

Garry Mauro  
Commissioner  
General Land Office



May 9, 1985

Mr. D. G. Ford  
104 William Street  
Victoria, Texas 77901

Dear Sir:

In accordance with our telephone conversation yesterday and your report that the lowest elevation of the marsh area near Placido Creek is 1.5 feet NGVD near Lavaca Bay in the Martin de Leon Grant, Victoria County, this is to confirm that the State will not claim or offer to lease the marsh area outside of the Placido Creek bed and/or area above MHHW.

A copy of Clint Sumrall's report is enclosed.

Sincerely yours,

*Herman Forbes*

Herman Forbes

Acting Director, Surveying Division

HF/lk

enclosure



LETTER REPORT

April 29, 1985

Jack Giberson, Chief Clerk

Subject: Martin de Leon Grant  
Victoria County, Texas

On Friday, April 26, 1985, I travelled to Victoria and met with Mr. D. G. Ford in reference to the marsh area along Placido Creek. Mr. Ford is working for an oil company who plans to drill a well between Garcitas Creek and Placido Creek. Their concern is whether or not the state is claiming ownership to the marsh area along Placido Creek.

The water was above normal due to recent heavy rains which made it difficult to determine what the banks of the creek were like. Mr. Ford had elevations down to the creek about a half mile north-west of the area of concern. His survey crew was still running levels toward the area. I asked them to take some elevation shots out in the marsh when they get to the area.

The Martin de Leon Grant is a 5 League Grant from Mexico surveyed by Jose M.J. Carvajal on January 24, 1833. This grant lies between Palo Alto Creek, Union Creek or Zorrios (now known as Placido Creek), Lavaca Bay and Garcitas Creek. The surveyor implies that he is leaving out the "permanent swamps and small ponds." He states that Grant's "configuration is a very irregular one shown on the plat I send you in duplicate herewith." This sketch shows the creeks getting much wider as it gets closer to Lavaca Bay.

This grant is called to be 5 Leagues (22,142 acres) of land of which 8 labors belong to the class of arable land and the remainder to that of pasture land. A survey of this grant made in the 1930's shows it to contain about 25,350 acres which is about 3200 acres excessive of its call. This amounts to about 13% excess if all the marshes are included.

The nearest elevation we have for mean high water is the one given for Lavaca Bay being 1.15 feet above NGVD 1941/1959 Epoch. This gauge was apparently located near Port Lavaca. I would suspect mean high water in this area, which is at the north end of Lavaca Bay, to be a little higher than 1.15 feet NGVD but to my knowledge no attempt has been made to make this determination.

counter 39537



Mr. Ford called May 1, 1985 and reported that the banks of Placido Creek near the mouth are at elevation 1.6 to 2.0 feet NGVD, and the marsh back from the bank is at 1.5 to 2.0 feet NGVD.

It appears to me at this time that the marsh area is above Mean High Tide and would not be considered Tidal Marsh.

Clint Sumrall - L.S.L.S.  
Clint Sumrall

*(Faint mirrored text from reverse side of page)*  
The No. Victoria Sketch File 11  
Victoria County  
Letter Report to National Oceanic and Atmospheric Administration  
May 13, 1985  
GARY W. HARRIS  
St. Douglas, Hawaii



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*Victoria Howard*  
Tina Sumrall

File No. Victoria Sketch File 11  
Victoria County  
Letter Report: re: Martinde Leon Grant  
Filed May 13 19 85  
GARRY MAURO, Com'r  
By Douglas Howard