

Control Number: 43002



Item Number: 1

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup>  
Legislature, Regular Session, transferred the functions  
relating to the economic regulation of water and sewer  
utilities from the TCEQ to the PUC effective  
September 1, 2014.

APPLICATION FOR SALE, TRANSFER,  
OR MERGER OF A RETAIL PUBLIC UTILITY

43009

\*RN# 101240976 \*CN# 600708051 \*If known (See instructions)

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1. Proposed action of application (check all the boxes that apply):  
Sale of All Portion of the Water system(s) under CCN No.:  
Acquisition Sewer system(s) under CCN No.:  
Lease/Rental

2014 SEP 15 PM 3:21  
12919  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Transfer of All Portion of the Certified water service area - CCN No.:  
Certificated sewer service area - CCN No.:

If only a portion of a system or certificated service area is affected by this transaction, please specify the areas or subdivision involved:

[Redacted area]

and to:

Obtain a CCN for the transferee (purchaser) - indicate if purchaser will take the seller's CCN  
Amend the transferee's CCN No.:  
Merge or consolidate public utilities  
Cancel CCN of the transferor (seller)

2. Proposed effective date of this transaction: March 1, 2014

(Must be at least 120 days after proper notice is provided)

QUESTIONS 3 THROUGH 5 APPLY TO THE TRANSFEROR  
(CURRENT SERVICE PROVIDER OR SELLER)

3. For the current CCN holder or service provider please indicate:

A. Name: MOODY WATER SYSTEM

(Individual, Corporation or Other Legal Entity)

Who is a(n): of Individual Corporation WSC HOA or POA Other

B. Utility Name (if different than above): MOODY WATER SYSTEM

Address: P O BOX 423 CENTERVILLE, TX 75833 Telephone: (AC) 903-536-7200

C. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name: TIMOTHY W COFFEY Title: Independent executor of the  
Address: P O BOX 423 CENTERVILLE, TX 75833 Telephone: (AC) 979-255-2481  
Fax: 903-536-3421 Email: timcoffey@candlinvestment

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UTILITIES & DISTRICTS  
SECTION

4. About the last rate increase for the system or facilities being transferred: **April 3, 2006**  
 A. What was the effective date of the last rate increase? **03/20/2007**

B. Was notice of this increase provided to the Texas Commission on Environmental Quality or its predecessors?

No  Yes- Application/Docket Number: **2007-1121UCR** Date **10/24/2007**

5. Please provide a list of all customers affected by this transaction who have deposits held by the transferor or seller utility, if any, and include the following information (attach additional sheets if necessary):

Name and Address of Utility Customer	Date of Deposit	Amount of Deposit	Amount of Unpaid Interest on Deposit
None			

☞ Within 30 days of the actual transaction date, and prior to the transfer of the certificate by the TCEQ, the seller must provide proof to the Commission that these customer deposits were returned to the customers or transferred to the purchasing utility. Proof should include a sworn affidavit.

**QUESTIONS 6 THROUGH 16 REFER TO THE TRANSFEREE OR PURCHASER**

6. For the person or entity acquiring the facilities and/or CCN:

Applicant: **L and T Waterworks, LLC - Curtis Logan**

(Individual, Corporation, or Other Legal Entity)

Utility Name: **Moody Water System**

(If different than above)

Utility Address: **1560 ACR 485 Palestine, TX 75803**

Fax: **N/A** Email:  Telephone (AC): **903-477-0501**

CCN Numbers held prior to the filing of this application: **12919**

7. Check the appropriate box and provide information regarding the legal status of the transferee applicant:

- Individual
- Home or Property Owners Association
- Partnership; attach copy of partnership agreement

Corporation; provide charter number as recorded with the Office of the Secretary of State for Texas: **L and T Waterworks, LLC**

Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or Sewer Service Corporation); provide charter number:

- Municipally-owned utility
- District (MUD, SUD, WCID, etc.)

County   
 Other (please explain):

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**REGULATORY & DISTRICTS SECTION**

8. If the applicant is an *Individual* or sole proprietorship, provide the following information. If not, skip to the next question.

Name:		Email:	
Address:			
Telephone (AC):		Fax (AC):	

9. If the applicant is other than an *Individual* provide the following information regarding the officers or partners of the legal entity applying for the transfer. You must complete either question 8 or question 9, whichever applies to the transferee applicant.

•Name:	Curtis Logan	Telephone (AC):	903-477-0501
Address:	1560 ACR 485 Palestine, TX 75803		
Position:	Owner	Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

•Name:		Telephone (AC):	
Address:			
Position:		Ownership % (if applicable):	

- Attach additional sheet(s) if necessary -

- Important:**
- If the applicant is a for-profit corporation, please provide a copy of the corporation's "Certification of Account Status" from the State Comptroller Office. This "Certification of Account Status" can be obtained from:

**Texas Comptroller of Public Accounts**

P. O. Box 13528, Capitol Station  
 Austin, Texas 78711  
 1-800-252-5555

- If the applicant is an Article 1434a water supply or sewer service corporation or other non-profit corporation, please provide a copy of the Articles of Incorporation and By-Laws.

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10. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name:	Curtis Logan	Title:	Owner
Address:	1560 ACR 485 Palestine, TX 75803	Telephone (AC):	903-477-0501
Fax #		Email	
Relationship to the applicant:		Owner/Applicant	

**IF THERE ARE MORE THAN TWO PARTIES INVOLVED IN THIS TRANSACTION, PLEASE ATTACH SHEETS PROVIDING THE INFORMATION REQUIRED IN QUESTION 6 THROUGH QUESTION 10 FOR EACH PARTY**

11. Please respond to each of the following questions. Attach additional sheets if necessary.

A. Describe the experience and qualifications of the applicant to provide adequate utility service to the requested area

Experienced Operator

B. Has the applicant acquiring the CCN or facilities or an affiliated interest of the applicant been under enforcement action by the TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG) or the Environmental Protection Agency (EPA) in the past for noncompliance with rules, orders or State Statutes?  Yes  No

If yes, please attach copies of any correspondence with these regulatory agencies concerning these enforcement actions and describe any actions and efforts to comply with those requirements. Attach additional sheets if needed.

C. Describe the source and availability of funds required to make the planned or required improvements, if any, to meet minimum requirements of the TCEQ and ensure continuous and adequate service.

Start up capital & monthly income

D. Describe the anticipated impact of this transaction on the quality of utility service and explain any anticipated changes in the quality of service.

No changes

E. How will the transaction serve the public interest?

Due to the death of William R (WR) Coffey the heirs need the transfer completed

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C. Complete the following proposed entries listed below as shown in books of purchasing (or surviving) company. Additional entries may be made; the following are suggested only, and not intended to pose descriptive limitations.

Utility Plant in Service:	
Plant Acquisition Adjustment:	
Extraordinary Loss on Purchase:	
Accumulated Depreciation of Plant:	
Cash:	
Notes Payable:	
Mortgage Payable:	
Others (please list):	

As the purchaser, I understand that it is **my responsibility** in any future rate proceeding to provide written evidence and support for the original cost and installation date of all facilities used and useful for providing utility service.

Purchaser's Initials:  Date:

14. Please indicate the proposed effect of this transaction on the rates to be charged to the affected customers
- All the customers will be charged the same rates as they were charged before the transaction.
  - Some All customers will be charged different rates than they were charged before the transaction.

If rates are changing, please explain:

Applicant is an IOU and intends to file with the Commission or municipal regulatory authority an application to change rates of some/all of its customers as a result of this transaction. If so, please explain:

Other. Please explain:

15. List all neighboring water and /or sewer utilities, cities, and political subdivisions providing the same service within two (2) miles of area affected by this proposed transaction. This information should be available from the water utility database (WUD) or Applicant's licensed water operator.

Thompson Water & Construction, Turlington WSC, City of Fairfield, South Freestone County WSC

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12. Please describe the nature of the proposed transaction:

To better service the customers

13. If the transferee applicant is an Investor Owned Utility (IOU) and will be under the rate jurisdiction of the TCEQ, please provide the following information. Water supply or sewer service corporations and political subdivisions of the state should mark this section N/A:

- A. • Total Purchase Price:
- Total Original Cost (as recorded on books of seller or merging entity):
- Accumulated Depreciation as of the proposed effective date of the transaction:

- Contributions in Aid of Construction:
  - Specific surcharges approved by TCEQ:
  - Revenues from explicit customer agreements:

- Developer Contributions (please explain):

[Redacted area]

- Other Contributions (please explain):

Blast and Paint Interior and Exterior of Existing Welded Steel Storage Tank. Remove Temporary Storage Tank and reconnect existing Tank.

Total Contributions in Aid of Construction

- Net Book Value:

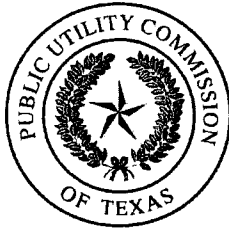
If the Original Cost or any of the above items has been established in a rate case proceeding by the PUC, the TWC or the TCEQ, please provide the Application/Docket Number and date:

Application/Docket Number:  Date:

If the applicant is not under the rate jurisdiction of the TCEQ, only the purchase price and information related to Contributions in Aid of Construction is required.

B. Please provide any other information concerning the nature of the transaction you believe should be given consideration if not explained elsewhere in the application. [attach additional sheet(s) if necessary]:

n/a



*House Bill (HB) 1600 and Senate Bill (SB) 567 83<sup>rd</sup> Legislature, Regular Session, transferred the functions and records relating to the economic regulation of water and sewer utilities from the TCEQ to the PUC effective September 1, 2014.*

## **Central Records Personally Identifiable Information Audit**

### **NOTICE OF REDACTION**

**Documents containing Personally Identifiable Information\* have been redacted from electronic posting, in accordance with Texas privacy statutes.**

\*\*"Personally Identifiable Information" (PII) is defined to include information that alone or in conjunction with other information identifies an individual, including an individual's: Social security or employer taxpayer identification number, driver's license number, government-issued identification card number, or passport numbers, checking and savings account numbers, credit card numbers, debit card numbers, unique electronic identification number, address, or routing code, electronic mail names or addresses, internet account numbers, or internet identification names, digital signatures, unique biometric data, and mother's maiden name, marriage and any other numbers or information used to access an individual's financial account.



**PLEASE ANSWER QUESTIONS 17 THROUGH 22 ON A DIFFERENT SHEET  
FOR EACH PHYSICALLY DISTINCT SYSTEM BEING  
TRANSFERRED OR ACQUIRED**

17. A. For Water Systems. TCEQ Public Water System Identification Number: 

0	8	1	0	0	3	8
---	---	---	---	---	---	---

Date of last inspection: 

02/11/2011
------------

B. For Wastewater Systems:

-TCEQ Discharge Permit Number: W Q 

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 - 

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 -Name of Permittee: 

N/A
-----

  
 -Date of application to transfer Discharge Permit submitted: 

--

  
 -Date of application to transfer Discharge Permit approved by TCEQ: 

--

18. A. Are any improvements required to meet TCEQ standards?  Yes  No. If yes, please explain:

--

B. Is there a moratorium on new connections?  Yes  No. If yes, please explain:

--

C. Provide details of each required major capital improvement to correct the deficiencies and meet the TCEQ standards (attach additional sheets if necessary):

Description of the Required Improvement	Schedule to Complete	Estimated Cost
N/A		

19. Does the system being transferred operate within the city limits of a municipality or within district boundaries?  Yes  No

If yes, indicate the number of customers within the city limits or district boundaries:

--

 Water 

--

 Sewer

**Attach copy of franchise agreement or consent letter from the city or district.**

20. Do you currently purchase water or sewer treatment capacity from another source?  Yes  No  
 Water                  Sewer                  Purchased on a                  Regular                  Seasonal                  Emergency Basis

• Source: 

--

 % of total supply: 

--

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DEC 28 2013

UTILITIES & DISTRICTS  
5 301

21. List the number of existing connections to be effected by this transaction.

Water			Sewer		
	-Non Metered		-2"meter		-Residential Connection
84	-5/8" or 3/4" meter		-3" meter		-Commercial Connection
1	-1" meter		-4" meter		-Industrial Connection
	-1 1/2" meter		-Other		-Other
Total Water Connections:			85	Total Sewer Connections	

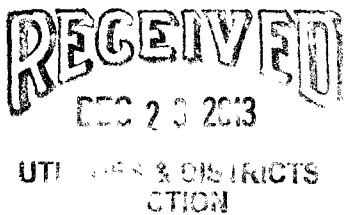
20. Has the system reached 85% of its capacity based on TCEQ's minimum requirements?  Yes  No  
 If yes, please explain what steps are being taken to address the capacity issues:

no

23. List the name, class, and license number of the operator(s) that will be responsible for the system:

Name	Class	License#
Curtis Logan	B-Groundwater	WG0005520

24. Attach the following maps with each copy of the application:
- a. One small scale map clearly showing affected service area with enough detail to accurately locate the area if the application is for the transfer of all or a portion of a CCN.
  - b. One large scale map showing the proposed service area boundaries being sold, transferred, or merged and, if available, the existing and proposed facilities. Color coding should be used to differentiate existing from proposed facilities. Facilities and service area boundaries should be shown with such exactness that they can be located on the ground. If transferring area not currently in a CCN or a portion of an existing CCN area please attach the following hard copy maps with each copy of the application:
    1. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
    2. A map showing only the proposed area by:
      - i. metes and bounds survey certified by a licensed state or registered professional land surveyor; or
      - ii. projectable digital data with metadata (proposed areas should be in a single record and clearly labeled, data disk should be included); or
      - iii. following verifiable natural and man-made landmarks, or
      - iv. a copy of recorded plat map with metes and bounds.
    3. A written description of the proposed service area.



OATH FOR SELLER OR FORMER SERVICE PROVIDER

STATE OF Texas

COUNTY OF Freestone

I, Timothy W. Coffey, being duly sworn, file this application for sale, lease, rental or merger or consolidation as Independent Executor of the will for William R (WR) Coffey (indicate relationship to applicant) that is, owner, member of partnership, title as officer of corporation, or other authorized representative of applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further state that I have provided to the purchaser or transferee a written disclosure statement about any contributed property as required under Section 13.301(j) and copies of any outstanding Orders of the Commission or Attorney General and have also complied with the notice requirements in Section 13.301(k) of the Water Code.

Timothy W. Coffey
AFFIANT
(Utility's Authorized Representative)

If the Affiant 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, a Notary Public in and for the State of Texas, day 25 of Dec, 20 2013.

SEAL



Ginger Franklin
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Ginger Franklin
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 7-12-16

One copy of this page must be submitted for each utility involved in this transaction.

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OATH FOR PURCHASER OR ACQUIRING ENTITY

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UTILITIES & DISTRICTS  
SECTION

STATE OF Texas  
COUNTY OF Freestone

I, L and T Waterworks, LLC - Curtis Logan, being duly sworn, file this application for

sale, lease, rental or merger or consolidation as Moody Water System - Owner  
*(indicate relationship to applicant)* that is, owner, member of partnership, title as officer of corporation, or other authorized representative of applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I am also authorized and do agree to be bound by and comply with any outstanding orders of the Commission or the Attorney General which have been issued to the system or facilities being acquired and recognize that I will be subject to administrative penalties or other enforcement actions if I do not comply.

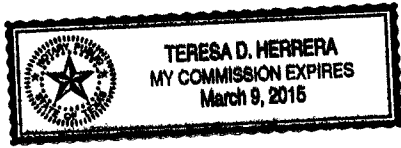
Curtis Logan  
AFFIANT  
(Utility's Authorized Representative)

If the Affiant 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.

Applicant represents that all other parties to this transaction have been furnished copies of this completed application.

SUBSCRIBED AND SWORN TO BEFORE ME, a Notary Public in and for the State of Texas, day 10th of November 20 13.

SEAL



Teresa D. Herrera  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

TERESA D. HERRERA  
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES March 9, 2013

One copy of this page must be submitted for each utility involved in this transaction.

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallorage Charge</u>
5/8" or 3/4"	\$ <u>26.00</u> (Includes 1,000 gallons)	\$4.00 per 1000 gallons, over the minimum

FORM OF PAYMENT: The utility will accept the following forms of payment:  
 Cash X, Check X, Money Order X, Credit Card \_\_\_\_\_, Other (specify) \_\_\_\_\_  
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT ..... 1.0%  
 TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE ..... \$600.00  
 TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Unique costs) ..... Actual Cost  
 FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

TAP FEE (Large meter) ..... Actual Cost  
 TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

METER RELOCATION FEE ..... Actual Relocation Cost, Not to Exceed Tap Fee  
 THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

RATES LISTED ARE EFFECTIVE ONLY  
 IF THIS PAGE HAS TCEQ APPROVAL STAMP

APPROVED  
 MARCH 20 2007  
 UTILITIES & DISTRICTS  
 (13770)

TEXAS COMM. ON ENVIRONMENTAL QUALITY  
 35339-G, CCN 12919, MARCH 20, 2007  
 APPROVED TARIFF BY SP/KA

SECTION 1.0 - RATE SCHEDULE (Continued)

METER TEST FEE ..... \$25.00  
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY THE FEE MAY NOT EXCEED \$25.

RECONNECTION FEE  
THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00).....\$25.00
- b) Customer's request that service be disconnected.....\$25.00

TRANSFER FEE .....\$25.00  
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) .....\$5.00  
TCEQ RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE .....\$20.00  
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) .....\$50.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT ..... 1/6TH OF ESTIMATED ANNUAL BILL

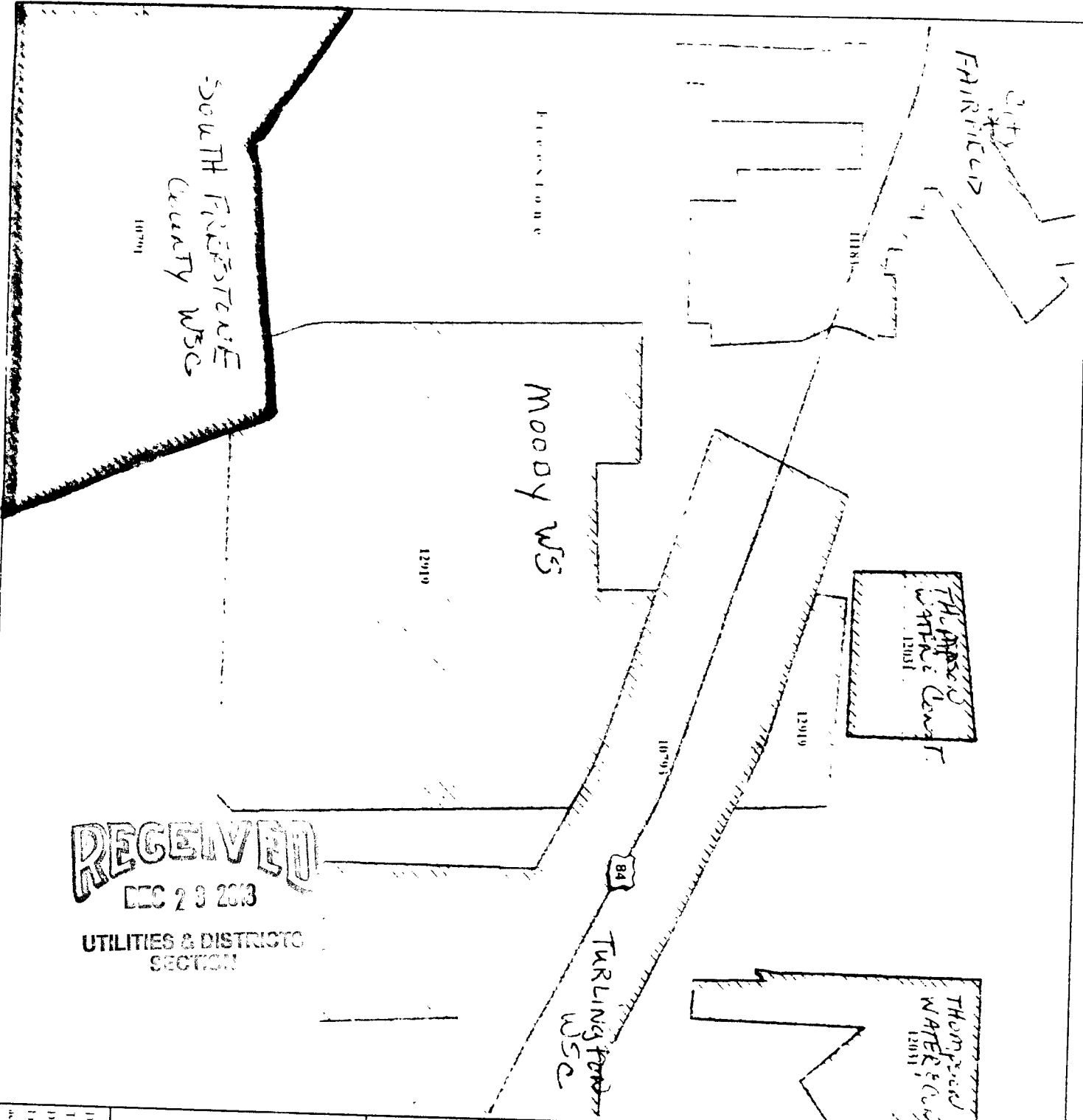
GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE.....N/A  
WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [30 TAC 291.21(K)(2)]

LINE EXTENSION AND CONSTRUCTION CHARGES:  
REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

RATES LISTED ARE EFFECTIVE ONLY  
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UTILITIES & DISTRICTS  
SECTION

TEXAS COMM. ON ENVIRONMENTAL QUALITY  
35339-G, CCN 12919, MARCH 20, 2007  
APPROVED TARIFF BY SP/KA



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 DEC 28 2003  
 UTILITIES & DISTRICTS SECTION



Protecting Texas by  
 Reducing and  
 Preventing Pollution

Texas Commission on Environmental Quality  
 P.O. Box 13087  
 Austin, Texas 78711-0887

For more information  
 concerning this map, please contact the  
 Water Supply Division at (512) 259-4091  
 or (512) 259-4011

**The Selected Area  
 of Interest**

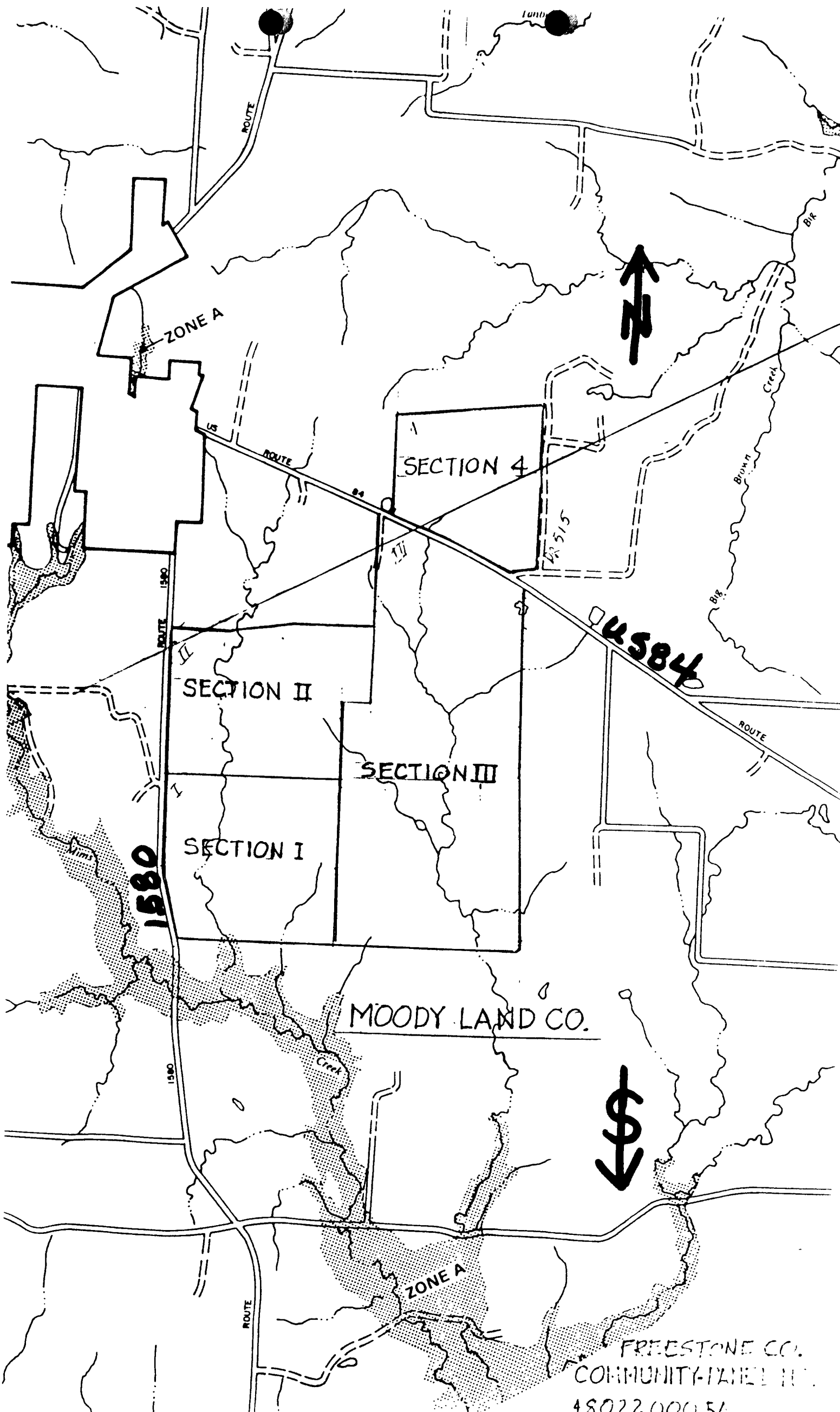
0 0.1 0.2 0.3 0.4  
 Miles

**Legend**

- Water C/N Facility Line
- Sewer C/N Facility Line
- Senate - Districts
- House - Districts
- ICEQ Service Region Boundary
- County Boundary
- Sewer C/N Service Area
- Water C/N Service Area
- City Boundary
- C/N Overlap Key**
- Sewer-Water C/N Service Area



**Disclaimer**  
 This map was generated by the Information Water Features Database (IWF) portion of the Texas Commission on Environmental Quality. Proclaimers are made for the accuracy or completeness of the data or for its suitability for a particular use.



ZONE A

SECTION 4

SECTION II

SECTION III

SECTION I

MOODY LAND CO.

ZONE A

FREESTONE CO.  
COMMUNITY-TAXED LAND

4802200054



1580

1584

1580

ROUTE

ROUTE

ROUTE

ROUTE

ROUTE

ROUTE

BR

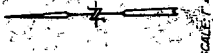
BR

Nims

Brown Creek

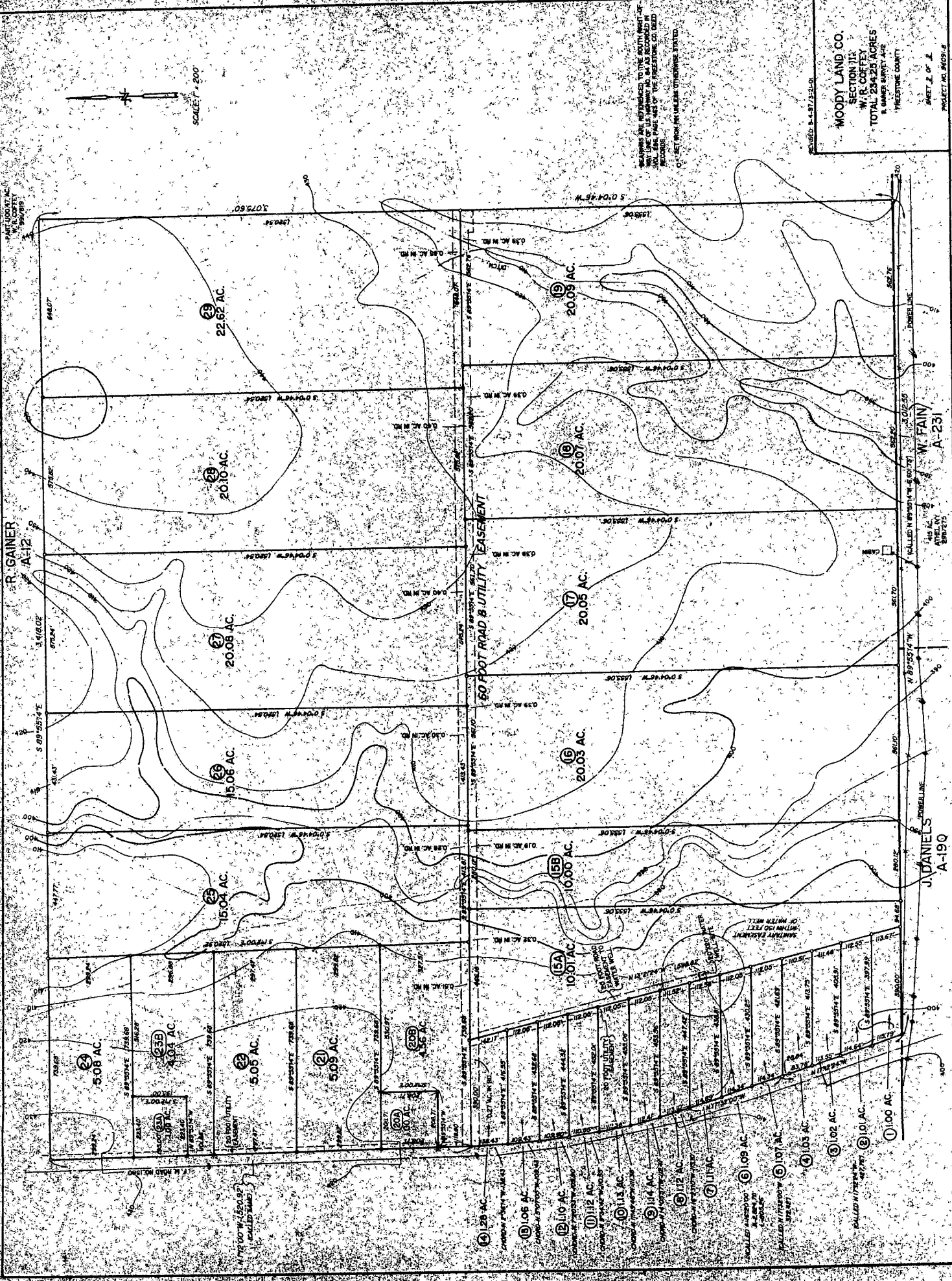
Creek





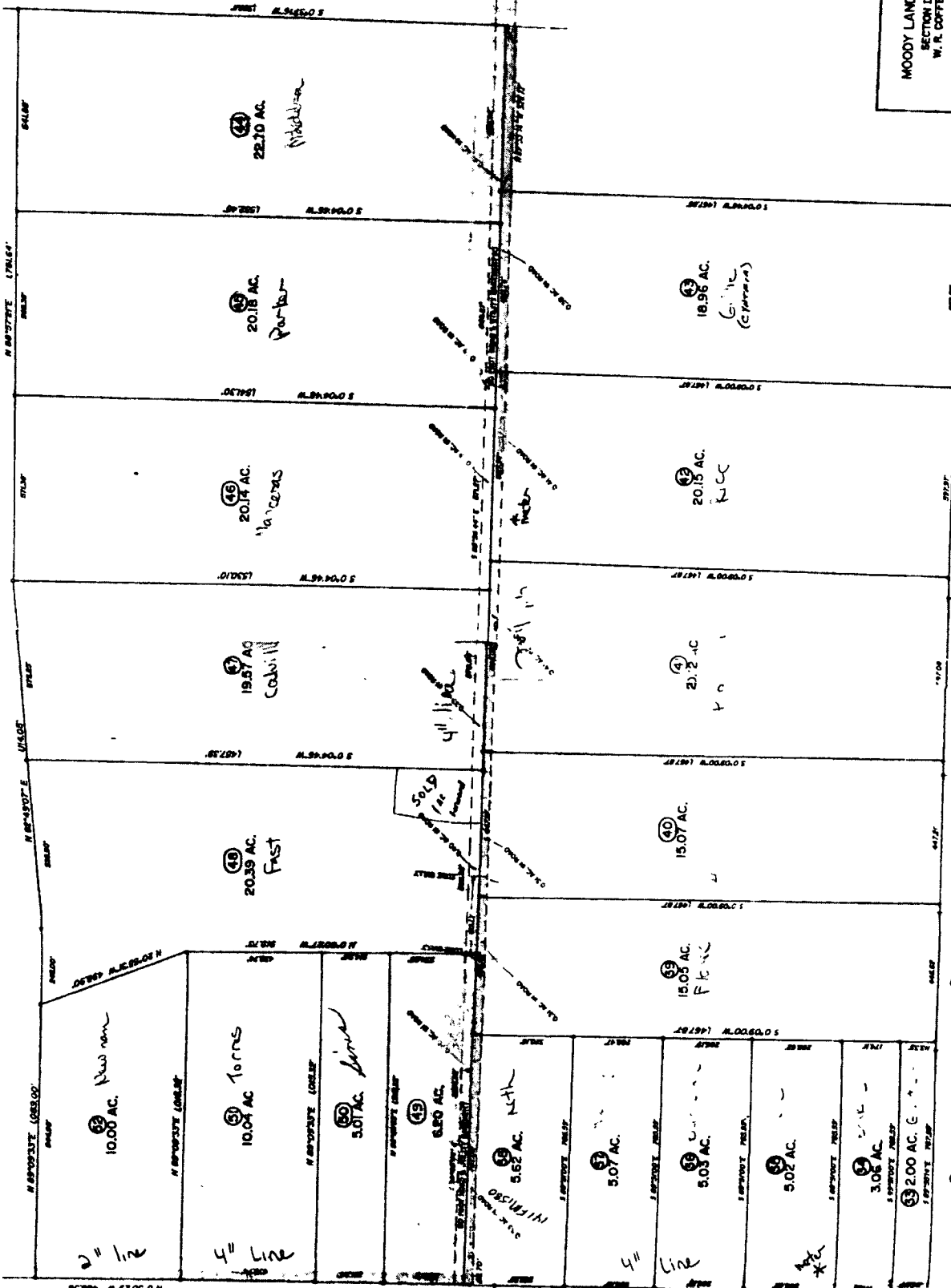
REVISED 8-13-77/2351-0  
**WOODY LAND CO.**  
 SECTION 115  
 W. R. COFFEY  
 TOTAL 234.25 ACRES  
 R. GAINES SURVEY 442  
 FREESTONE COUNTY  
 SHEET 2 OF 2  
 PROJECT NO. 8609-B

MEASUREMENTS ARE REFERENCED TO THE SOUTH WEST CORNER OF SECTION 115 AND THE EAST LINE OF THE FREESTONE CO. ROAD.  
 ALL SET BACKS ARE IN FEET UNLESS OTHERWISE STATED.



MOODY LAND CO.  
SECTION II  
W. R. COFFEY

SCALE 1" = 800'



2" line

4" line

4" line

4" line

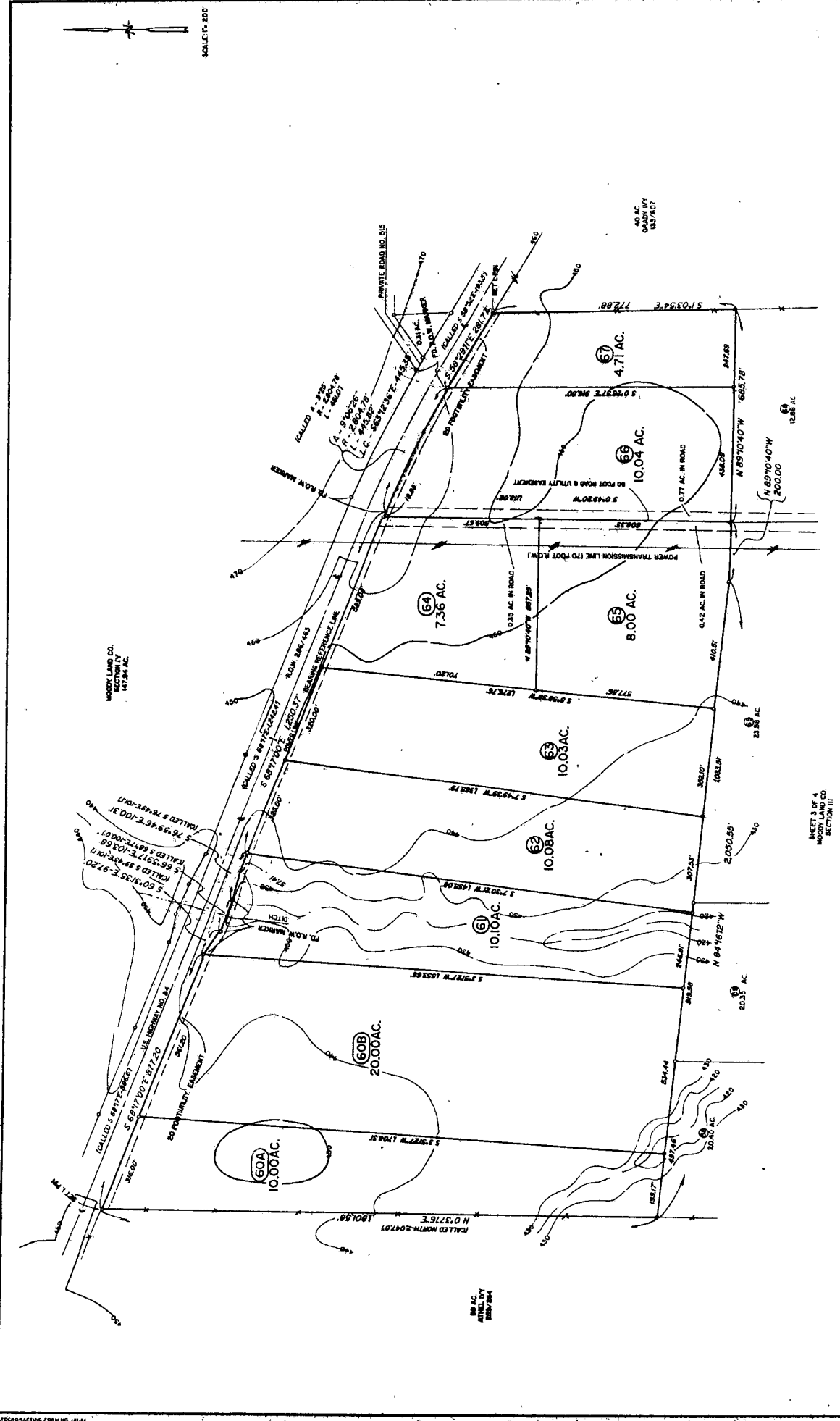
4" line

N 0° 09' 14" W 100.00' ...

...

REVISED 3-22-01

**MOODY LAND CO.**  
**SECTION III**  
**W. R. CORREY**  
**TOTAL 90.32 ACRES**  
**R. GAINER SURVEY A-12**  
**FREESTONE COUNTY**  
**SHEET 2 OF 4**  
**PROJECT NO. 96091-4**



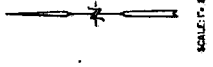
DAY PRINTING CO. THE BIG CLAREMONT BY SAN MARINO, CA 91761

5700-DRAFTING FORM NO. 181-01

SHEET 2 OF 4  
 MOODY LAND CO.  
 SECTION III

10 AC  
 ADDED BY  
 12/27/84

15 AC  
 ADDED BY  
 12/27/87



MOODY LAND CO.  
 10000 AC

RICHARD I. NEED REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1393

*Richard I. Need*

DATE: 11-17-74  
USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND THE UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS OR DAMAGE THEREFROM.  
OF TITLE COMPANY  
SURVEY WAS PERFORMED IN CONNECTION WITH THE TRANSACTION DESCRIBED IN OR ON THE RECORDS OF THE PUBLIC RECORDS OF FREESTONE COUNTY, TEXAS.  
RICHARD I. NEED REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1393  
RICHARD I. NEED REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1393



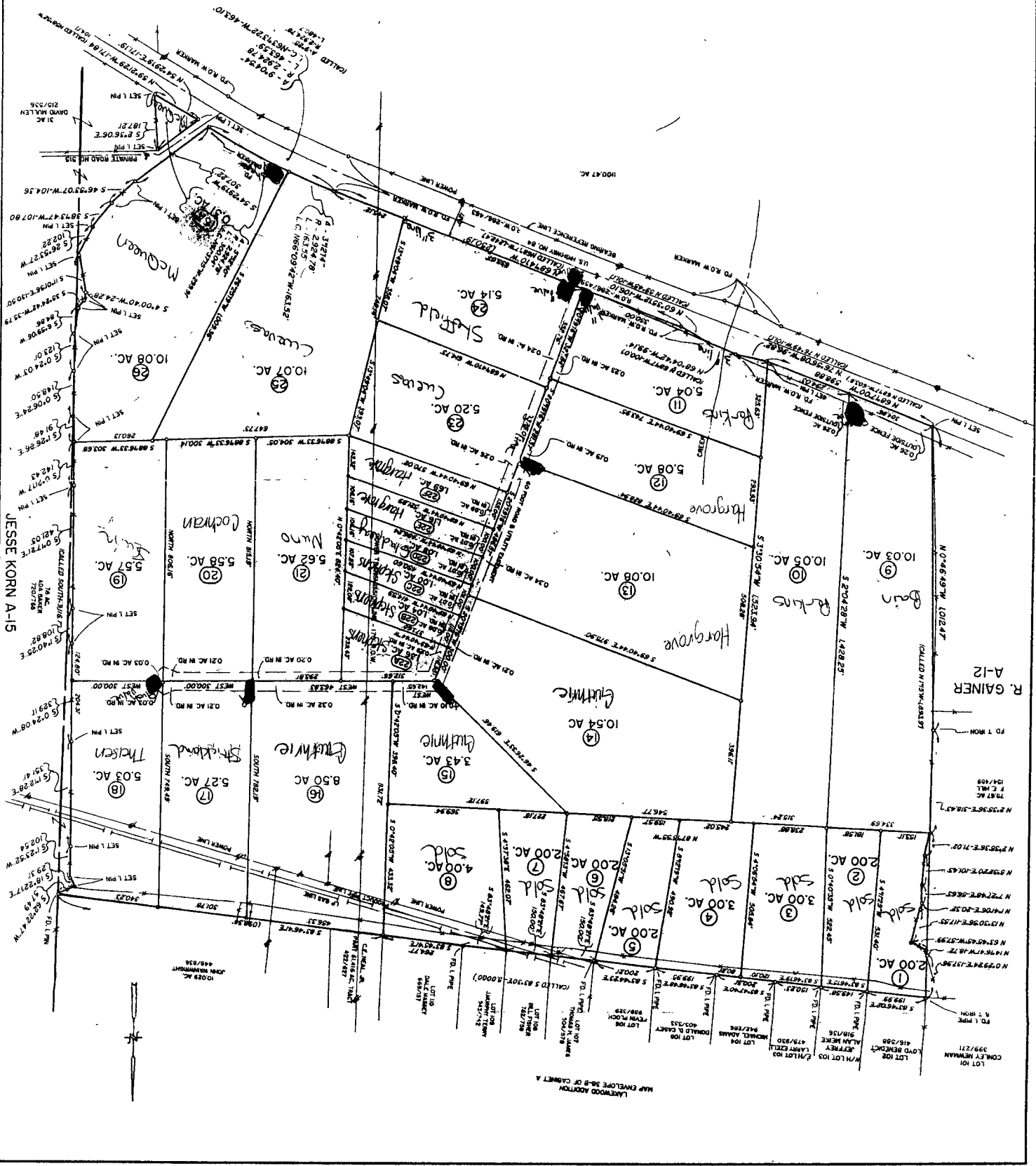
RICHARD I. NEED REGISTERED PROFESSIONAL LAND SURVEYOR  
FREESTONE COUNTY, TEXAS

PROJECT NO. 98091  
SCALE: 1" = 200'

MOODY LAND CO.  
W. R. COFFEY  
TOTAL 148.25 ACRES  
R. GAINNER SURVEY A-12  
FREESTONE COUNTY

REVISIONS: 10-9-96/3-10-97/10-30-97/02-23-97/4-17-99/4-29-99

BEARINGS AND DISTANCES TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 84 AS RECORDED IN VOL. 286, PAGE 483 OF THE FREESTONE CO. DEED RECORDS.  
\* SET MON PIN UNLESS OTHERWISE STATED.



**ASSUMED NAME CERTIFICATE**

NOTICE: "CERTIFICATE OF OWNERSHIP" ARE VALID FOR A PERIOD NOT TO EXCEED 10 YEARS FROM THE DATE FILED IN THE COUNTY CLERK'S OFFICE.  
(Chapter 36, Section. 1, Title 4-Business and Commerce Code)

NAME IN WHICH BUSINESS IS OR WILL BE CONDUCTED:

Land T Waterworks, LLC  
(Print or Type)

Business Address: \_\_\_\_\_

City: Palestine

State: Texas

Zip Code: 75800

Business is to be conducted as (check one):

Proprietorship

General Partnership

Limited Partnership

Other(name type) \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP**

I/we, the undersigned, are the owner(s) of the above business and my/our owner(s) and the address(es) are true and correct. There is/are no ownership(s) in said business other than listed below.

Name of Owners	
Name: <u>Curtis Logan</u>	Title: <u>Owner</u>
Address: <u>1560 ACR 485 Palestine TX 75803</u>	
Phone No. <u>(903) 477-0501</u>	
Signature: _____	
Name: <u>Rajwana Logan</u>	Title: <u>Co-owner</u>
Address: <u>1560 ACR 485 Palestine TX 75803</u>	
Phone No. <u>(903) 681-9499</u>	
Signature: _____	
Name: _____	Title: _____
Address: _____	
Phone No. <u>( )</u>	
Signature: _____	

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

Before me, the undersigned authority, this instrument was acknowledged on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_

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

**RECEIVED**  
DEC 29 2013

UTILITIES & DISTRICTS  
CLERK

*[Handwritten signature]*

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 12, 2011

Mr. William Coffey, Owner  
Moody Water System  
P. O. Box 423  
Centerville, TX 75833-0423

Re: Unresolved Alleged Violation for the Comprehensive Compliance Investigation at:  
Moody Water System, Freestone County  
TCEQ ID No.: PWS 0810038, RN101222453

Dear Mr. Coffey:

The Texas Commission on Environmental Quality (TCEQ) Waco Regional Office has previously requested that you submit compliance documentation for the alleged violations noted during the investigation of the above-referenced facility conducted on February 23, 2011. We have received acceptable compliance documentation from you for all of the alleged violations except the one violation noted in the enclosed summary. Please be advised that you are responsible for correcting the remaining problem. The unresolved alleged violation will be placed in your file to be evaluated during any subsequent investigation.

If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Josephs Anudokem in the Waco Regional Office at (254)751-0335.

Sincerely,



Richard Monreal  
Water and Waste Section Work Leader  
Waco Regional Office

RM/ja/ps

Enclosure: Summary of Unresolved Investigation Findings

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MAY 23 2011  
UTILITIES & DISTRICTS  
SECTION

REPLY TO: REGION 9 • 6801 SANGER AVE., STE 2500 • WACO, TEXAS 76710-7826 • 254-751-0335 • FAX 254-772-9241

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

# Summary of Investigation Findings

MOODY WATER SYSTEM

Investigation # 914834

, FREESTONE COUNTY,

Investigation Date: 05/02/2011

Additional ID(s): 0810038

## OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 425483 Compliance Due Date: To Be Determined  
30 TAC Chapter 290.46(m)(1)(B)

**Alleged Violation:**

Investigation: 899546

Comment Date: 2/24/2011

Failure to inspect the interior of the pressure tank at least once every five years.

Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

It was noted during this investigation that the interior of the pressure tanks were last inspected on September 12, 2004.

Investigation: 914834

Comment Date: 4/28/2011

Failure to inspect the interior of the pressure tank at least once every five years.

During a file review investigation conducted on May 2, 2011, it was noted that documentation to resolve this violation has not been received in the Waco Regional Office.

**Recommended Corrective Action:** The alleged violation will be placed in your file to be evaluated during any subsequent investigation.

## ALLEGED VIOLATION(S) NOTED AND RESOLVED ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 425482  
30 TAC Chapter 290.42(e)(5)

**Alleged Violation:**

Investigation: 899546

Comment Date: 3/16/2011

Failure to house the hypochlorination solution containers in a secure area to protect them from adverse weather conditions.

The hypochlorination solution containers and pumps must be housed in a secure enclosure to protect them from adverse weather conditions and vandalism. The solution container top must be completely covered to prevent the entrance of dust, insects, and other contaminants.

It was noted during this investigation that the hypochlorination solution containers were not housed in a protective structure.

Investigation: 914834

Comment Date: 4/28/2011

Failure to house the hypochlorination solution containers in a secure area to protect them from

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# C & L INVESTMENT CO., INC.

P. O. BOX 423  
CENTERVILLE, TEXAS 75833-0423  
903-536-7200  
FAX: 903-536-3421

March 23, 2011

Texas Commission on Environmental Quality  
Attn: Joseqhs Anudokem  
6801 Sanger Ave., Suite 2500  
Waco, Texas 76710

Re: Moody Water System – PWS # 0810038 – CCN # 12993  
Inspection – February 2011

Attn: Joseqhs Anudokem

Enclosed please find a copy of the information emailed to you on March 23, 2011.

I have enclosed the copy of the pictures of the chemical drums being moved to the building on site and the copy of the easement.

I will forward the additional information regarding the tank inspection as soon as it is completed.

Please advise if questions, thank you.

Sincerely,

Sue Bateman  
for Tim Coffey

Certified Mail – 7002-3150-0004-4333-1732  
Return Receipt

Enclosure: Copy of Easement / Pictures

RECEIVED  
MARCH 23 2011  
UTILITIES & DIS. DIV.  
SPOT 11



## COUNTY OF FREESTONE

## SANITARY CONDITIONS EASEMENT

COPY

## KNOW ALL MEN BY THESE PRESENTS:

That I, W.R. Coffey, being the owner of a 1,100.42 acre tract of land in the R. Gainer Survey A-12 of Freestone County, Texas and recorded in Volume 991, Page 819 of the deed records of Freestone County, Texas, do hereby declare such property bound by the hereinafter set out restrictions and covenants and agree that said purchasers and subsequent owners of said property or parts thereof shall comply with same. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until the use of this water well as a source of water for a public water system ceases.

Enforcement shall be proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall not in any way affect any of the other provisions which shall remain in full force and effect.

Such restrictions are as follows to wit:

1. Sanitation control upon all of that area of land shown on the attached plat and described below, and specifically prohibiting the construction and/or operation of underground fuel storage tanks, stock pens, feed lots, dump grounds, privies, cesspools, septic tank drainfields, drilling of improperly constructed water wells of any depth and all other construction or operation that could create an unsanitary condition within, upon or across the above described tract of land.
2. Abandoned or inoperative wells and existing/potential pollution hazards shall not be allowed within 1/4 mile of the proposed well.
3. Sewage treatment plants, lands on which sewage plant or septic tank sludge is applied, lands irrigated by sewage plant effluent; animal feed lots, livestock and animal pens; and solid waste disposal sites shall not be allowed within 500 feet of the proposed well.
4. Sewage wet wells, sewage pump station, ditches containing sewage treatment waste or industrial waste shall not be allowed within 300 feet of the proposed well.
5. Septic tank perforated drain fields, absorption beds, evapotranspiration beds, privies underground fuel storage tanks; cemetery; areas irrigated by low dosage, low angle spray on-site sewage facilities; underground petrochemical storage tanks or pipelines; and water wells that do not meet Public Drinking Water Standards shall not be allowed within 150 feet of the proposed well.
6. Tile or concrete sanitary sewers, septic tanks, livestock in pastures, or storm sewers shall not be allowed within 50 feet of the proposed well.

The center point of the well is further described as follows:

Beginning at the Southwest corner of the above mentioned 1,100.47 acre tract. Said point being on the East R.O.W. line of FM 1580 and also being approximately 1,390 feet West of the Northeast corner of the J. Daniels Survey A-190.

Thence, South 89 Degrees, 55 Minutes, 14 Seconds East along the south line of the Coffey tract and also being the south line of the R. Gainer Survey for a distance of 390.00 feet to the point for corner.

Thence, North 13 Degrees, 21 Minutes, 24 Seconds West for a distance of 727.1 feet to a point for corner.

Thence, North 76 Degrees, 38 Minutes, 36 Seconds East for a distance of 13.3 feet to the center point of the proposed well.

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SECTION

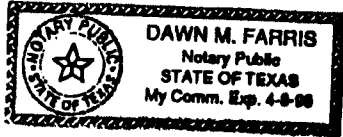
IN WITNESS WHEREOF, the said owners have executed this instrument this 16th day of October, 1997.

THE STATE OF TEXAS  
COUNTY OF FREESTONE

W. R. Coffey

BEFORE ME, the undersigned authority, on this day personally appeared W. R. Coffey, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16th DAY OF October, 1997.



Dawn M. Farris  
Notary Public in and for State of Texas

My commission expires: 4-8-98

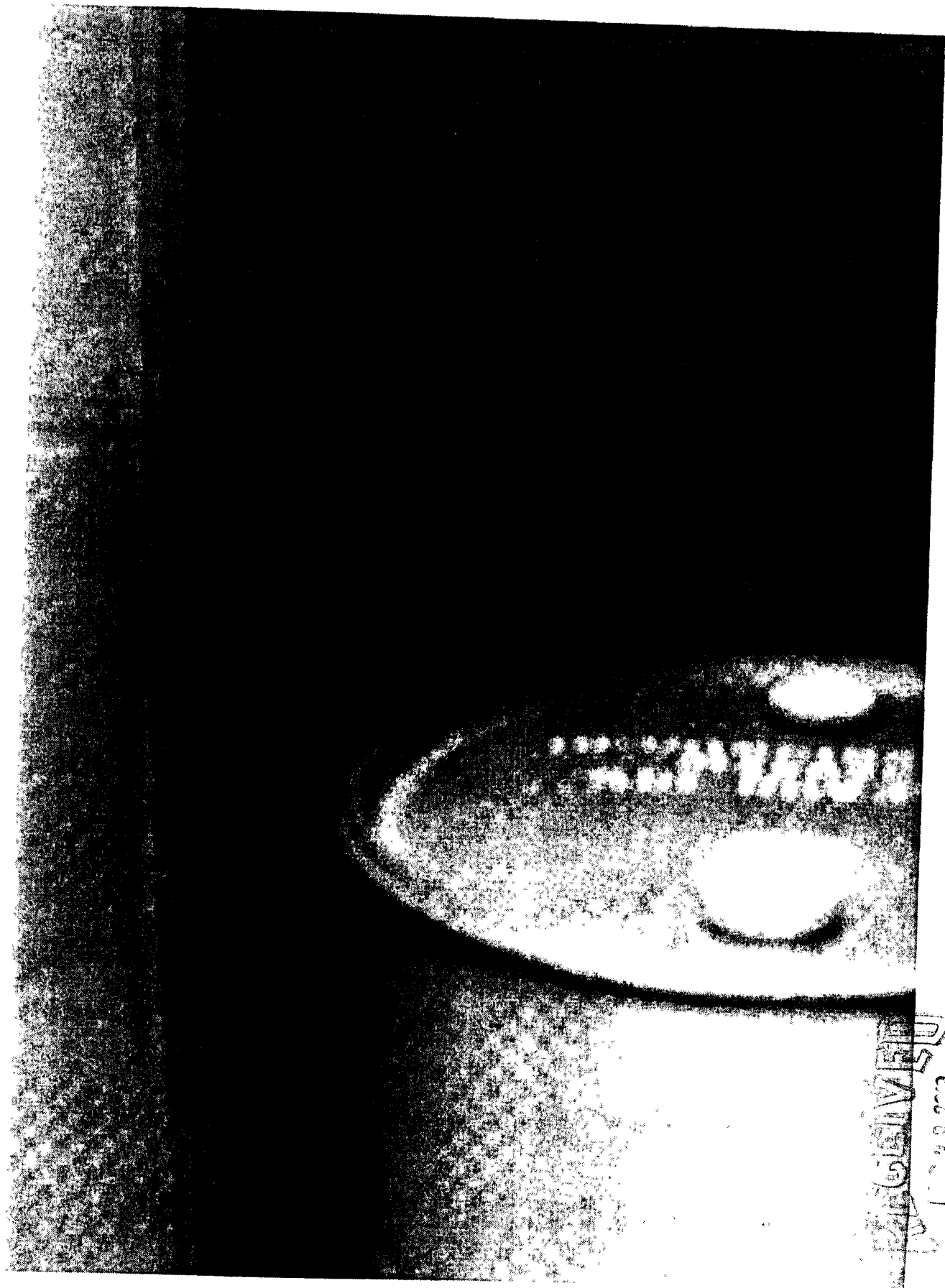
FILED FOR RECORD  
At 9:00 o'clock a M

OCT 22 1997

MARY LYNN WHITE  
Clerk County Court, Freestone County, Texas  
By Kim Army

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OCT 23 2003

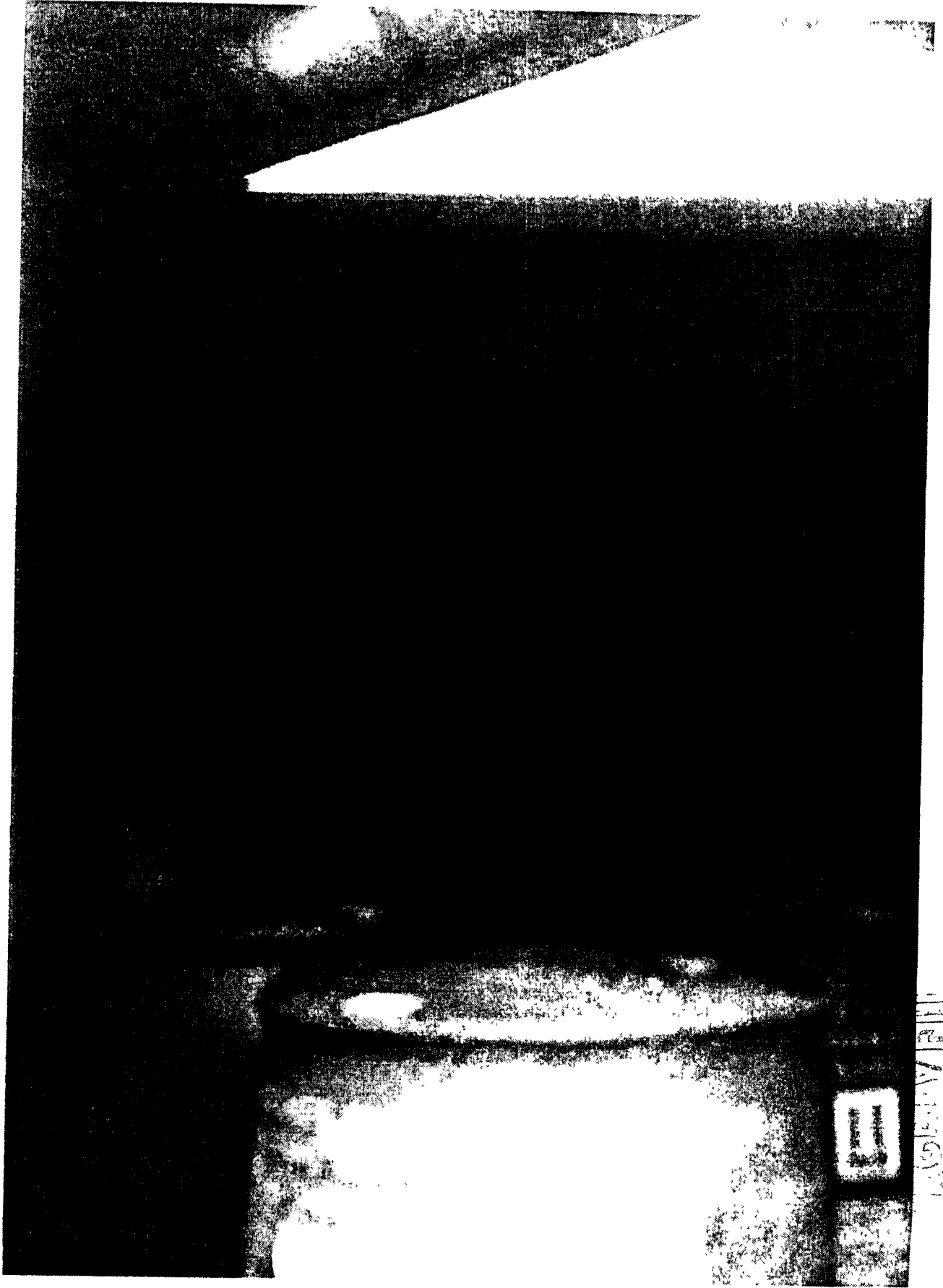
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MAY 23 2003

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SECTION

3/23/2003



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MAY 14 2011

C & L INVESTMENT CO., INC.

P. O. BOX 423  
CENTERVILLE, TEXAS 75833-0423  
903-536-7200  
FAX: 903-536-3421

May 16, 2011

Texas Commission on Environmental Quality  
Attn: Richard Monreal  
6801 Sanger Ave., Suite 2500  
Waco, Texas 76710

Re: Moody Water System – PWS # 0810038 – CCN # 12993  
Inspection – February 2011 - Investigation # 914834 Tract# 425483

Attn: Richard Monreal

This information is in reference to the letter dated May 12, 2011 that was received in our office today regarding the information on the inspection of the tanks for the Moody Water System facility.

I mailed a letter with the information regarding that inspection and I explained that the report from the company had not been received.

I am enclosing a copy of that report on the (2) two pressure tanks as well as the (2) two storage tanks.

This should complete the information requested on the alleged violation and place the facility in compliance on the investigation.

If you should need any additional information please contact our office.

Sincerely,

Sue Bateman

Enclosed: Inspection Report

Certified Mail: 7008 3230 0003 5346 9333  
Return Receipt

REGISTRY  
MAY 23 2011  
UTILITIES & DIS



**WATERFRONT DIVERS  
INSPECTION REPORT**

**04/18/11**

**Moody WSC, Texas**

<b>Name of Tank:</b>	Ground No. 1
<b>Type of tank:</b>	Ground/ Metal/ Welded
<b>Gallon Capacity:</b>	17 Thousand Gallons
<b>Year Built:</b>	Unknown
<b>Tank Builder:</b>	Line Ind.
<b>Serial#:</b>	Unknown
<b>Diameter:</b>	Unknown
<b>Height:</b>	Unknown

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APR 23 2011

**WATERFRONT DIVERS**



**WATERFI  
INSPECT**

**04/18/11**

**Moody WSC, Texas**

<b>Name of Tank:</b>	Pressure Tank No
<b>Type of tank:</b>	Pressure Tank/ Me
<b>Gallon Capacity:</b>	3 Thousand Gallon
<b>Year Built:</b>	1997
<b>Tank Builder:</b>	ACME Welding
<b>Serial#:</b>	PV 37497
<b>Diameter:</b>	6 feet
<b>Height:</b>	15 feet