did not return a request for comment by presstime Tuesday.

The Marvin Nichols Reservoir has met staunch opposition from landowners and timber companies in the Sulphur River Basin, and a group of those citizens filed the suit.

LeTourneau said there was no personal compensation sought, only a requirement to have TWDB revisit the regional water plans.

Most locals agree, and the suit stated, that opposition to a new reservoir is not an effort to prevent thirsty areas from receiving water. But the Region D group wants to see if other options can provide that needed water, and focus is aimed at increasing the yield of Wright Patman Lake here.

[bchewning@texarkanagazette.com](mailto:bchewning@texarkanagazette.com)..