

# IN THE SUPREME COURT OF TEXAS

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No. 98-0257

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ENGELMAN IRRIGATION DISTRICT, PETITIONER

v.

SHIELDS BROTHERS, INC., RESPONDENT

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ON PETITION FOR REVIEW FROM THE  
COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS

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## **Per Curiam**

Engleman Irrigation District's petition for review is denied. In denying the petition, the Court expresses no opinion on whether an irrigation district's obligation to deliver water under Chapter 58 of the Texas Water Code and related rules can be deemed to be a "contract" waiving the district's sovereign immunity from liability. *See Federal Sign v. Texas Southern University*, 951 S.W.2d 401, 408 (Tex. 1997).

OPINION DELIVERED: December 3, 1998