



RQ-0164- JC
Texas House of Representatives

Committees:
Land & Resource
Management
Chair
Natural Resources

Capitol Office:
P.O. Box 2910
Austin, Texas 78768-2910
512-463-0678
FAX: 512-463-1966

Gary L. Walker

District Office:
P.O. Box 750
Plains, Texas 79355
806-456-7470
FAX: 806-456-7489

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DEC 17 1999

Opinion Committee

December 15, 1999

The Honorable John Cornyn
The Attorney General of Texas
P.O. Box 12548
Austin, Texas 78711
Attn: Ms. Elizabeth Robinson

FILE # ML-41165-99
I.D. # 41165

RE: REQUEST FOR ATTORNEY GENERAL'S OPINION REGARDING COUNTY RIGHT-OF-WAYS

Dear Attorney General Cornyn:

As the State Representative for Martin County, and Chairman of the House Committee on Land and Resource Management, I have been asked to seek the opinion of your office regarding county right-of-ways.

In Martin County, the county commissioners allow oil companies to run temporary water lines along the county right-of-ways. Individual landowners have protested, asserting that the county does not have the right to use their right-of-ways for this purpose. The landowners would prefer to negotiate with the oil companies individually, but have agreed to abide by the attorney general's opinion.

In addition, the commissioners would like to know whether or not the county's use of the right-of-way would apply to prescription roads.

If you have any questions, or need further clarification, please do not hesitate to contact me.

Sincerely,

Gary L. Walker
State Representative

GW/lmc