

***Notice to Customers and Neighboring Systems,  
Landowners and Cities***

**NOTICE OF APPLICATION FOR CERTIFICATE OF  
CONVENIENCE AND NECESSITY (CCN) TO PROVIDE SEWER  
UTILITY SERVICE IN HIDALGO COUNTY, TEXAS**

To: HARBISON JACK JR  
JACK W HARBISON SR TEST TRST      Date Notice Mailed: January 24, 2014  
(Neighboring System, Landowner or City)  
PO BOX 747  
(Address)  
MERCEDES, TEXAS 78570-0747  
(City                      State                      Zip)

The City of Edcouch has filed an application to obtain a CCN with the Texas Commission on Environmental Quality to provide sewer utility service in Hidalgo County.

The Proposed service area is located approximately 2 miles east of downtown Elsa, Texas, and is generally bounded on the north by approximately FM 1925; on the east by Mile 2 West Road; on the south by Mile 15 ½ North Road; and on the west by Mile 4 West Road.

***See enclosed map of the proposed service area.***

The total area being requested includes approximately 2,828.24 acres and 933 current customers.

The proposed amendment affects customers and/or areas located in the following zip code: 78538.

A copy of the proposed service area map is available at: 211 West Southern Avenue, Edcouch, Texas 78538.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

## AFFIDAVIT

Date: February 8, 2013 to be effective March 4, 2013

Affiant: JAMES R. LUEDTKE and wife, KAREN LUEDTKE

Affiant on oath swears that the following statement[s] [is/are] true and [is/are] within the personal knowledge of Affiant:

Affiant is purchasing the property described below from IAN NADLER and wife, ERICA NADLER for the amount of \$23,000.00 and acknowledges that it will be used as a residence for the period of at least 50% of the days the property is used by any person during each of the first two 12-month periods from the date of my purchase.

Lot Two Thousand One Hundred Ninety-three (2193), THE THIRD RESUBDIVISION OF LLANO GRANDE LAKE PARK RESORT AND COUNTRY CLUB - NORTH PHASE I, an addition to the City of Mercedes, Hidalgo County, Texas, according to the re-subdivision map or plat thereof recorded in Volume 54, Page 151, Map Records, Hidalgo County, Texas, reference to which is here made for all purposes.

\_\_\_\_\_  
JAMES R. LUEDTKE

\_\_\_\_\_  
KAREN LUEDTKE

SUBSCRIBED AND SWORN TO before me on this \_\_\_\_\_ day of February, 2013 by JAMES R. LUEDTKE and wife, KAREN LUEDTKE.

\_\_\_\_\_  
Notary Public, State of Texas

STATE OF TEXAS                    §  
                                         §        (Acknowledgement)  
COUNTY OF HIDALGO           §

BEFORE ME, the undersigned authority, on this day personally appeared JAMES R. LUEDTKE and wife, KAREN LUEDTKE known to me to be the person whose name are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of FEBRUARY, 2013.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

Texas Commission on Environmental Quality  
Water Supply Division  
Utilities and Districts Section, MC-153  
P. O. Box 13087  
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request is received or if the Commission on its own motion requests a hearing. Only those individuals who submit a written hearing request or a written request to be notified if a hearing is set will receive notice if a hearing is scheduled.

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

Persons who meet the requirements to opt out, and wish to request this option should file the 'required documents with the:

Texas Commission on Environmental Quality  
Water Supply Division  
Utilities and Districts Section, MC-153  
P.O., Box 13087  
Austin, TX 78711-3087

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

File No. 12-226

## **SURVIVORSHIP AGREEMENT FOR COMMUNITY PROPERTY**

Date: **February 8, 2013 to be effective March 4, 2013**

Spouses: **JAMES R. LUEDTKE and wife, KAREN LUEDTKE**

Property:

**Lot Two Thousand One Hundred Ninety-three (2193), THE THIRD RESUBDIVISION OF LLANO GRANDE LAKE PARK RESORT AND COUNTRY CLUB - NORTH PHASE I, an addition to the City of Mercedes, Hidalgo County, Texas, according to the re-subdivision map or plat thereof recorded in Volume 54, Page 151, Map Records, Hidalgo County, Texas, reference to which is here made for all purposes.**

Spouses own the Property jointly and for valuable consideration agree with each other as follows:

1. As long as the Property remains community property, on the death of either Spouse, the Property interest of the Spouse who dies will become the Property of the surviving Spouse and will not descend to or be vested in the heirs or devisees of the deceased Spouse.
2. Spouses will after this date own the Property in the same manner as joint tenants with right of survivorship.
3. This agreement may be revoked by a written instrument signed by both Spouses or by a written instrument signed by one Spouse and delivered to the other Spouse. This agreement may also be revoked as to any part of the Property by the disposition of that part of the Property by one or both Spouses if the disposition is not inconsistent with specific terms of this agreement or applicable law.

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**JAMES R. LUEDTKE**

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**KAREN LUEDTKE**

## TRANSACTION REPORT

JUN/17/2014/TUE 03:15 PM

FAX (TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	JUN/17	03:12PM	15122395737	0:03:46	16	MEMORY OK	SG3 5303

ESCOBEDO, TIPPIT &amp; CARDENAS, LLP

BBVA Compass Bank Tower

3900 N. 10th Street, Suite 950

McAllen, Texas 78501

Telephone: (956) 618-3357 | Telecopier: (956) 618-3361

fax

TO:

TCEQ

FROM:

Luis Cardenas

COMPANY:

PAGES:

FAX NO.

(512) 239-5737

DATE:

6/17/14

RE:

P/JL Farms to Harbison Farms

☐ Urgent☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

Comments:

# ESCOBEDO TIPPIT & CARDENAS<sup>LLP</sup>

## ATTORNEYS AT LAW

June 17, 2014

Texas Commission on  
Environmental Quality  
Water Supply Division  
Utilities and Districts Section, MC-153  
P.O. Box 13087  
Austin, Texas 78711

To Whom It May Concern:

PJL Farms Properties and Harbison Farms Properties previously forwarded a request for exclusion from the City of Edcouch CCN application. These owners now hereby withdraw and rescind the previous request for exclusion. It is the owners' request to now be included in within the City of Edcouch CCN.

If you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

**ESCOBEDO, TIPPIT & CARDENAS, LLP**



Luis M. Cardenas

LMC:en  
*enclosures*

Joe Escobedo, Jr \*  
John L. Tippit\*  
Luis Cardenas\*  
Sara L. Tippit, *Of Counsel*

\* BOARD CERTIFIED PERSONAL INJURY TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION

(956)618-3357 Telephone  
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(888)618-3357 Toll Free

3900 N. 10<sup>th</sup> Street, Suite 950  
McAllen, Texas 78501

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FROM:

Luis Cardenas

COMPANY:

PAGES:

FAX NO.

(512) 239-5737

DATE:

6/17/14

RE:

PJL Farms & Harbison Farms

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Comments:

37789-C  
HG

# ESCOBEDO TIPPIT & CARDENAS LLP

## ATTORNEYS AT LAW

June 17, 2014

Texas Commission on  
Environmental Quality  
Water Supply Division  
Utilities and Districts Section, MC-153  
P.O. Box 13087  
Austin, Texas 78711

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Very truly yours,

**ESCOBEDO, TIPPIT & CARDENAS, LLP**



Luis M. Cardenas

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John L. Tippit\*  
Luis Cardenas\*  
Sara L. Tippit, *Of Counsel*

• BOARD CERTIFIED PERSONAL INJURY TRIAL LAW  
TEXAS BOARD OF LEGAL SPECIALIZATION

REC-1  
JUN 20 2014  
UTILITIES & DISTRICTS  
SECTION

(956)618-3357 Telephone  
(956)618-3361 Telecopier  
(888)618-3357 Toll Free

3900 N 10<sup>th</sup> Street, Suite 950  
McAllen, Texas 78501



## Heidi Graham

---

**From:** Heidi Graham  
**Sent:** Monday, May 19, 2014 8:50 AM  
**To:** 'grea@fulcrum-cs.com'  
**Subject:** FW: Edcouch CCN Application No. 37789-C  
**Attachments:** 37789-C City of Edcouch (opt out letter & request).pdf

Mr. Rea,

On May 6, 2014, we sent a letter with requests for opt outs from the proposed area. I need the revised digital data with those properties removed. Please mail a CD with the revised digital data. I have attached the letter and request to this email. Without the revised digital data I cannot finish processing the application.

Heidi Graham  
Utilities Technical Review Team  
Water Supply Division  
Texas Commission on Environmental Quality  
(512) 239-0844  
[heidi.graham@tceq.texas.gov](mailto:heidi.graham@tceq.texas.gov)

---

**From:** [grea@fulcrum-cs.com](mailto:grea@fulcrum-cs.com) [<mailto:grea@fulcrum-cs.com>]  
**Sent:** Friday, May 16, 2014 2:52 PM  
**To:** Tammy Benter  
**Cc:** Lisa Fuentes; E. George; [lsalinas@fulcrum-cs.com](mailto:lsalinas@fulcrum-cs.com)  
**Subject:** Edcouch CCN Application No. 37789-C

Ms. Benter,

Attached please find a response to the letter dated March 27, 2014. If you may need to contact me please call 956.325.2567.

Thanks!

Gustavo Rea Jr.



# FULCRUM

## CONSULTING SERVICES

PLANNING \* ENGINEERING \* SURVEYING

May 16, 2014

**Tammy Benter, Manager**  
**Texas Commission on Environmental Quality**  
**Utilities & Districts Section MC-153**  
**Water Supply Division**  
**12100 Park Circle 35**  
**Austin, Texas 78711-3087**

**Re: Application from the City of Edcouch, to obtain a Certificate of Convenience and Necessity (CNN) in Hidalgo County; Application No. 37789-C**

**CN: 600626683; RN: 101178903 (water)**  
**CN: pending; RN: pending (sewer)**

Ms. Tammy Benter,

This letter is in response to the correspondence received dated March 27, 2014

Our office has been working with the colonia residents which reside within the proposed CCN Boundary generally bounded on the FM 1925 on the North, Mile 2 West on the East, Mile 4 West on the West and Mile 15 1/2 on the South.

Currently all residents living within the aforementioned boundaries to exclude the corporate limits of the City of Edcouch have an onsite sewage facilities which do not receive the necessary maintenance which is required for the continued operation of these onsite sewage facilities.

Our office has canvassed the entire proposed service area and we have gotten the necessary feedback to reflect and to justify issuing a certificate of convenience and necessity for the proposed service area. As part of this letter please find the request of service which been returned to us by the residents within the proposed sewer service area.

We appreciate your review of the enclosed application material. Should you have any questions or require additional information, please contact me at 956.797.3411.

Thank You,

Gustavo Rea Jr.  
Project Manager

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

FECHA: 05/13/14

NOMBRE:

Pilar Rodriguez

DIRECCIÓN:

6244 mile 17 1/2 north

NÚMERO DE HABITANTES: 6

1. ¿Ha tenido algún problema con su sistema séptico o pozo de agua requiriendo reparación?

       YES

✓ NO

2. ¿Es su casa situada en una propiedad que mide al menos la mitad (1/2) de un acre de tamaño?

✓ YES

NO

3. ¿Para asegurar un adecuado funcionamiento de su tanque séptico, es una práctica común para desconectar aparatos tales como lavado a máquina, lavaplatos y basura disposición desde su línea de tanque séptico?

       YES

✓ NO

4. Tiene su sistema séptico o pozo de agua bien te restringido de ampliar su casa o edificio.

       YES

✓ NO

5. ¿Se solicitan servicio de aguas residuales de la ciudad de Edcouch debe ser económicamente viable para proporcionar este servicio?

✓ YES

NO

Firma:

Pilar Rodriguez

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: \_\_\_/\_\_\_/\_\_\_

Name:

Billy Wilson

Address:

1015 Mile 17 1/2

Number of Occupants:

2

1. Have you experienced a problem with your septic system or water well requiring a repair?

\_\_\_ YES

✓ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

✓ YES

\_\_\_ NO

3. To insure adequate operation of your septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

\_\_\_ YES

✓ NO

4. Has your septic system or water well restricted you from expanding your home or building?

\_\_\_ YES

✓ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

✓ YES

\_\_\_ NO

Signature:

Billy Wilson

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: 05/15/2014

Name:

Irma Mendoza

Address:

6230 Mile 17 1/2 N. Rd, Edcouch, TX 78538

Number of Occupants:

5

1. Have you experienced a problem with your septic system or water well requiring a repair?

☒ YES

☐ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

☒ YES

☐ NO

3. To insure adequate operation of your septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

☒ YES

☐ NO

4. Has your septic system or water well restricted you from expanding your home or building?

☒ YES

☐ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

☒ YES

☐ NO

Signature:

Sanjo Mendoza

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

FECHA: 05/15/14

NOMBRE:

Francisco B.

DIRECCIÓN:

6040 Mile 17 1/2 north

NÚMERO DE HABITANTES: \_\_\_\_\_

1. ¿Ha tenido algún problema con su sistema séptico o pozo de agua requiriendo reparación?

☒ YES

\_\_\_\_ NO

2. ¿Es su casa situada en una propiedad que mide al menos la mitad (1/2) de un acre de tamaño?

☒ YES

\_\_\_\_ NO

3. ¿Para asegurar un adecuado funcionamiento de su tanque séptico, es una práctica común para desconectar aparatos tales como lavado a máquina, lavaplatos y basura disposición desde su línea de tanque séptico?

☒ YES

\_\_\_\_ NO

4. Tiene su sistema séptico o pozo de agua bien restringido de ampliar su casa o edificio.

☒ YES

\_\_\_\_ NO

5. ¿Se solicitan servicio de aguas residuales de la ciudad de Edcouch debe ser económicamente viable para proporcionar este servicio?

☒ YES

\_\_\_\_ NO

Firma:

Francisco Bongol

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

FECHA: \_\_\_/\_\_\_/\_\_\_

NOMBRE:

Olga Ponce J.

DIRECCIÓN:

6906 mile 17 1/2 N.

NÚMERO DE HABITANTES:

6

1. ¿Ha tenido algún problema con su sistema séptico o pozo de agua requiriendo reparación?  
☒ YES ☐ NO
2. ¿Es su casa situada en una propiedad que mide al menos la mitad (1/2) de un acre de tamaño?  
☒ YES ☐ NO
3. ¿Para asegurar un adecuado funcionamiento de su tanque séptico, es una práctica común para desconectar aparatos tales como lavado a máquina, lavaplatos y basura disposición desde su línea de tanque séptico?  
☐ YES ☒ NO
4. Tiene su sistema séptico o pozo de agua bien restringido de ampliar su casa o edificio.  
☒ YES ☐ NO
5. ¿Se solicitan servicio de aguas residuales de la ciudad de Edcouch debe ser económicamente viable para proporcionar este servicio?  
☒ YES ☐ NO

Firma:

Olga Ponce J.

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

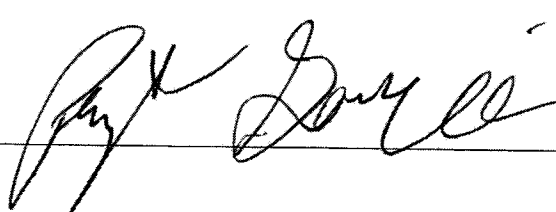
DATE: 5, 9, 14

Name: Paz Garcia

Address: 1/4 mile 17 1/2 Edcouch TX, 78538

Number of Occupants: 3

1. Have you experienced a problem with your septic system or water well requiring a repair?  
☐ YES ☒ NO
2. Is your house situated in a property measuring at least half (1/2) an acre in size?  
☒ YES ☐ NO
3. To insure adequate operation of you septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?  
☐ YES ☒ NO
4. Has your septic system or water well restricted you from expanding your home or building?  
☒ YES ☐ NO
5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?  
☒ YES ☐ NO

Signature: 



CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: 5/9/14

Name: Gabriel Ochoa

Address: 6370 mile 17 1/2 W Edcouch TX

Number of Occupants: \_\_\_\_\_

1. Have you experienced a problem with your septic system or water well requiring a repair?

☒ YES

☐ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

☒ YES

☐ NO

3. To insure adequate operation of your septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

☒ YES

☐ NO

4. Has your septic system or water well restricted you from expanding your home or building?

☐ YES

☒ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

☒ YES

☐ NO

Signature: Gabriel Ochoa

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: 5/8/14

Name:

Federico Telles JR

Address:

6204 mile 17.5 Rd

Number of Occupants: 3

1. Have you experienced a problem with your septic system or water well requiring a repair?

       YES

  ✓   NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

  ✓   YES

       NO

3. To insure adequate operation of you septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

       YES

  ✓   NO

4. Has your septic system or water well restricted you from expanding your home or building?

       YES

  ✓   NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

  ✓   YES

       NO

Signature: Federico Telles JR

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: 5/13/14

Name: LUCINDA CERDA

Address: mile 17 1/2 N Edcouch Tx 78538

Number of Occupants: 6

1. Have you experienced a problem with your septic system or water well requiring a repair?

       YES

✓ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

✓ YES

       NO

3. To insure adequate operation of you septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

       YES

✓ NO

4. Has your septic system or water well restricted you from expanding your home or building?

       YES

✓ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

✓ YES

       NO

Signature: LUCINDA CERDA

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: \_\_\_/\_\_\_/\_\_\_ 5/13/14

Name:

Julian Silva

Address:

19112 Mile 4 Edcouch, Tx 78538

Number of Occupants: 5

1. Have you experienced a problem with your septic system or water well requiring a repair?

☒ YES

☐ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

☒ YES

☐ NO

3. To insure adequate operation of your septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

☒ YES

☐ NO

4. Has your septic system or water well restricted you from expanding your home or building?

☒ YES

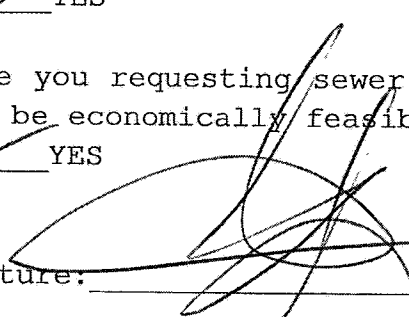
☐ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

☒ YES

☐ NO

Signature:



CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: 5/13/2014

Name:

Macaria Salinas

Address:

7981 Mile 17 Edcouch, Tx 78538

Number of Occupants: 6

1. Have you experienced a problem with your septic system or water well requiring a repair?

☒ YES

☐ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

☒ YES

☐ NO

3. To insure adequate operation of you septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

☒ YES

☐ NO

4. Has your septic system or water well restricted you from expanding your home or building?

☒ YES

☐ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

☒ YES

☐ NO

Signature:

Macaria Salinas

CITY OF EDCOUCH  
SEWER CCN TCEQ APPLICATION  
REQUEST FOR SERVICE - SEWER SURVEY

DATE: 5/13/2014

Name: Eugenio Garza

Address: P.O. Box 379, Elgin, TX 78543

Number of Occupants: 5

1. Have you experienced a problem with your septic system or water well requiring a repair?

☒ YES

☐ NO

2. Is your house situated in a property measuring at least half (1/2) an acre in size?

☒ YES

☐ NO

3. To insure adequate operation of your septic tank, is it a common practice for you to disconnect appliances such as washing machine, dishwasher and garbage disposal from your septic tank line?

☐ YES

☒ NO

4. Has your septic system or water well restricted you from expanding your home or building?

☐ YES

☒ NO

5. Are you requesting sewer service from the City of Edcouch should it be economically feasible to provide this service?

☒ YES

☐ NO

Signature: E. Garza