

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37608-S

STATE OF TEXAS

COUNTY OF Travis

Corix Utilities (Texas Inc) has provided individual notice to the following entities:

	DATE
<u>Aqua Texas</u>	<u>7/26/13</u>
<u>Burnet County</u>	<u>7/26/13</u>
<u>Capstone Water System</u>	<u>7/26/13</u>
<u>City of Marble Falls</u>	<u>7/26/13</u>
<u>Double Horn WSC</u>	<u>7/26/13</u>
<u>SH WSC</u>	<u>7/26/13</u>
<u>Travis County</u>	<u>7/26/13</u>

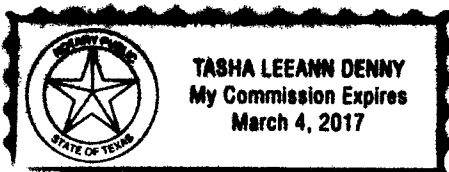
OATH

I, Edward Yanoshita, being duly sworn, file this form as General Manager (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth therein are true and correct.

[Signature]
Applicant's Authorized Representative

If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its' attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this 26 day of July, 2013,
to certify which witness my hand and seal of office.



Tasha Denny
Notary Public in and for the State of Texas
Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

CORIX UTILITIES (TEXAS) INC.

INCUMBENCY CERTIFICATE

I, HAMISH CUMMING, HEREBY CERTIFY THAT:

1. I am the duly appointed Corporate Secretary of Corix Utilities (Texas) Inc. (the "Corporation"), a corporation organized under the laws of Delaware, and as such have access to its corporate records and am familiar with the matters herein certified.
2. Edward Yanoshita, General Manager of the Corporation, has authority to file the application on behalf of the Corporation with the Texas Commission on Environmental Quality and in connection therewith to swear the Oath of Purchaser for the Corporation.

IN WITNESS WHEREOF I have set my hand in the name and on behalf of the Corporation effective this 1st day of November, 2012.



Corporate Secretary

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37608-S

STATE OF TEXAS
COUNTY OF

Travis

Cotix Utilities (Texas Inc) has provided
individual notice to the following entities:

Vista Del Rio PDA Inc

DATE
7/26/13

Whitewater Springs WSC

7/26/13

Windermere Oaks WSC

7/26/13

Central Texas GCD

7/26/13

Lost Cove WSC

7/26/13

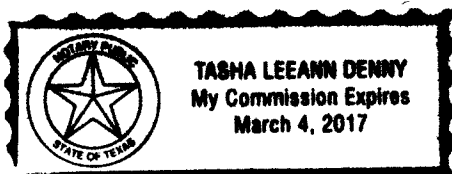
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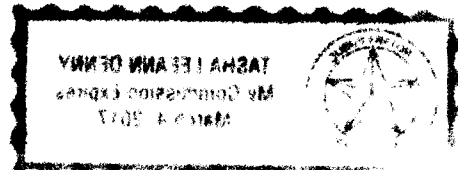
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Texas Commission on Environmental Quality



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APPLICATION NO. 37608-S

STATE OF TEXAS

COUNTY OF Travis

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individual notice to the following entities:

	DATE
<u>Vista Del Rio PDA Inc</u>	<u>7/26/13</u>
<u>Whitewater Springs WSC</u>	<u>7/26/13</u>
<u>Windermere Oaks WSC</u>	<u>7/26/13</u>
<u>Central Texas GCD</u>	<u>7/26/13</u>
<u>Lost Love WSC</u>	<u>7/26/13</u>
_____	_____
_____	_____

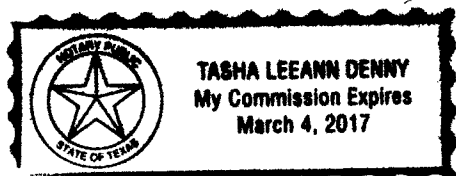
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7/26/13

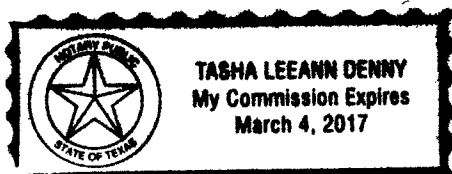
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Tasha Denny
Notary Public in and for the State of Texas

Tasha Denny
Print or Type Name of Notary Public
Commission Expires March 4, 2017

1. *Phragmites* (common in the marshes of the lower Mississippi River and in the coastal marshes of the Gulf of Mexico).

Notice to Current Customers, Neighboring Systems, Landowners and Cities

NOTICE OF INTENT FOR LOWER COLORADO RIVER AUTHORITY'S (LCRA) TO SELL WATER FACILITIES AND TRANSFER A PORTION OF THEIR CERTIFICATE OF CONVENIENCE AND NECESSITY NO. 11670 TO CORIX UTILITIES (TEXAS) INC. AND FOR CORIX UTILITIES (TEXAS) INC. TO OBTAIN AND AMEND A WATER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN BURNET COUNTY, TEXAS

To: _____ Date Notice Mailed: July 26, 2013
(Name of Customer, Neighboring System, Landowner or
_____ City)

(Address)

(City State Zip)

Corix Utilities (Texas) Inc. 6836 Bee Cave Road, Ste. 209 Austin, TX 78746
(Purchaser's or Transferee's Name) (Address) (City) (State) (Zip Code)

has submitted an application with the Texas Commission on Environmental Quality to obtain and amend a CCN and to acquire facilities in Burnet County held by:

LCRA PO Box 220 Austin TX 78767
(Seller's or Transferor's Name) (Address) (City) (State) (Zip Code)

The sale is scheduled to take place as approved by the Executive Director (V.T.C.A., Water Code §13301).

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 68 water customers. The water service area includes the **Smithwick Mills Estates** subdivision and acres within zip code **78654**.

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) Inc. at 6836 Bee Cave Road, Ste. 209, Austin TX 78746, phone number: 512/306-4000.

This transaction will have the following effect on the current customers' rates and services: Corix proposes to adopt the existing rates currently charged by LCRA and maintain those rates for a 12 month period following our acquisition of the utilities. During this 12 month period Corix will undertake detailed cost of service studies. After the 12 month period and based on the results of the cost of service studies, Corix will be better able to determine any required rate adjustments.

Affected persons may file written protests and/or request a public hearing within 30 days of this notice.

To request a hearing, you must:

- (1) state your name, mailing address and daytime telephone number;
- (2) state the applicant's name, application number or another recognizable reference to this application;
- (3) the statement "I/we request a public hearing";

- (4) write a brief description of how you, the persons you represent, or the public interest would be adversely affected by the proposed transaction and transfer of the CCN; and
- (5) state your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Only those persons who submit a written request to be notified of a hearing will receive notice if a hearing is scheduled. The Executive Director will issue the CCN requested in the referenced application unless a hearing is scheduled to consider the transaction. If no protests or requests for hearing are filed during the comment period, the Executive Director may issue the CCN 30 days after publication of this notice.

Persons who wish to protest or request a hearing on this application should write the:

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

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

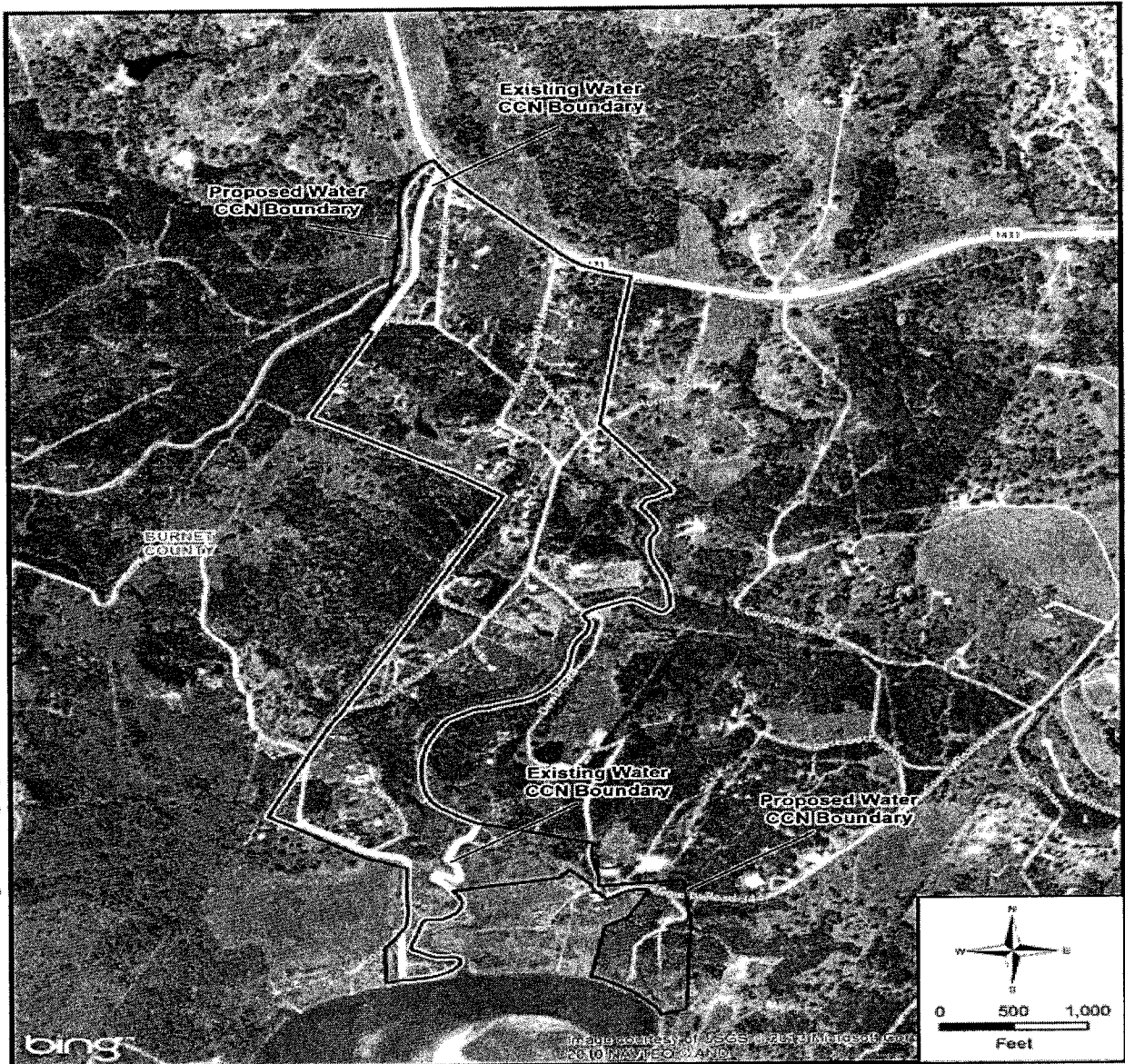
A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request.

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

Darrin Barker, Operations Manager
Utility Representative

Corix Utilities, Texas, Inc.
Utility Name

R:\JMS\10188498 - Con\GIS\Map_Docs\Smithwick Mills_Veter road



Smithwick Mills - Proposed Water CCN Boundary


CORIX UTILITIES (TEXAS) INC.

INCUMBENCY CERTIFICATE

I, HAMISH CUMMING, HEREBY CERTIFY THAT:

1. I am the duly appointed Corporate Secretary of Corix Utilities (Texas) Inc. (the "Corporation"), a corporation organized under the laws of Delaware, and as such have access to its corporate records and am familiar with the matters herein certified.
2. Edward Yanoshita, General Manager of the Corporation, has authority to file the application on behalf of the Corporation with the Texas Commission on Environmental Quality and in connection therewith to swear the Oath of Purchaser for the Corporation.

IN WITNESS WHEREOF I have set my hand in the name and on behalf of the Corporation effective this 1st day of November, 2012.



Corporate Secretary

LIST OF NEIGHBORING UTILITIES AND MUNICIPALITIES
FOR CORIX UTILITIES – TEXAS

SMITHWICK MILLS WATER SERVICE AREA

✓ Aqua Development Inc.

✓ Burnet County

✓ Capstone Water System

✓ City of Marble Falls

✓ Double Horn WSC Inc.

✓ Lost Cove WSC

✓ SH WSC

✓ Vista Del Rio POA, Inc.

(Waterford MUD #1) — need

✓ Whitewater Springs WSC

✓ Windermere Oaks WSC

Lower Colorado River Authority

✓ Central Texas Groundwater Conservation District

✓ Travis County

**LIST OF NEIGHBORING UTILITIES AND MUNICIPALITIES
FOR CORIX UTILITIES –TEXAS**

SMITHWICK MILLS WATER SERVICE AREA

Aqua Development Inc.

Capstone Water System

City of Marble Falls

Double Horn WSC Inc.

Lost Cove WSC

SH WSC

Vista Del Rio POA, Inc.

Waterford MUD #1

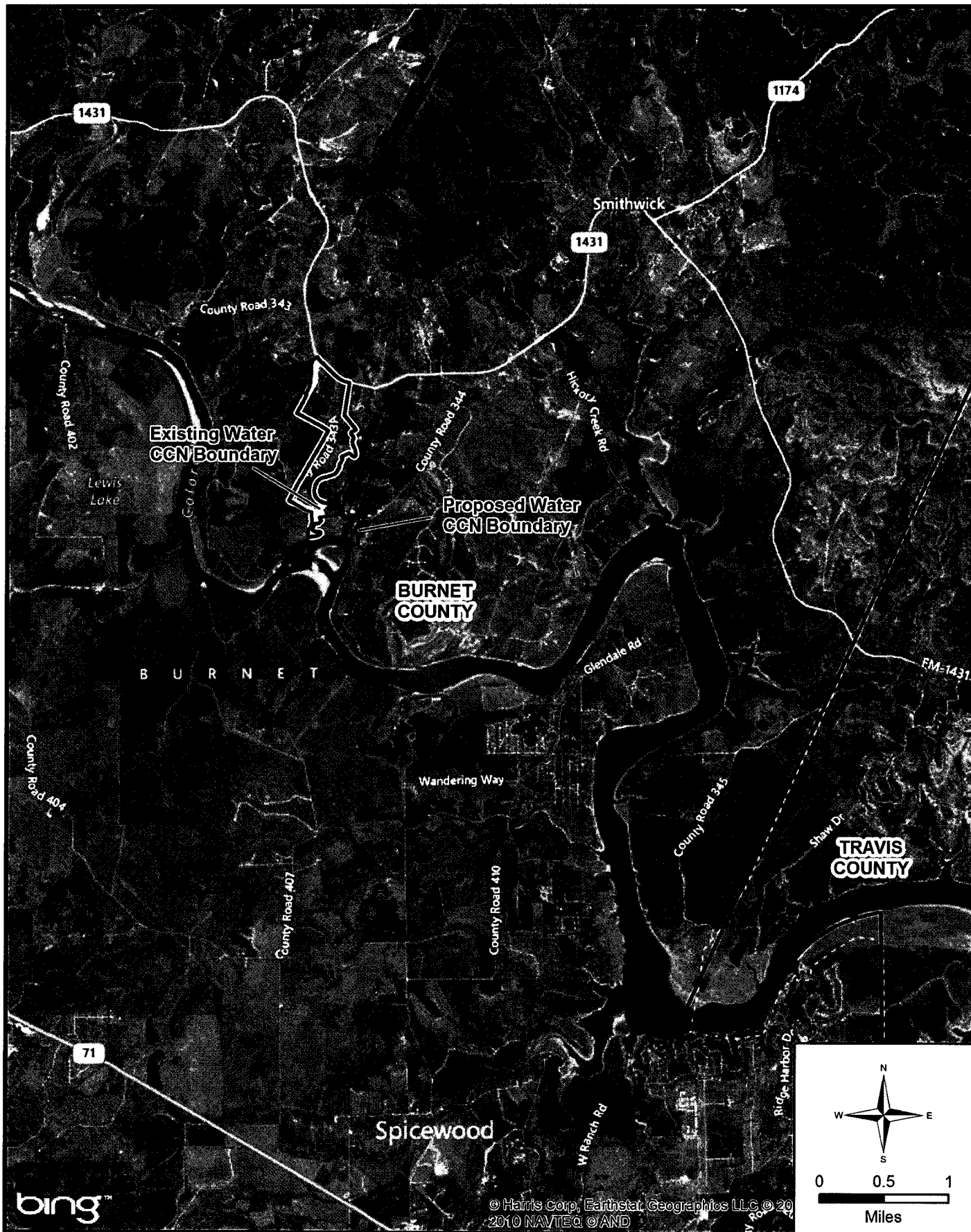
Whitewater Springs WSC

Windermere Oaks WSC

Lower Colorado River Authority

Central Texas Groundwater Conservation District

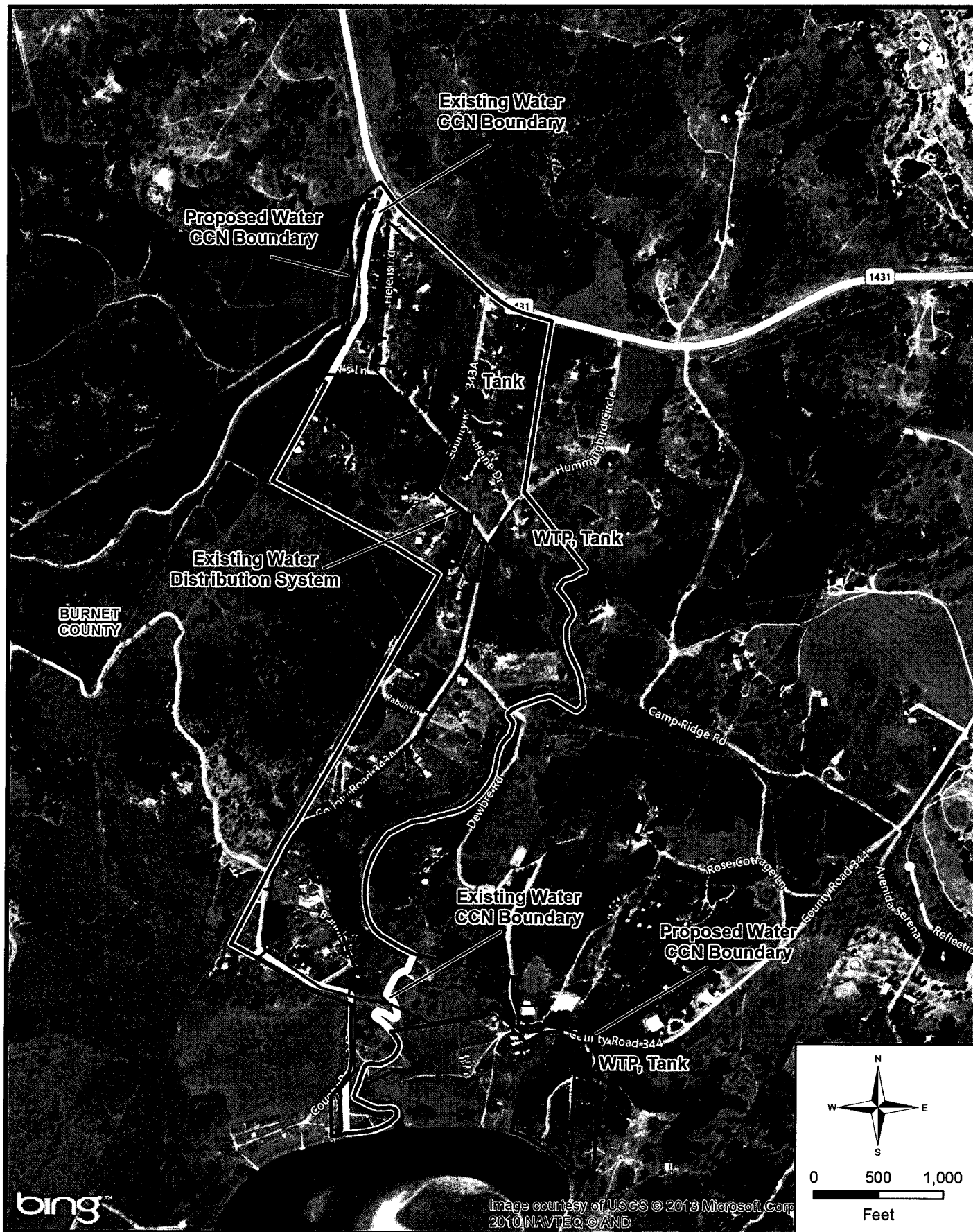
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WATER SUPPLY DIV.
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Smithwick Mills - Proposed Water CCN Boundary - Location Map



Smithwick Mills - Proposed Water CCN Boundary



Smithwick Mills - Existing Water Facilities

Notice to Current Customers, Neighboring Systems, and Cities

**LOWER COLORADO RIVER AUTHORITY'S NOTICE OF INTENT
TO SELL WATER FACILITIES TO CORIX UTILITIES, TEXAS AND FOR
CORIX TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN
BURNET COUNTY, TEXAS.**

To: (Neighboring System)
(System Address)
(City), Texas (Zip)

Date Notice Mailed: June __, 2013

The Lower Colorado River Authority, P.O. Box 220, Austin, Texas 78767-0220 has submitted an application with the Texas Commission on Environmental Quality to sell water facilities in Burnet County, Texas to Corix Utilities (Texas) Inc., 6836 Bee Cave Road, Suite 209, Austin, Texas 78747 and for Corix to amend a water CCN for an existing certificated area.

The sale is scheduled to take place as approved by the Executive Director (V.T.C.A, Water Code §13.301).

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 63 water customers. The water service area includes the Smithwick Mills Estates subdivision and areas within zip code 78654.

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) at 6836 Bee Cave Road, Suite 209, Austin, TX 78747 or by calling 512-306-4000.

This transaction will have the following effect on the current customer's rates and services: Corix proposes to adopt the existing rates currently charged by LCRA and maintain those rates for a 12-month period following our acquisition of the utilities. During this 12 month period, Corix will undertake detailed cost of service studies. After the 12 month period and based on the results of the cost of service studies, Corix will be better able to determine any required rate adjustments.

Affected persons may file written protests and/or request a public hearing within 30 days of this notice.

To request a hearing, you must:

1. state your name, mailing address, and daytime telephone number;
2. state the applicant's name, application number, or other recognizable reference to this application;
3. include the statement "I/we request a public hearing";
4. write a brief description of how you, the persons you represent, or the public interest would be adversely affected by the proposed transaction and transfer of the CCN; and
5. state your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Only those persons who submit a written request to be notified of a hearing will receive notice if a hearing is scheduled. The Executive Director will issue the CCN requested in the referenced application unless a hearing is scheduled to consider the transaction. If no protests or requests for hearing are filed during the comment period, the Executive Director may issue the CCN 30 days after the publication of this notice.

Persons who wish to protest or request a hearing on this application should write the:

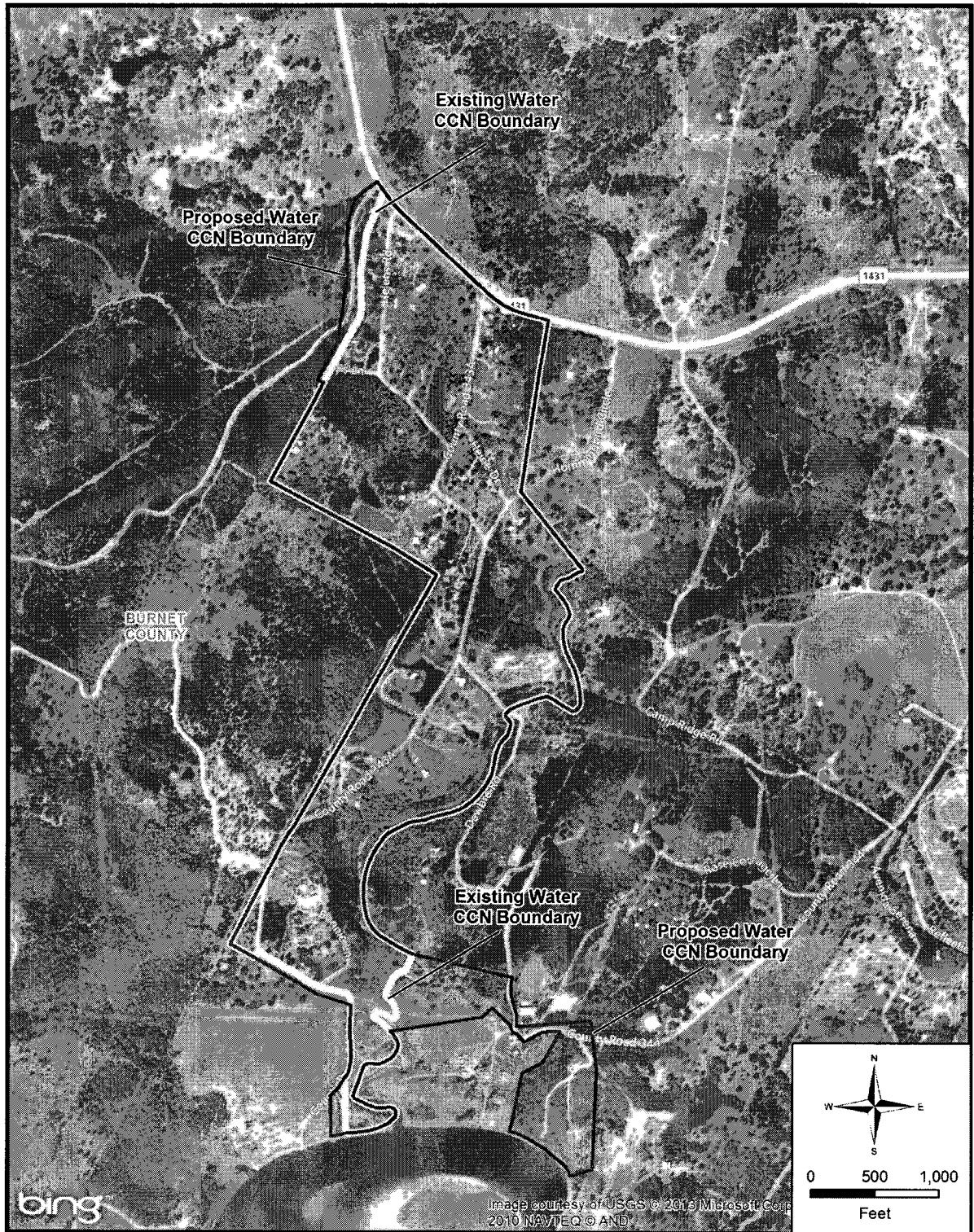
Texas Commission on Environmental Quality
Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087, Austin, Texas 78711-3087

Se desea informacion on Espanol, puede llamar al 512-239-0200

Darrin Barker, Operations Manager
Utility Representative

Corix Utilities, Texas Inc.
Utility Name

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Smithwick Mills - Proposed Water CCN Boundary

Notice to Current Customers, Neighboring Systems, Landowner and Cities

LOWER COLORADO RIVER AUTHORITY'S NOTICE OF INTENT
TO SELL WATER FACILITIES TO CORIX UTILITIES, TEXAS AND FOR
CORIX TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) IN
BURNET COUNTY, TEXAS.

To: (Landowner)

Date Notice Mailed: June __, 2013

(Address)

(City), Texas (Zip)

The Lower Colorado River Authority, P.O. Box 220, Austin, Texas 78767-0220 has submitted an application with the Texas Commission on Environmental Quality to sell water facilities in Burnet County, Texas to Corix Utilities (Texas) Inc., 6836 Bee Cave Road, Suite 209, Austin, Texas 78747 and for Corix to amend a water CCN for an existing certificated area.

The sale is scheduled to take place as approved by the Executive Director (V.T.C.A, Water Code §13.301).

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 63 water customers. The water service area includes the Smithwick Mills Estates subdivision and areas within zip code 78654.

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) at 6836 Bee Cave Road, Suite 209, Austin, TX 78747 or by calling 512-306-4000.

This transaction will have the following effect on the current customer's rates and services: Corix proposes to adopt the existing rates currently charged by LCRA and maintain those rates for a 12-month period following our acquisition of the utilities. During this 12 month period, Corix will undertake detailed cost of service studies. After the 12 month period and based on the results of the cost of service studies, Corix will be better able to determine any required rate adjustments.

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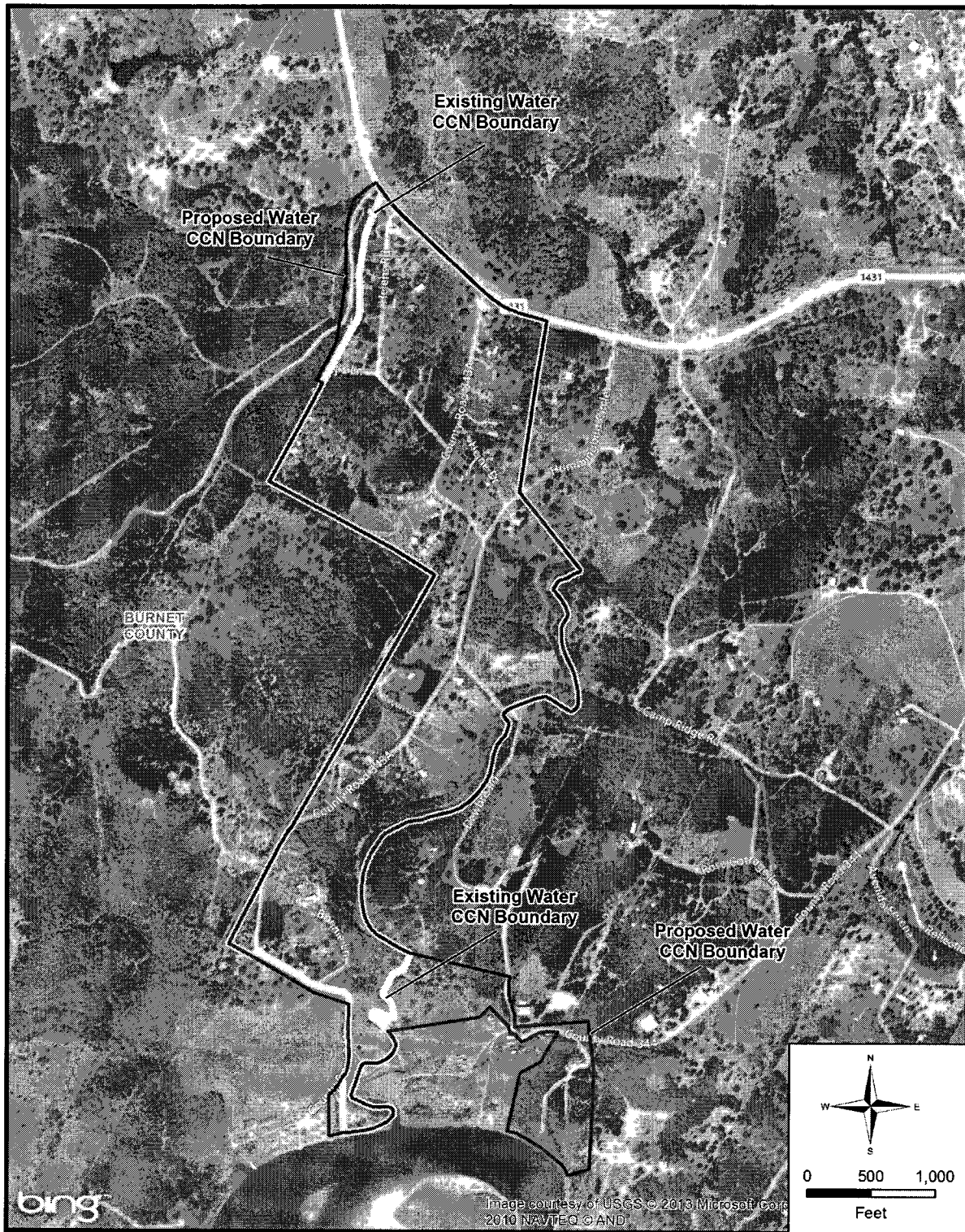
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Water Supply Division
Utilities and Districts Section, MC-153
P.O. Box 13087, Austin, Texas 78711-3087

Se desea informacion on Espanol, puede llamar al 512-239-0200

Ed Yanoshita, General Manager
Utility Representative

Corix Utilities, Texas Inc.
Utility Name

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Smithwick Mills - Proposed Water CCN Boundary

Notice for Publication

NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER SERVICE IN BURNET COUNTY, TEXAS

Corix Utilities (Texas) Inc. has filed an application to obtain a water CCN with the Texas Commission on Environmental Quality to provide water utility service within an existing service area in Burnet County. Corix is asking for an amended CCN to include the areas already served but not yet certificated.

The sale is scheduled to take place as approved by the Executive Director (V.T.C.A, Water Code §13.301).

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 63 water customers. The water service area includes the Smithwick Mills Estates subdivision and areas within zip code 78654.

Questions concerning the proposed service area can be directed to Corix Utilities (Texas) at 6836 Bee Cave Road, Suite 209, Austin, TX 78747 or by calling 512-306-4000.

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 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:

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.

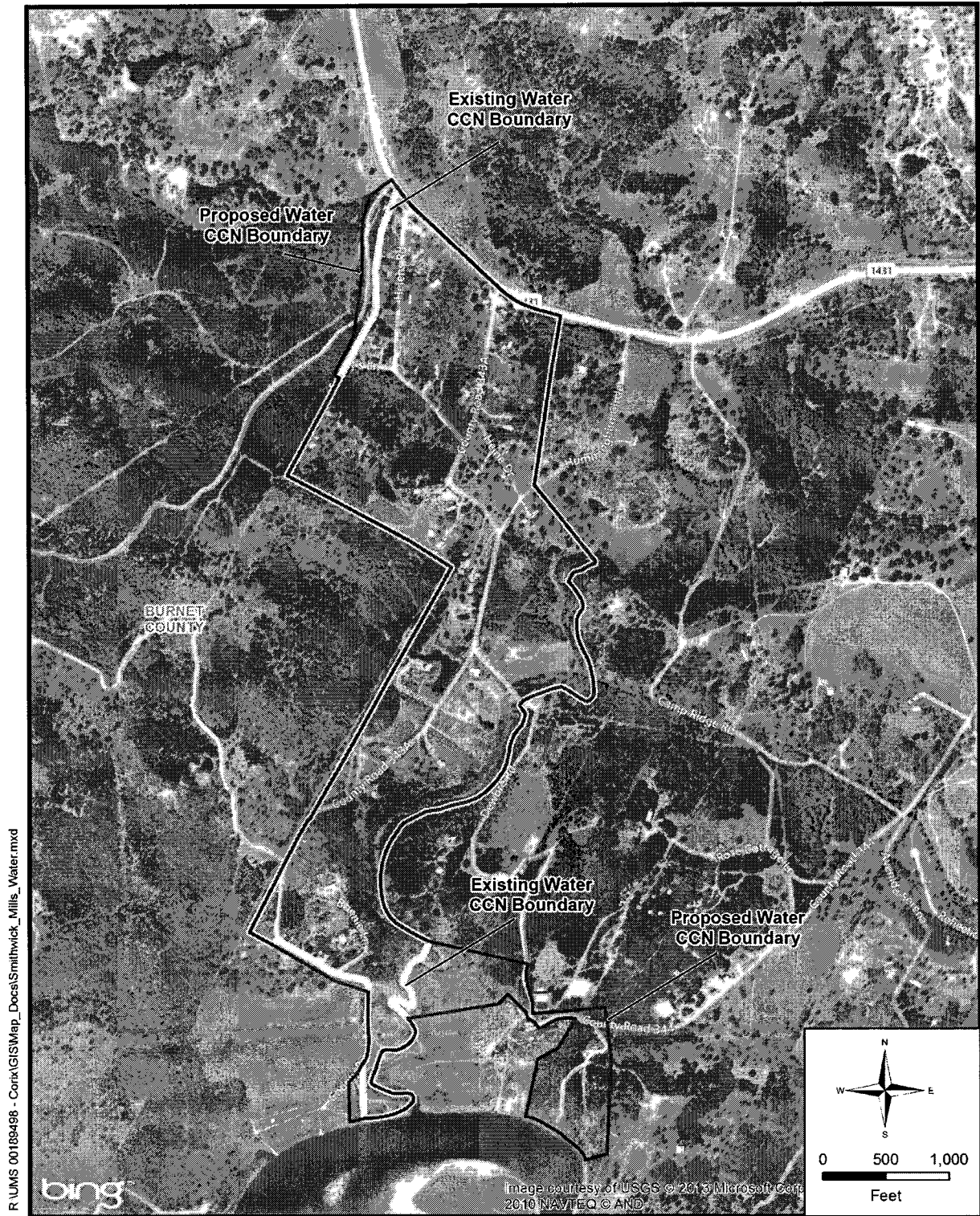
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Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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.



Smithwick Mills - Proposed Water CCN Boundary

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION TO AMEND A CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER SERVICE IN BURNET COUNTY, TEXAS

To: Neighboring System, Landowner or City Date Noticed Mailed: June __, 2013
Address
City, State, Zip

Corix Utilities (Texas) Inc. has filed an application to obtain a water CCN with the Texas Commission on Environmental Quality to provide water utility service within an existing service area in Burnet County. Corix is asking for an amended CCN to include the areas already served but not yet certificated.

The sale is scheduled to take place as approved by the Executive Director (V.T.C.A, Water Code §13.301).

The area subject to this transaction is located approximately 6.5 miles east of downtown Marble Falls, Texas, and is generally bounded on the north by FM 1431; on the east by County Road 344; on the south by edge of the Colorado River; and on the west by Smitty's Lane. The total area being requested includes approximately 206 acres and currently serves 63 water customers. The water service area includes the Smithwick Mills Estates subdivision and areas within zip code 78654.

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Water Supply Division
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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.

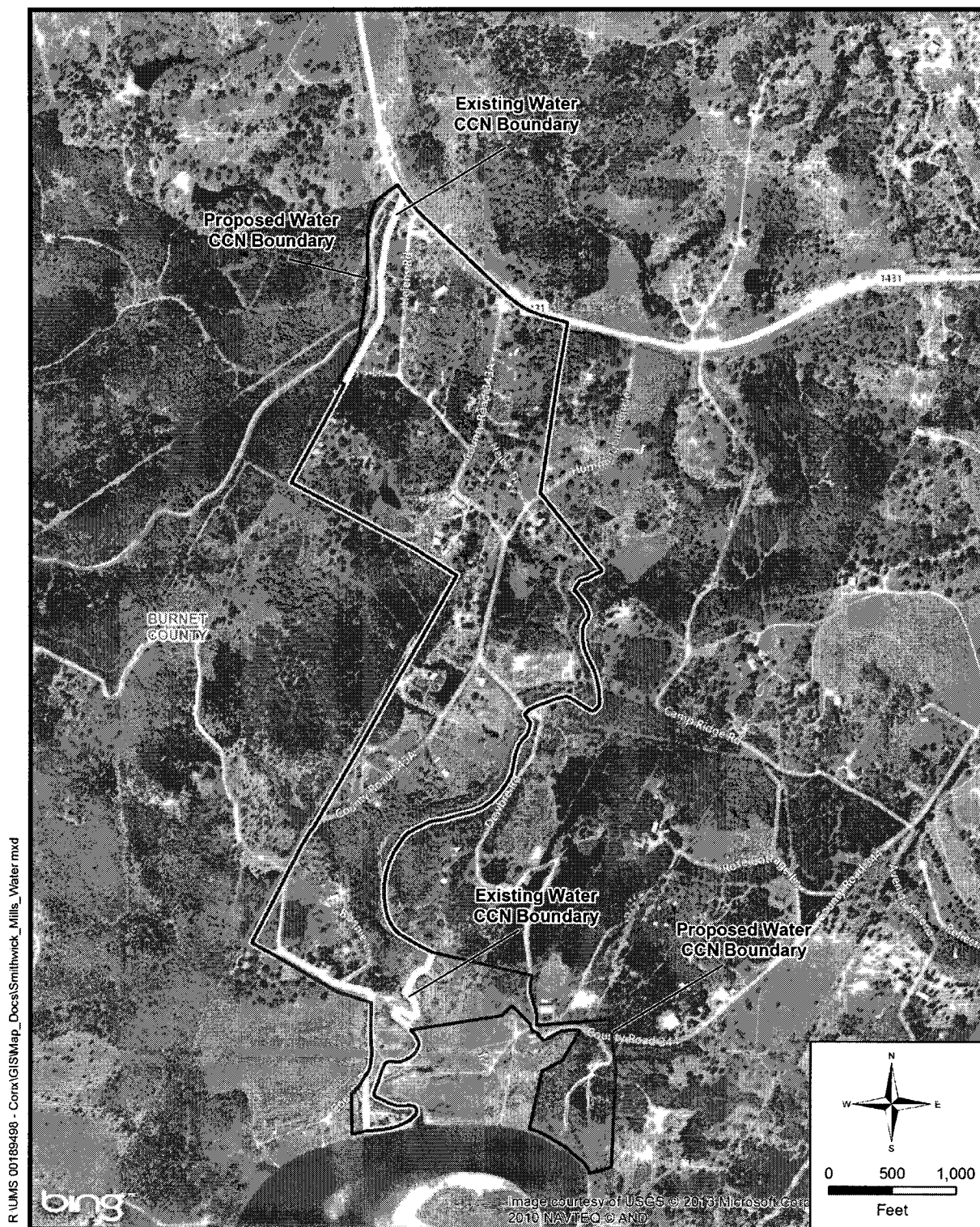
If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All requests 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.



Smithwick Mills - Proposed Water CCN Boundary

