



THE ATTORNEY GENERAL
OF TEXAS

AUSTIN 11, TEXAS

WILL WILSON
ATTORNEY GENERAL

July 14, 1958

Honorable R. M. Dixon
Board of Water Engineers
1410 Lavaca Street
Austin, Texas

Opinion No. WW-473

Re: May an existing Water
Control and Improve-
ment District change
its name, and related
questions.

Dear Mr. Dixon:

Your letter of June 18, 1958, requests our opinion
on the following:

- "1. Does Art. 7880-16 authorize an existing Water Control and Improvement District to change its name to a name more descriptive of the locale and principal powers to be exercised so long as the word "district" appears in the new name?
- "2. If the answer to Question No. 1 is in the affirmative, does the Board of Water Engineers have the authority to approve an application for such name change?
- "3. If the answer to Question No. 2 is in the affirmative, may the Board of Water Engineers at its discretion establish the procedure and fees to be paid by the applicant?
- "4. If the answer to Question No. 2 is negative, what action is necessary to change the name of an existing district?"

Honorable R. M. Dixon, page 2 (WW-473)

Article 7880-11, V.C.S. requires that the petition for the organization of a water control and improvement district "shall designate the name of the district." Article 7880-16 prescribes the name which may be given such a district.

There is no statute which either expressly or by implication authorizes the change of name of an existing district. The district may exercise only such powers as have been expressly delegated to it by the Legislature, or which exist by clear and unquestioned implication. Tri-City Fresh Water Supply Dist. No. 2 of Harris County v. Mann, Atty. Gen., 135 Tex. 280, 142 S.W. 2d 945 (1940).

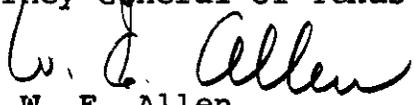
Your first question is answered: No. Consequently, no answers to questions 2 and 3 are necessary. Your fourth question is answered: There is no authority for the change of name of an existing district.

SUMMARY

There is no authorization for an existing Water Control and Improvement District to change its name.

Very truly yours,

WILL WILSON
Attorney General of Texas

By 
W. E. Allen
Assistant

APPROVED:

OPINION COMMITTEE

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REVIEWED FOR THE ATTORNEY GENERAL

By: W. V. Geppert