

Control Number: 43073



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.



43093

# APPLICATION TO OBTAIN OR AMEND A WATER/SEWER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)

\*CN# 601363005

\*RN# 101246007

\*If known (See Instructions)

## PURPOSE OF THIS APPLICATION

☐ OBTAIN ☐ New Water CCN ☐ New Sewer CCN

☒ AMEND ☒ Water CCN# (s) 12892

☐ AMEND ☐ Sewer CCN#(s) N.A. - CCN for water only

## 1. APPLICANT INFORMATION

Utility Name T&W Water Service Company

Utility Address (City/ST/ZIP/Code) PO Box 2927, Conroe, TX 77305-2927

Utility Phone Number and Fax 936-756-7400, Fax 936-441-5691

Contact Person: Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant manager, or other title related to the applicant.

Name Ronald L. Payne

Title President

Street Address (City/ST/ZIP/Code) PO Box 2927, Conroe, TX 77305-2927

Telephone and Fax 936-756-7400, Fax 936-441-5691

E-Mail Address Ron@rlpcontroller.com

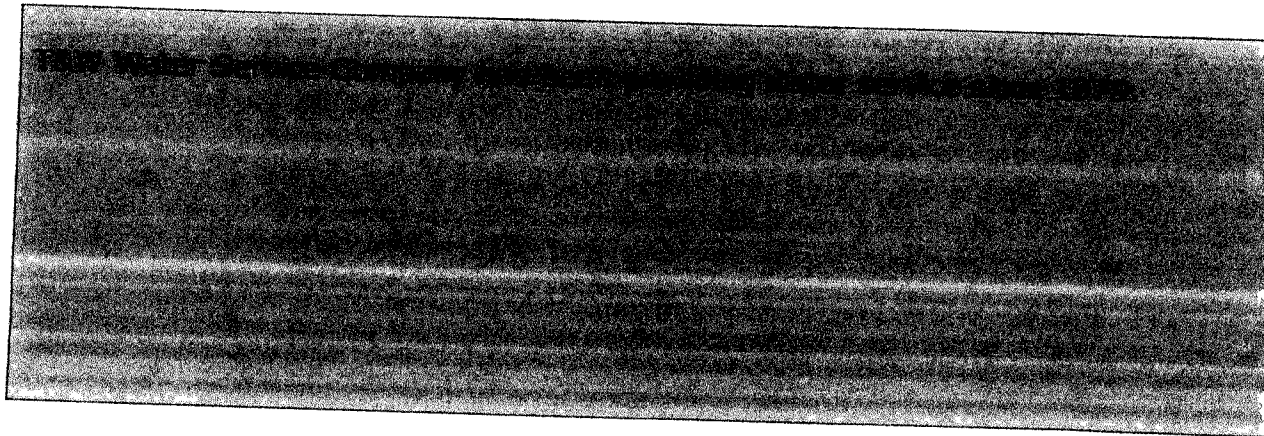
County (ies) in which service is proposed: Please list below:

The proposed area to be included in this amendment application is located in Waller County. The existing CCN includes service areas in Liberty, Montgomery and Harris Counties.

RECEIVED  
2014 SEP -9 PM 2:32  
PUBLIC UTILITY COMMISSION  
FILING CLERK

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

- ☒ Investor owned utility    ☐ Individual    ☐ Partnership
- ☐ Home or Property Owners Association    ☐ For-profit corporation
- ☐ Non-profit, member-owned, member-controlled cooperative corporation  
(Water Code Chapter 67, Water Supply or Sewer Service Corporation)
- ☐ Municipality    ☐ District    ☐ Other Please Explain:



B. If the applicant is a For-Profit business or corporation, please include the following information: **See Attachment I – Company Information**

- i. Provide a copy of the corporation's "Certification of Account Status" from the Texas State Comptroller of Public Accounts.
- ii. Provide the corporation's charter number as recorded with the Office of the Texas Secretary Of State **0046041000**
- iii. Provide a listing of all stockholders and their respective percentages of ownership.
- iv. Provide a copy of the company's organizational chart, if available.
- v. Provide a list of all directors and disclose the title of each individual.
- vi. Provide a list of all affiliated organizations (if any) and explain the relationship with the applicant.

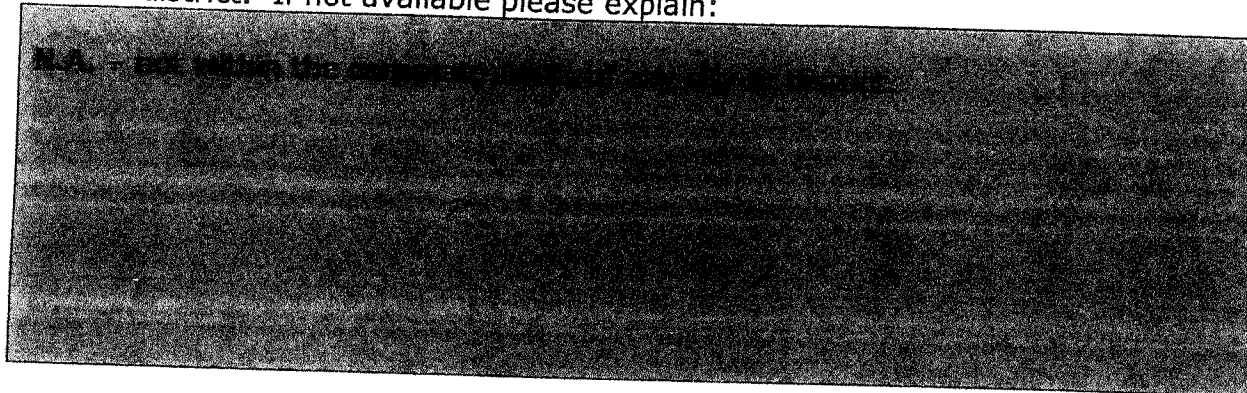
C. If the applicant is a Water Code Chapter 67 water supply or sewer service corporation: **Not Applicable – see B. above.**

- i. Provide a copy of the Articles of Incorporation and By-Laws.
- ii. Provide the corporation's charter number as recorded with the Office of the Texas Secretary of State.
- iii. Identify all board members including name, address, title, and telephone number.
- iv. Provide a copy of the corporation's Certificate of Account Status from the Texas Comptroller of Public Accounts.

- C. Is any portion of the proposed service area inside an incorporated city or district? ☐ Yes ☒ No

If YES, within the corporate limits of: **N/A**

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

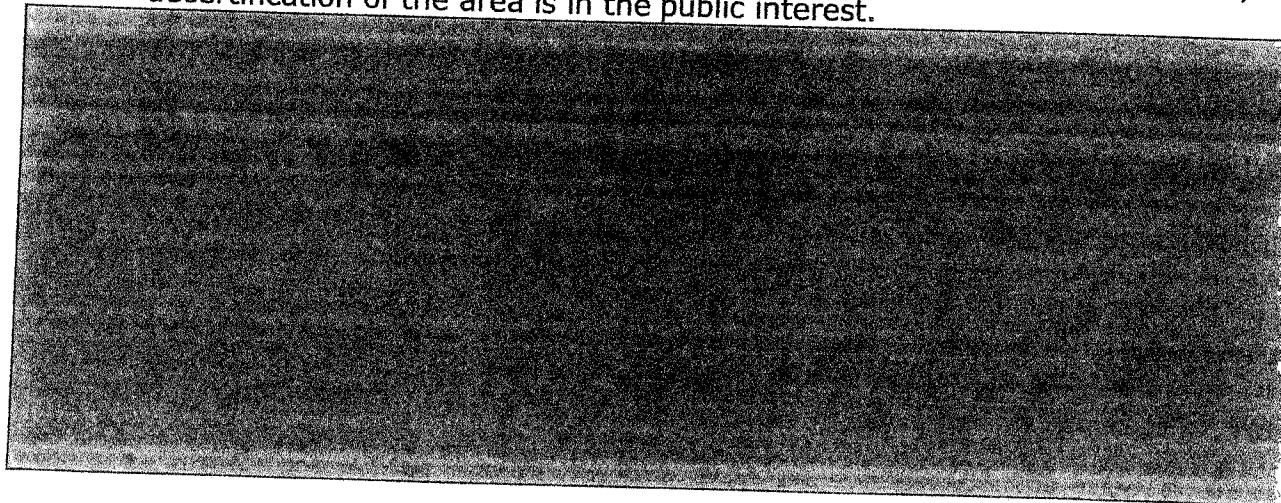


- D. Is any portion of the proposed service area inside another utility's CCN area? ☒ Yes ☐ No

If YES, has the current CCN holder agreed to decertify the proposed area?

- ☒ Yes ☐ No See Attachment II - Agreement to Transfer Service Area

If **NO**, are you seeking dual or single certification of the area? Explain why decertification of the area is in the public interest.



### 3. **MAP REQUIREMENTS:** See Attachment III - Maps

**Attach the following hard copy maps with each copy of the application:**

- A. A general location map delineating the proposed service area with enough detail to accurately locate the proposed area within the county.
- B. A map showing only the proposed area by:
- metes and bounds survey certified by a licensed state or register professional land surveyor; or
  - projectable digital data with metadata (proposed areas should be in a single record and clearly labeled). Also, a data disk labeled with the applicant's name must be provided; or
  - following verifiable natural and man-made landmarks; or

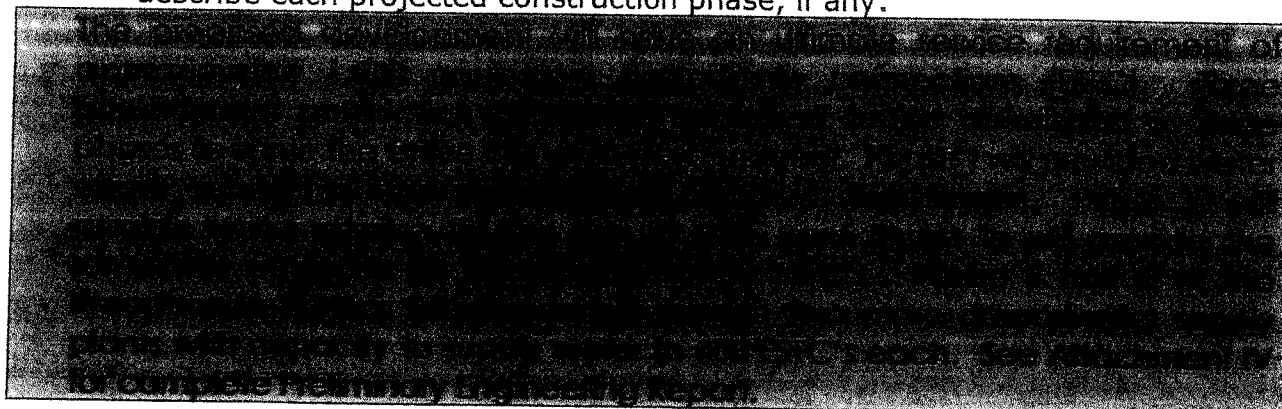
- iv. a copy of recorded plat map with metes and bounds.
- C. A written description of the proposed service area.
- D. Provide separate and additional maps of the proposed area(s) to show the following:
  - i. all facilities, illustrating separately facilities for production, transmission, and distribution of the applicant's service(s); and
  - ii. any facilities, customers or area currently being served outside the applicant's certificated area(s).

**Once the land plan is complete, production facilities and distribution lines will be drafted. See attached Preliminary Engineering Report for a description of the proposed facilities (Attachment IV).**

**Note:** Failure to provide adequate mapping information may result in the delay or possible denial of your application. Digital data submitted in a format other than ESRI ArcGIS may result in the delay or inability to review applicant's mapping information.

#### **4. NEW SYSTEM INFORMATION OR UTILITIES REQUESTING A CCN FOR THE FIRST TIME – See Attachment IV**

- A. Please provide the following information: **See Attachment IV**
  - i. a list of public drinking water supply system(s) or sewer system(s) within a 2 mile radius of the proposed system;
  - ii. copies of written requests seeking to obtain service from each of the public drinking water systems or sewer systems listed in #4.A.i above or documentation that it is not economically feasible to obtain service from each entity;
  - iii. copies of written responses from each system or evidence that they did not reply; and
  - iv. for sewer utilities, documentation showing that you have obtained or applied for a wastewater discharge permit.
- B. Were your requests for service denied? **Yes – See Attachment IV**
  - i. If yes, please provide documentation of the denial of service and go to 4.C.
  - ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separate analysis must be prepared and submitted for each utility that granted your request for service.
- C. Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any:



D. Date of plat approval, if required:

Fall 2014

Approved by: Waller County

E. Date Plans & Specifications submitted for approval:

To be submitted upon  
completion of new land  
plan.

Log #

Attach copy of approval letter if available.

F. Date construction is scheduled to commence:

Spring 2015

G. Date service is scheduled to commence:

Summer 2015

## 5. EXISTING SYSTEM INFORMATION

A. Please provide the following information for each water and/or sewer system, attach additional sheets if necessary.

i. Water system's TCEQ Public Water System identification number(s):

1 7 0 0 7 0 0 ; 1 7 0 0 7 7 7 ; 1 7 0 0 6 4 3

1 7 0 0 6 8 2 ; 1 7 0 0 6 9 6 ; 1 0 1 3 1 8 0

1 7 0 0 6 7 5 ; 1 4 6 0 1 5 6 ; 1 7 0 0 6 6 2

1 7 0 0 7 7 8 ; 1 7 0 0 6 0 4 ; 1 4 6 0 1 5 3

1 4 6 0 1 5 7 ; 1 7 0 0 6 8 6 ; 1 4 6 0 1 5 4

1 7 0 0 6 3 5 ;

ii. Sewer system's TCEQ Discharge Permit number(s) **N.A. - no sewer**

W Q - ; W Q -

W Q - ; W Q -

W Q - ; W Q -

iii Date of last inspection: 11/28/2012

iv Attach a copy of the most recent inspection report letter. **See Attachment V.**

v For each system deficiency listed in the inspection report letter; attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates.

- B. Provide the following information about the utility's certified operators

Name	Classes	License Number
Walter Baudat, Jr.	C	WG0000215
Paul Baudat	C	WG0000214
Kenny Baudat	D	WO0020990
Patrick Baudat	C	WG0012771
Jordan Davis	C	WG0012850
Nicefero Ayala	D	WO0021246

- Attach additional sheet(s) if necessary -

- C. Using the current number of customers, is any facility component in systems named in #5A above operating at 85% or greater of minimum standard capacity?

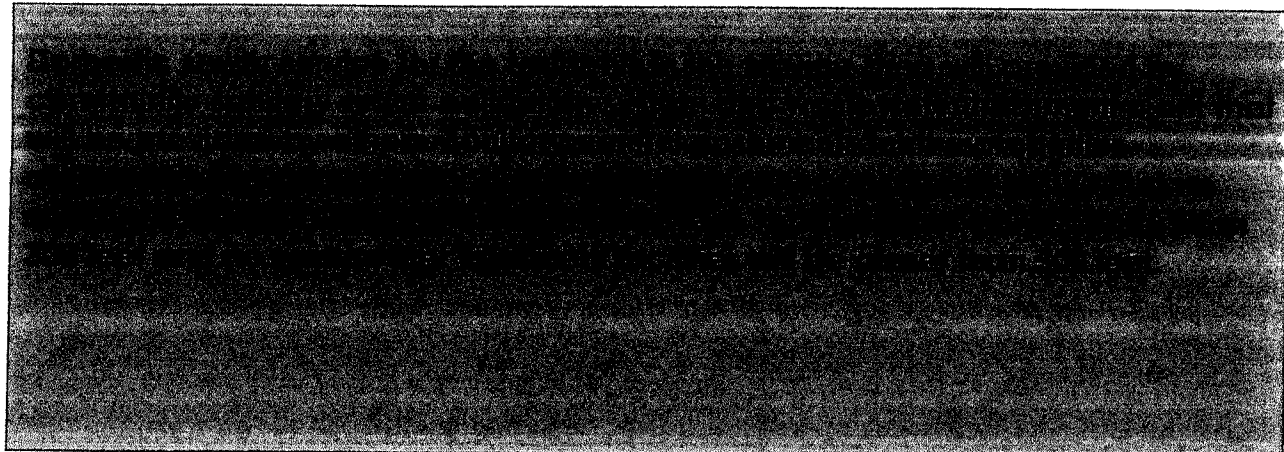
☐ Yes ☒ No

Attach an explanation listing the actions to be taken to make system improvements including proposed completion dates (See 291.93(3)(A) of TCEQ Rules).

- D. In the table below, the number of existing and/or proposed metered and non-metered connections (by size). The proposed number should reflect the information presented in the business plan or financial documentation and reflect the number of service requests identified in Question 2.b in the application.

Water System			Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter		1,000	Residential	N/A	N/A
1" meter or larger			Commercial	N/A	N/A
Non-Metered			Industrial	N/A	N/A
Other:			Other:	N/A	N/A
Total Water		1,000	Total Sewer	N/A	N/A

- E. If this application is for a water CCN only, please explain how sewer service is or will be provided:





- F. If this application is for a sewer CCN only, please explain how water service is or will be provided:

N.A. - sewer not included in this CCN amendment

- G Effect of Granting a Certificate Amendment.  
Explain in detail the effect of granting of a certificate or an amendment, including, but not limited to regionalization, compliance and economic effects on the following:
- i the applicant,
  - ii any retail public utility of the same kind already serving the proximate area; and
  - iii any landowner(s) in the requested area.

**The area around the proposed CCN boundary is predominately rural residential, timber and agricultural. Certification of the proposed area will provide residents of the development safe drinking water by a certified water supplier, T&W Water Service Company. T&W Water Service Company has the capability to obtain additional quantities and sources of water at reasonable costs. The increased certificated boundary will better position the service area to participate in regional projects due to its size.**

- H. Do you currently purchase or plan to purchase water or sewer treatment capacity from another source?

- i ☒ No, (skip the rest of this question and go to #6)
- ii ☐ Yes, Water

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Source	% of Total Treatment
N.A.	

- iii Sewer treatment capacity,

- iv ☐ Yes

Purchased on a ☐ Regular ☐ Seasonal ☐ Emergency basis?

Source	% of Total Treatment
N.A.	

- vi Provide a signed and dated copy of the most current water or sewer treatment capacity purchase agreement or contract.

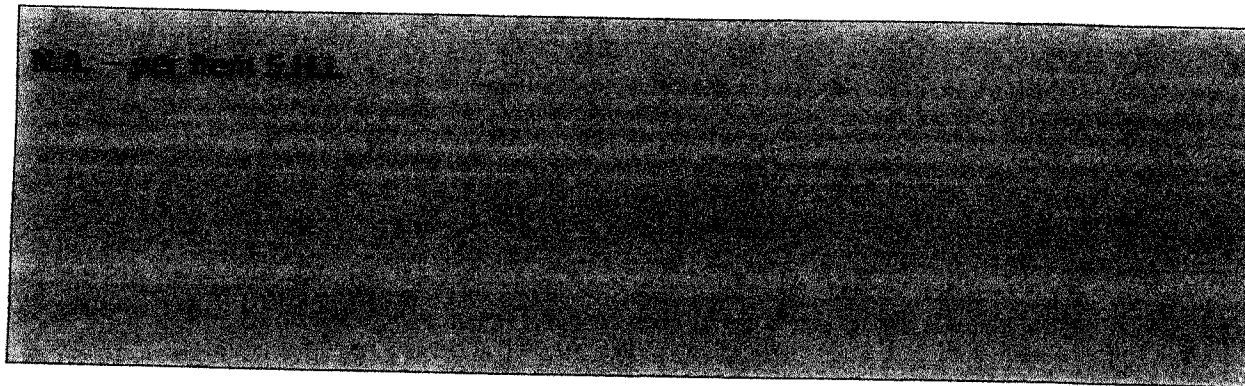
- I. Ability to Provide Adequate Service. N.A. - per item 5.H.i.  
Describe the ability of the applicant to provide adequate service, including meeting the standards of the commission, taking both of the following items into consideration:



- i. the current and projected density, and
- ii. the land use of the requested area.

J. Effect on the Land.

Explain the effect on the land to be included in the certificated area.



## 6. FINANCIAL INFORMATION

A. For new systems and for applicants with existing CCNs who are constructing a new stand alone system:

- i. the applicant must provide an analysis of all necessary costs for constructing, operating, and maintaining the system, and the source of that capital (such as a financial statement for the developing entity) for which the CCN is requested for at least the first five years. In addition, if service has been offered by an existing water service provider as stated in #4.A., but the applicant has determined that the cost of service as finally offered renders the project not economically feasible, the applicant must provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
- ii. Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year financial plan worksheet is attached) for each of the first five years of operation. Income from rates should correlate to the projected growth in connections, shown on the projected profit and loss statement.
- iii. Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees and indicate the date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.

B. For existing systems:

- i. Attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit and loss and balance sheet worksheets are attached, if needed).
- ii. Attach a proposed rate schedule or tariff.

★NOTE: An existing system may be required to provide the information in 6.A.i. above during the technical review phase if necessary for staff to completely evaluate the

application.

- C. Identify any funds you are required to accumulate and restrict by lenders or capital providers.
- D. In lieu of the information in #6.A. thru #6.C., you may provide information concerning loan approvals within the last three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

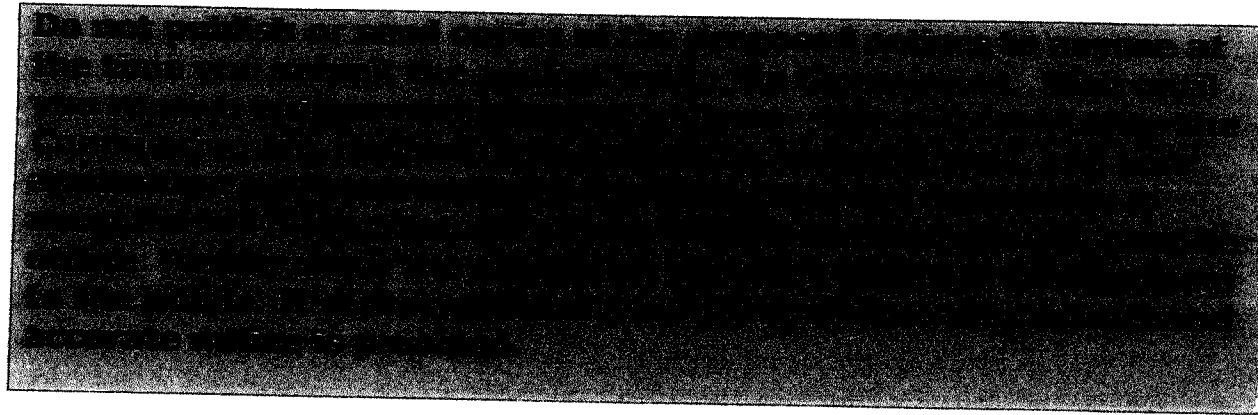
**Note:** Failure to provide adequate financial information may result in the delay or possible denial of your application.

## **7. NOTICE REQUIREMENTS**

- A. All proposed notice forms must be completed and submitted with the application. However, do not mail or publish them until you receive written approval from the Commission to do so.
- B. The Commission cannot grant a CCN until proper notice of the application has been given. **Commission rules do not allow a waiver of these notice requirements for CCN applicants.**
- C. **It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.**
- D. Recommended notice forms for publication, neighboring cities and systems, landowners with 25 acres or more, and customers are included with this application to use in preparing your proposed notices. (These notice forms are also available in Spanish upon request.)
- E. After reviewing and, if necessary, modifying the proposed notice, the Commission will send the notice to the applicant after the application is accepted for filing along with instructions for publication and/or mailing. Please review the notice carefully and note any additional neighboring utilities which may be included in the acceptance letter.
- F. Notice For Publication:  
The applicant shall publish the notice in a newspaper having general circulation in the county or counties where a CCN is being requested, once each week for two consecutive weeks beginning with the week after the notice is received from the Commission. Proof of publication in the form of a publisher's affidavit shall be submitted to the Commission within 30 days of the last publication date. The affidavit shall state with specificity each county in which the newspaper is of general circulation.
- G. Notice To Neighboring Utilities:
  - i. List all neighboring retail public utilities and cities providing the same utility service within the following vicinities of the applicant's proposed certificate area.
  - ii. For applications for the issuance of a **NEW** CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **five (5) miles** of the requested service area.
  - iii. For applications for the **AMENDMENT** of a CCN, the applicant must mail the notice with a copy of the proposed CCN map to all cities and neighboring retail public utilities providing the same utility service within **two (2) miles** of the requested service area.
- H. Notice to Customers  
Investor Owned Utilities (IOUs) that are currently providing service without a CCN

must provide individual mailed notice to all current customers. The notice must contain the current rates, the date those rates were instituted and any other information required in the application. The notice must also list all zip codes affected by the application.

- I. The Commission may require the applicant to deliver notice to other affected persons or agencies.



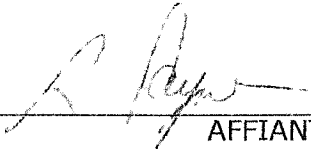
# OATH

STATE OF Texas  
COUNTY OF Montgomery

I, Ronald L. Payne, being duly sworn, file this application as President (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 maps and financial information filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Commission on Environmental Quality.

I further represent that the application form has not been changed, altered or amended from its original form available only from the Commission.

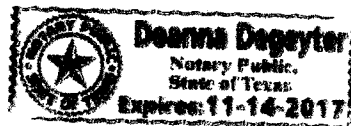
**I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.**

  
\_\_\_\_\_  
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,  
This day 18 of August 20 14

SEAL



  
\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS

Deanna Degeyer  
\_\_\_\_\_  
PRINT OR TYPE NAME OF NOTARY

MY COMMISSION EXPIRES 11-14-17

## Notice for Publication

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO  
PROVIDE WATER/SEWER UTILITY SERVICE IN

Waller

COUNTY(IES), TEXAS

Name of Applicant T & W Water Supply Corporation has filed an application for a  
CCN to obtain or amend CCN No. (s) 12284 and to  
decertify a portion(s) of G&W Water Supply Corporation (12391) with the  
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide water  
(specify 1) water or 2) sewer or 3) water & sewer)

utility service in Waller County(ies)

The proposed utility service area is located approximately 3.1 miles west  
[direction] of downtown Magnolia, [City or Town] Texas, and is  
generally bounded on the north by FM 1483; on the east by  
Waller; on the south by FM 1483; and on the west by Birth Creek  
County Line

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

The total area being requested includes approximately 803 acres and 0  
current customers.

The proposed amendment affects customers and/or areas located in the following zip  
code(s):

77355

(List All Affected Zip Codes)

A copy of the proposed service area map is available at (Utility Address and Phone  
Number): 12284 FM 3083, Conroe, TX 77301 (936) 756-7400

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:**

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 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.***

# Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO  
PROVIDE WATER/SEWER UTILITY SERVICE IN

Waller

COUNTY(IES), TEXAS

To: City of Magnolia

(Neighboring System, Landowner or City)

Date Notice Mailed 12/15/12 20 12

PO Box 396

(Address)

Magnolia

TX 77353

City

State

Zip

Name of Applicant J & W Water Supply Corporation has filed an application for a  
CCN to obtain or amend CCN No. (s) 12345 and to  
decertify a portion(s) of G&W Water Supply Corporation (12345) with the  
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide

water  
(specify 1) water or 2) sewer or 3) water & sewer

utility service in

Waller

County(ies).

The proposed utility service area is located approximately 3.1 miles west  
[direction] of downtown Magnolia, [City or Town] Texas, and is  
generally bounded on the north by Waller; on the east by  
Waller; on the south by FM 1735; and on the west by Birch Creek  
County Line

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

The total area being requested includes approximately 803 acres and 0  
current customers.

The proposed amendment affects customers and/or areas located in the following zip  
code(s):

77353

(List All Affected Zip Codes)

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.



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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  
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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 to Customers of IOUs in Proposed Area

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO  
PROVIDE WATER/SEWER UTILITY SERVICE IN

Water

COUNTY(IES), TEXAS

Dear Customer: \_\_\_\_\_ Date Notice Mailed 3/28/2009 20 09

Name of Applicant T.E.W. Water Supply Corporation has filed an application for a  
CCN to obtain or amend CCN No. (s) \_\_\_\_\_ and to  
decertify a portion(s) of G&W Water Supply Corporation (12-991) with the  
(Name of Decertificated Utility)

Texas Commission on Environmental Quality to provide Water  
utility service in Water (specify 1) water or 2) sewer or 3) water & sewer  
County(ies)

The proposed utility service area is located approximately 3.1 miles West  
[direction] of downtown Magalia, [City or Town] Texas.

A copy of the proposed service area map is available at (Utility Address and Phone  
Number): 12284 FM 3083, Conroe, TX 77301 (936) 756-7400

The proposed amendment affects customers and/or areas located in the following zip  
code(s):

77355

(List All Affected Zip Codes)

The current utility rates which were first effective on February 1, 20 09

Monthly Flat Rate of \$ \_\_\_\_\_ Per connection

-OR-

Monthly Base Rate Including per 0 gallons  
connection for:

5/8" meter \$25.00

1" meter \$25.00

1 1/2" meter \$25.00

2" meter \$25.00

Other \$ \$352.00 for 3"

Gallonage charge of \$ 2.37 Per 1,000  
Gallons above minimum (same for all meters sizes)

See Attachment

## Miscellaneous Fees

### Regulatory Assessment

Tap Fee (Average Actual Cost)

### Reconnecting fee:

- Non Payment (\$25.00 max)
- Transfer
- Customer's request

### Late fee

### Returned Check charge

Customer Deposit (\$50.00 max)

### Meter test fee

(Actual Cost not Exceed \$25.00)

### Other Fees

1%

**Your utility service rates and fees cannot be changed by this application. If you are currently paying rates, those rates must remain in effect unchanged. Rates may only be increased if the utility files and gives notice of a separate rate change application.**

**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:

Texas Commission on Environmental Quality  
Water Supply Division  
Utilities and Districts Section, MC-153  
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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 A HEARING IS HELD,** it is important that you or your representative attend to present your concerns. Your request serves only to cause a hearing to be held and is not used during the hearing.

If you are a landowner with a tract of land at least 25 acres or more, and 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.**

# HISTORICAL BALANCE SHEETS

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>CURRENT ASSETS</b>						
Cash	102,448	41,102	38,841	23,417	23,477	45,1
Accounts Receivable	322,815	409,946	225,424	187,260	194,549	
Inventories						
Income Tax Receivable						
Other	9,972	9,972	12,446	21,544	18,271	20,9
<b>Total</b>	<b>435,235</b>	<b>461,020</b>	<b>276,711</b>	<b>232,221</b>	<b>236,297</b>	<b>66,1</b>
<b>FIXED ASSETS</b>						
Land						
Collection/Distribution System	5,903,338	5,484,547	5,031,838	4,669,889	4,256,645	4,179,8
Buildings	198,949	185,155	185,155	185,156	155,156	173,1
Equipment						
Other	22,670	7,815	7,403	7,278	15,448	
Less: Accum. Depreciation or Reserves	-3,046,237	-	-	-	-	-894,6
<b>Total</b>	<b>3,078,720</b>	<b>3,021,937</b>	<b>3,193,197</b>	<b>3,301,696</b>	<b>3,110,002</b>	<b>3,285,2</b>
<b>TOTAL ASSETS</b>	<b>3,513,955</b>	<b>3,482,957</b>	<b>3,469,908</b>	<b>3,533,917</b>	<b>3,546,906</b>	<b>3,524,4</b>
<b>CURRENT LIABILITIES</b>						
Accounts Payable						
Notes Payable, Current	57,356	57,356	57,356	32,140	32,140	
Accrued Expenses	43,521	75,623	98,276	88,629	84,702	91,02
Other						
<b>Total</b>	<b>100,877</b>	<b>132,979</b>	<b>155,632</b>	<b>120,769</b>	<b>116,842</b>	<b>91,02</b>
<b>LONGTERM LIABILITIES</b>						
Notes Payable, Long-term	133,764	194,704	257,395	368,685	415,325	427,60
Other	2,652,385	2,775,241	2,957,840	3,095,167	3,131,966	3,405,25
<b>TOTAL LIABILITIES</b>	<b>2,887,026</b>	<b>3,102,924</b>	<b>3,370,867</b>	<b>3,584,621</b>	<b>3,664,133</b>	<b>3,923,88</b>
<b>OWNER'S EQUITY</b>						
Paid in Capital	-1,200,000	-1,200,000	-1,200,000	-1,200,000	-1,200,000	-1,200,00
Retained Equity	1,580,035	1,299,042	1,149,296	1,082,768	800,554	671,67
Other						
Current Period Profit or Loss	246,894	280,993	149,746	66,528	282,214	128,88
<b>TOTAL OWNER'S EQUITY</b>	<b>626,929</b>	<b>380,035</b>	<b>99,042</b>	<b>-50,704</b>	<b>-117,232</b>	<b>-399,44</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>3,513,955</b>	<b>3,482,959</b>	<b>3,469,909</b>	<b>3,533,917</b>	<b>3,546,901</b>	<b>3,524,43</b>
<b>WORKING CAPITAL</b>	<b>334,358</b>	<b>328,041</b>	<b>121,079</b>	<b>111,452</b>	<b>119,455</b>	<b>-24,91</b>
<b>CURRENT RATIO</b>	<b>4.32</b>	<b>3.47</b>	<b>1.78</b>	<b>1.93</b>	<b>2.03</b>	<b>0.7</b>
<b>DEBT TO EQUITY RATIO</b>	<b>4.61</b>	<b>8.17</b>	<b>34.04</b>	<b>-70.70</b>	<b>-31.26</b>	<b>-9.8</b>
<b>EQUITY TO TOTAL ASSETS</b>	<b>0.18</b>	<b>0.11</b>	<b>0.03</b>	<b>-0.02</b>	<b>-0.04</b>	<b>-0.1</b>

# HISTORICAL INCOME STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>METER NUMBER</b>						
Existing Number of Taps	2,302	2,201	2,243	2,210	2,058	1,900
New Taps per Year	110	101	-42	33	152	100
Total Meters at Year End	2,412	2,302	2,201	2,243	2,210	2,000
<b>METER REVENUE</b>						
Fees Per Meter	953	1,055	839	850	761	600
Cost Per Meter	799	881	771	724	539	400
Operating Revenue Per Meter	154	174	68	126	222	200
<b>GROSS WATER REVENUE</b>						
Fees	2,298,907	2,428,257	1,846,273	1,905,389	1,680,795	1,344,600
Other	149,834	134,950	300,778	55,700	28,089	20,000
Gross Income	2,448,741	2,563,207	2,147,051	1,961,089	1,708,884	1,364,600
<b>OPERATING EXPENSES</b>						
General & Administrative	1,926,952	2,027,654	1,695,558	1,622,588	1,189,681	912,980
Interest	130,054	123,725	178,562	191,127	91,562	96,560
Other	144,844	130,837	123,185	80,846	145,418	206,400
<b>NET INCOME</b>	<b>246,891</b>	<b>280,991</b>	<b>149,746</b>	<b>66,528</b>	<b>282,213</b>	<b>128,880</b>

# HISTORICAL EXPENSES STATEMENT

	CURRENT YEAR (A)	A-1 YEAR	A-2 YEAR	A-3 YEAR	A-4 YEAR	A-5 YEAR
<b>GENERAL/ADMINISTRATIVE EXPENSES</b>						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense	34,504	14,150	14,937	0	14,702	8,500
Telephone Expense	10,127	9,699	9,249	8,008	6,007	5,000
Utilities Expense						
Depreciation Expense						
Property Taxes	23,724	24,054	24,063	23,894	36,065	15,500
Professional Fees	9,988	7,000	6,000	33,365	24,212	14,900
Other						
<b>Total</b>	<b>78,343</b>	<b>54,903</b>	<b>54,249</b>	<b>65,267</b>	<b>80,986</b>	<b>39,500</b>
% Increase Per Year	30%	1%	-20%	-29%	51%	
<b>OPERATIONAL EXPENSES</b>						
Salaries	719,400	654,000	597,070	594,000	504,000	489,600
Auto Expense						
Utilities Expense	157,751	166,748	118,658	135,958	151,410	113,200
Depreciation Expense	390,657	624,381	498,483	413,984	252,542	134,400
Repair & Maintenance	197,980	155,266	187,412	155,557	54,167	79,100
Supplies	59,980	62,817	45,230	61,598	38,371	21,500
Other	322,841	309,539	194,456	196,224	108,205	35,500
<b>Total</b>	<b>1,848,609</b>	<b>1,972,751</b>	<b>1,641,309</b>	<b>1,557,321</b>	<b>1,108,695</b>	<b>873,400</b>
% Increase Per Year	-7%	17%	5%	29%	22%	
<b>ASSUMPTIONS</b>						
Interest Rate/Terms	Various	Various	Various	Various	Various	Various
Utility Cost/gal.						
Depreciation Schedule						
Other						

# PROJECTED BALANCE SHEETS

	START UP	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5
<b>CURRENT ASSETS</b>						
Cash	102,448	104,497	106,587	108,719	110,893	113,111
Accounts Receivable	322,815	329,271	335,857	342,574	349,425	356,411
Inventories						
Income Tax Receivable						
Other	9,972	9,972	9,972	9,972	9,972	9,972
<b>Total</b>	<b>435,235</b>	<b>443,740</b>	<b>452,416</b>	<b>461,264</b>	<b>470,290</b>	<b>479,493</b>
<b>FIXED ASSETS</b>						
Land						
Collection/Distribution System	5,903,338	6,103,338	6,225,404	6,349,912	6,476,911	6,606,411
Buildings	198,949	198,949	198,949	198,949	198,949	198,949
Equipment						
Other	22,670	22,670	22,670	22,670	22,670	22,670
Less: Accum. Depreciation or Reserves	-3,046,237	-	-	-	-	-
<b>Total</b>	<b>3,078,720</b>	<b>3,217,796</b>	<b>3,277,719</b>	<b>3,338,840</b>	<b>3,401,186</b>	<b>3,464,777</b>
<b>TOTAL ASSETS</b>	<b>3,513,955</b>	<b>3,661,536</b>	<b>3,730,135</b>	<b>3,800,104</b>	<b>3,871,476</b>	<b>3,944,270</b>
<b>CURRENT LIABILITIES</b>						
Accounts Payable						
Notes Payable, Current	57,356	57,356	57,356	19,052	0	0
Accrued Expenses	43,521	44,391	45,279	46,185	47,109	48,051
Other						
<b>Total</b>	<b>100,877</b>	<b>101,747</b>	<b>102,635</b>	<b>65,237</b>	<b>47,109</b>	<b>48,051</b>
<b>LONGTERM LIABILITIES</b>						
Notes Payable, Long-term	133,764	76,408	19,052	0	0	0
Other	2,652,385	2,652,385	2,652,385	2,652,385	2,652,385	2,652,385
<b>TOTAL LIABILITIES</b>	<b>2,887,026</b>	<b>2,830,540</b>	<b>2,774,072</b>	<b>2,717,622</b>	<b>2,699,494</b>	<b>2,700,436</b>
<b>OWNER'S EQUITY</b>						
Paid in Capital						
Retained Equity	1,826,929	2,030,996	2,156,063	2,282,482	2,371,982	2,443,834
Other	-1,200,000	-1,200,000	-1,200,000	-1,200,000	-1,200,000	-1,200,000
Current Period Profit or Loss						
<b>TOTAL OWNER'S EQUITY</b>	<b>626,929</b>	<b>830,996</b>	<b>956,063</b>	<b>1,082,482</b>	<b>1,171,982</b>	<b>1,243,834</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>3,513,955</b>	<b>3,661,536</b>	<b>3,730,135</b>	<b>3,800,104</b>	<b>3,871,476</b>	<b>3,944,270</b>
<b>WORKING CAPITAL</b>	<b>334,358</b>	<b>341,993</b>	<b>349,781</b>	<b>357,723</b>	<b>394,417</b>	<b>431,446</b>
<b>CURRENT RATIO</b>	<b>4.32</b>	<b>4.37</b>	<b>4.41</b>	<b>4.46</b>	<b>6.20</b>	<b>9.98</b>
<b>DEBT TO EQUITY RATIO</b>	<b>4.61</b>	<b>3.53</b>	<b>3.1</b>	<b>2.75</b>	<b>2.39</b>	<b>2.18</b>
<b>EQUITY TO TOTAL ASSETS</b>	<b>0.18</b>	<b>0.23</b>	<b>.026</b>	<b>0.29</b>	<b>0.31</b>	<b>0.32</b>



# PROJECTED INCOME STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
<b>METER NUMBER</b>						
Existing Number of Taps	2,412	2,512	2,612	2,712	2,812	
New Taps per Year	100	100	100	100	100	
Total Meters at Year End	2,512	2,612	2,712	2,812	2,912	
<b>METER REVENUE</b>						
Fees Per Meter	953	953	953	953	953	
Cost Per Meter	799	799	799	799	799	
Operating Revenue Per Meter	154	154	154	154	154	
<b>GROSS WATER REVENUE</b>						
Fees	2,393,936	2,489,236	2,584,536	2,679,836	2,775,136	12,922,676
Other	161,821	174,766	188,748	203,848	220,155	949,348
Gross Income	2,555,757	2,664,002	2,773,284	2,883,684	2,995,291	13,872,024
<b>OPERATING EXPENSES</b>						
General & Administrative	1,984,761	2,044,303	2,105,632	2,168,801	2,233,865	10,537,362
Interest	140,458	140,458	140,458	140,458	140,458	702,290
Other	149,189	153,665	158,275	163,023	167,914	792,066
NET INCOME	281,349	325,576	368,919	411,402	453,054	1,840,290

# PROJECTED EXPENSES STATEMENT

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TO
<b>GENERAL/ADMINISTRATIVE EXPENSES</b>						
Salaries						
Office Expense						
Computer Expense						
Auto Expense						
Insurance Expense	35,539	36,605	37,703	38,835	40,000	18
Telephone Expense	10,431	10,744	11,066	11,398	11,740	5
Utilities Expense						
Depreciation Expense						
Property Taxes	24,436	25,169	25,924	26,702	27,503	12
Professional Fees	10,288	10,596	10,914	11,242	11,579	5
Other						
<b>Total</b>	<b>80,694</b>	<b>83,114</b>	<b>85,608</b>	<b>88,176</b>	<b>90,821</b>	<b>42</b>
% Increase Per Year		3%	3%	3%	3%	
<b>OPERATIONAL EXPENSES</b>						
Salaries	740,982	763,211	786,108	809,691	833,982	3,93
Auto Expense						
Utilities Expense	162,484	167,358	172,379	177,550	182,877	86
Depreciation Expense	402,377	414,448	426,881	439,688	452,879	2,13
Repair & Maintenance	203,919	210,037	216,338	222,828	229,513	1,08
Supplies	61,779	63,633	65,542	67,508	69,533	32
Other	332,526	342,502	352,777	363,360	374,261	1,76
<b>Total</b>	<b>1,904,067</b>	<b>1,961,189</b>	<b>2,020,025</b>	<b>2,080,626</b>	<b>2,143,044</b>	<b>10,10</b>
% Increase Per Year		3%	3%	3%	3%	
<b>ASSUMPTIONS</b>						
Interest Rate/Terms						
Utility Cost/gal.						
Depreciation Schedule						
Other						

# PROJECTED SOURCES AND USES OF CASH STATEMENTS

	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL
<b>SOURCES OF CASH</b>						
Net Income	281,349	325,576	368,919	411,402	453,054	1,840,2
Depreciation (if Funded)						
Loan Proceeds						
Other						
Total Sources	281,349	325,576	368,919	411,402	453,054	1,840,2
<b>USES OF CASH</b>						
Net Loss						
Principle Portion of Pmts.	57,256	57,256	57,256	19,352		191,12
Fixed Asset Purchase	200,000	122,066	124,508	126,999	129,538	703,11
Reserve						
Other						
TOTAL USES	257,256	179,322	181,764	146,351	129,538	894,23
<b>NET CASH FLOW</b>	24,093	146,254	187,155	265,051	323,516	946,06
<b>DEBT SERVICE COVERAGE</b>						
Cash Available for Debt Service (CADS)						
Net Income (Loss)						
Depreciation , or Reserve Interest						
TOTAL						
<b>REQUIRED DEBT SERVICE (RDS)</b>						
Principle Plus Interest						
<b>DEBT SERVICE COVERAGE RATIO</b>						
CADS Divided by RDS						

ATTACHMENT I

APPLICATION 1.B. i – Certificate of Account Status

APPLICATION 1.B. iii - Stockholders

APPLICATION 1.B. iv – Organization Chart, not available

APPLICATION 1.B. v. – Directors

APPLICATION 1.B. vi. – Affiliated Organizations



## Franchise Tax Account Status

As of: 02/03/2014 11:49:44 AM

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**This Page is Not Sufficient for Filings with the Secretary of State**

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### T & W WATER SERVICE COMPANY

Texas Taxpayer Number 17420569893  
Mailing Address PO BOX 2927  
CONROE, TX 77305-2927  
Right to Transact ACTIVE  
Business in Texas  
State of Formation TX  
Effective SOS 01/18/1979  
Registration Date  
Texas SOS File Number 0046041000  
Registered Agent Name THOMAS L BAUDAT  
Registered Office Street 14027 LARAMIE TRAIL  
Address MONTGOMERY, TX 77316

# T&W Water Service Company

1.B.ii.

## STOCKHOLDERS

	<u>% Stock Owned</u>
Walter H. Baudet, Sr.	80%
Walter H. Baudet, Jr.	10%
Paul Baudet	10%

1.B.v.

## DIRECTORS

Ronald Payne	President
Walter H. Baudet, Sr.	Vice President
Walter H. Baudet, Sr.	Sec. / Treasurer
Paul Baudet	
Kenny Baudet	

1.B.vi.

## AFFILIATED ORGANIZATIONS

T&W Water Construction Company – This company does all of T&W's operations, repairs, meter reading and customer relations. It is owned by:

Walter H. Baudet, Sr.	1%
Walter H. Baudet, Sr.	33%
Paul Baudet	33%
Kenny Baudet	33%

ATTACHMENT II

APPLICATION 2.B

- ii. PLAT WITH METES & BOUNDS
- iv. AGREEMENT FOR TRANSFER OF SERVICE AREA



ATTACHMENT II

APPLICATION 2.B

- ii. PLAT WITH METES & BOUNDS
- iv. AGREEMENT FOR TRANSFER OF SERVICE AREA

**T&W Water Service Company**  
**PO Box 2927**  
**Conroe, Texas 77305**  
**(936) 756-7400**

February 3, 2014

2.B.

i. The service area is approximately 803 acres in Waller County, Texas which the developer wants to develop. The developer and also land owner has requested service and has requested that T&W Water Service provide the service.

Landowner & Developer: RMF Land Development Corporation  
12027 Water Oak Dr.  
Magnolia, Texas 77354

ii. Plat & Metes & Bounds attached

iii. Non Applicable

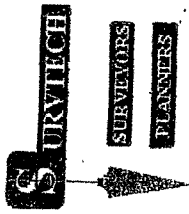
iv. Agreement Attached

v. Non Applicable

vi. Non Applicable



# EXHIBIT "A"



"A LAND SURVEYING COMPANY"

May 10, 2010  
A136AC803.86

BEING a 803.86 acre tract of land in the William Hillhouse Survey, Abstract 136, Waller County, Texas, being out of a called 1250.724 acre tract of land as recorded under Volume 552, Page 127 of the Deed Records of Waller County, Texas, (also in Montgomery County Clerk's File No. 9678316) said 803.86 acres tract being more particularly described as follows:

BEGINNING at the northeasterly corner of Lot 8, Remington Forest Section One, as recorded in Cabinet "B", Sheet 156, of the Map Records of Waller County, Texas;

THENCE along the northerly line of Remington Forest as follows:

THENCE N 71deg19'31" W, a distance of 176.02' to a found 5/8" iron rod  
THENCE N 80deg21'53" W, a distance of 315.27' to a found 5/8" iron rod  
THENCE S 75deg59'54" W, a distance of 89.70' to a found 5/8" iron rod  
THENCE N 81deg44'52" W, a distance of 110.31' to a found 5/8" iron rod  
THENCE S 79deg04'39" W, a distance of 153.54' to a found 5/8" iron rod  
THENCE N 67deg55'31" W, a distance of 323.68' to a found 5/8" iron rod  
THENCE S 43deg05'21" W, a distance of 324.47' to a found 5/8" iron rod  
THENCE N 46deg54'53" W, a distance of 73.97' to a found 5/8" iron rod  
THENCE S 43deg05'03" W, a distance of 70.01' to a found 5/8" iron rod  
THENCE S 87deg28'04" W, a distance of 2210.19' to a found 5/8" iron rod  
THENCE N 34deg50'44" W, a distance of 40.47' to a found 5/8" iron rod  
THENCE N 01deg06'16" E, a distance of 140.75' to a found 5/8" iron rod

THENCE S 50deg40'48" W, a distance of 148.53' to a found 5/8" iron rod in the westerly line of the said 1250.72 acre tract, also being in an east line of a called 2023.42 acre tract as recorded in Montgomery County Clerk's File No. 2003-001614, also being the northwesterly corner of Restricted Reserve G of Remington Forest Section 1, and being the southwest corner of the herein described tract;

THENCE N 03 deg. 09' 01" W, along the westerly line of said 1250.724, a distance of 8884.65 feet to a found 1/2" iron rod being the northwesterly corner of the herein described tract;

THENCE N 86 deg. 50' 05" E, along the north line of the said 1250.724 acre tract, a distance of 4031.65 feet to a found 1/2" iron rod for the southwest corner of a called 62.67 acre tract of land as recorded in Montgomery County Clerk's File No. 2006-059345, also being a northerly northeast corner of the said 2023.42 acre tract, also being the northwesterly corner of a called 320.00 acre tract of land as recorded in Montgomery County Clerk's File No. 99063304, and platted as Ranch Crest Subdivision, and being the northeasterly corner of the herein described tract;

THENCE S 01 deg. 36' 40" E, along the westerly line of the 320.00 acre tract, a distance of 9037.82 feet to the POINT OF BEGINNING, and containing 803.86 acres of land more or less.

AGREEMENT FOR TRANSFER OF SERVICE AREA

Exhibit 1

[To be added by T & W or Developer]

## AGREEMENT FOR TRANSFER OF SERVICE AREA

This Agreement is entered into by G&W Water Supply Corporation (G&W), T&W Water Service Company, Inc. (T&W) and Rural Land Dev Corp (Developer) in order to avoid litigation over the application of Texas Water Code §13.254(a-5) in light of 7 USC §1926(b).

Whereas, G&W is certificated to portions of rural Grimes and Waller Counties under certificate of convenience and necessity (CCN) No. 12391.

Whereas, G&W has an outstanding federal loan with the USDA Rural Utility Services (RUS).

Whereas, Developer owns 25 acres or more inside G&W's service area in Waller County that is not receiving active water utility service from any state-licensed water purveyor.

Whereas, Developer desires to develop the property and receive water utility services from T&W.

Whereas, T&W is willing to provide service to Developer's property upon the approval and issuance of appropriate CCN order(s) by the Texas Commission on Environmental Quality (TCEQ).

Whereas, G&W, T&W and Developer wish to avoid lengthy and expensive litigation over Developer's right to change certificated water utility service providers.

Whereas, any transfer of G&W's certificated service area to T&W shall be conditioned on TCEQ and RUS approvals as required by law.

In recognition of the mutual covenants and considerations exchanged herein, the parties agree and bind themselves to the following:

1. By its authorized signature herein, Developer requests G&W to release its property shown on Exhibit 1. Exhibit 1 shall be a map of that portion of G&W's service area affected by this Agreement with a legal description suitable for a TCEQ sale-transfer-merger (STM) application.
2. By its authorized signature herein, Developer requests T&W to provide retail public water utility service to its property shown on Exhibit 1.

3. By its authorized signature herein, G&W consents to the transfer of its service area depicted on Exhibit 1 to T&W alone conditioned upon TCEQ and RUS approval.
4. By its authorized signature herein, T&W consents to accept the transfer of G&W's service area depicted on Exhibit 1 conditioned upon TCEQ and RUS approval.
5. T&W agrees to be responsible and bear all reasonable costs associated with the approval of this Agreement and the transfer of service area contemplated therein.
6. G&W agrees to cooperate and assist with the transfer of the service area contemplated therein by providing such information and signatures as may be necessary.
7. G&W waives its claims to consideration for lost or idled service capacity to Developer's property on Exhibit 1 since G&W does not currently have the capacities in place necessary to serve the property, i.e., "no pipes in the ground" service capacity.
8. This Agreement is for the benefit of the signatories only. There are no third party beneficiaries. This Agreement may not be assigned without the written consent of all parties.
9. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other agreement, statement or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding. G&W, T&W and Developer acknowledge receipt of a complete copy of this Agreement and further acknowledge that they have carefully examined all terms and conditions and fully understand same. The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereunder, shall be governed by the laws of the State of Texas.

G&W Water Supply Corporation

BY:  \_\_\_\_\_, President



T&W Water Service Company, Inc.

BY: Thomas L. Boudet  
\_\_\_\_\_, President

RMF Land Development Corporation

BY: [Signature]  
\_\_\_\_\_, President

Michael Fitzmaurice

## ATTACHMENT III

### MAPS.

APPLICATION 3.A. - EXHIBIT 1: General Location Map

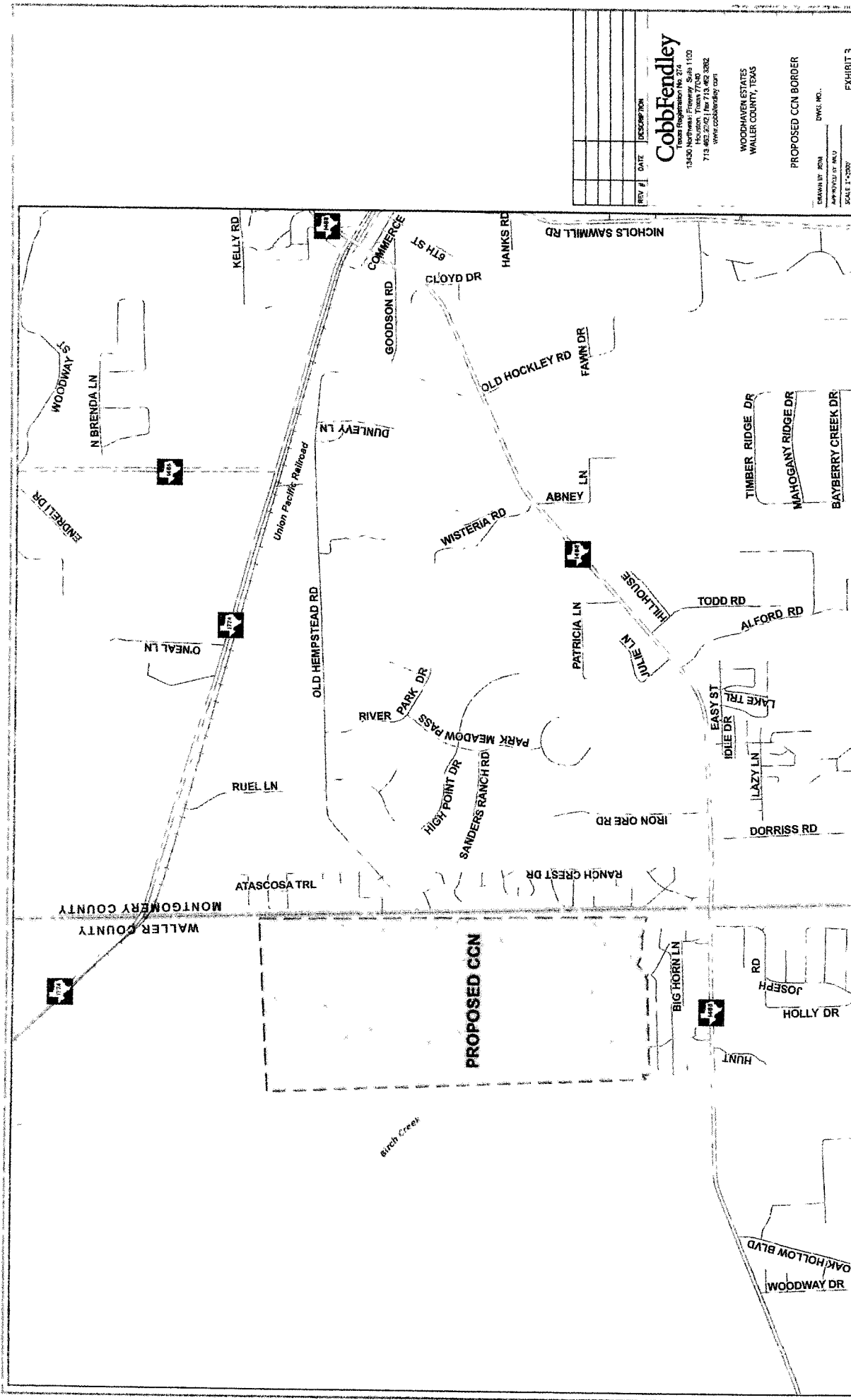
APPLICATION 3.B.i. – EXHIBIT 2: Metes and Bounds Survey

APPLICATION 3.B.ii. – EXHIBIT 3: Service Area – (hard and digital copies)

APPLICATION 3.C. - EXHIBIT A: Written Description of Service Area







**CobbFendley**  
 Texas Registration No. 274  
 13430 Northwest Freeway, Suite 1100  
 Houston, Texas 77040  
 713.465.2323  
 www.cobbendley.com

REV # DATE DESCRIPTION

WOODHAVEN ESTATES  
 WALLER COUNTY, TEXAS

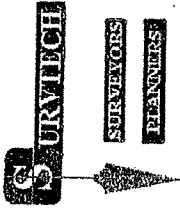
PROPOSED CCN BORDER

DRAWN BY: JRM  
 APPROVED BY: MLD  
 SCALE: 1"=200'

DWG. NO.

EXHIBIT 3

# EXHIBIT "A"



"A LAND SURVEYING COMPANY"

May 10, 2010  
A136AC803.86

BEING a 803.86 acre tract of land in the William Hillhouse Survey, Abstract 136, Waller County, Texas, being out of a called 1250.724 acre tract of land as recorded under Volume 552, Page 127 of the Deed Records of Waller County, Texas, (also in Montgomery County Clerk's File No. 9678316) said 803.86 acres tract being more particularly described as follows:

**BEGINNING** at the northeasterly corner of Lot 8, Remington Forest Section One, as recorded in Cabinet "B", Sheet 156, of the Map Records of Waller County, Texas;

THENCE along the northerly line of Remington Forest as follows:

THENCE N 71deg19'31" W, a distance of 176.02' to a found 5/8" iron rod  
THENCE N 80deg21'53" W, a distance of 315.27' to a found 5/8" iron rod  
THENCE S 75deg59'54" W, a distance of 89.70' to a found 5/8" iron rod  
THENCE N 81deg44'52" W, a distance of 110.31' to a found 5/8" iron rod  
THENCE S 79deg04'39" W, a distance of 153.54' to a found 5/8" iron rod  
THENCE N 67deg55'31" W, a distance of 323.68' to a found 5/8" iron rod  
THENCE S 43deg05'21" W, a distance of 324.47' to a found 5/8" iron rod  
THENCE N 46deg54'53" W, a distance of 73.97' to a found 5/8" iron rod  
THENCE S 43deg05'03" W, a distance of 70.01' to a found 5/8" iron rod  
THENCE S 87deg28'04" W, a distance of 2210.19' to a found 5/8" iron rod  
THENCE N 34deg50'44" W, a distance of 40.47' to a found 5/8" iron rod  
THENCE N 01deg06'16" E, a distance of 140.75' to a found 5/8" iron rod

THENCE S 50deg40'48" W, a distance of 148.53' to a found 5/8" iron rod in the westerly line of the said 1250.72 acre tract, also being in an east line of a called 2023.42 acre tract as recorded in Montgomery County Clerk's File No. 2003-001614, also being the northwesterly corner of Restricted Reserve G of Remington Forest Section 1, and being the southwesterly corner of the herein described tract;

THENCE N 03 deg. 09' 01" W, along the westerly line of said 1250.724, a distance of 8884.65 feet to a found 1/2" iron rod being the northwesterly corner of the herein described tract;

THENCE N 86 deg. 50' 05" E, along the north line of the said 1250.724 acre tract, a distance of 4031.65 feet to a found 1/2" iron rod for the southwesterly corner of a called 62.67 acre tract of land as recorded in Montgomery County Clerk's File No. 2006-059345, also being a northerly northeast corner of the said 2023.42 acre tract, also being the northwesterly corner of a called 320.00 acre tract of land as recorded in Montgomery County Clerk's File No. 99063304, and platted as Ranch Crest Subdivision, and being the northeasterly corner of the herein described tract;

THENCE S 01 deg. 36' 40" E, along the westerly line of the 320.00 acre tract, a distance of 9037.82 feet to the POINT OF BEGINNING, and containing 803.86 acres of land more or less.

## ATTACHMENT IV

APPLICATION 4.A. - EXHIBIT 3 Existing CCN Within 2 Miles

APPLICATION 4.B. - Documentation of Service Requests

Note: No responses have been received to date.  
Copies of any responses will be forwarded to TCEQ.

APPLICATION 4.C. - Preliminary Engineering Report

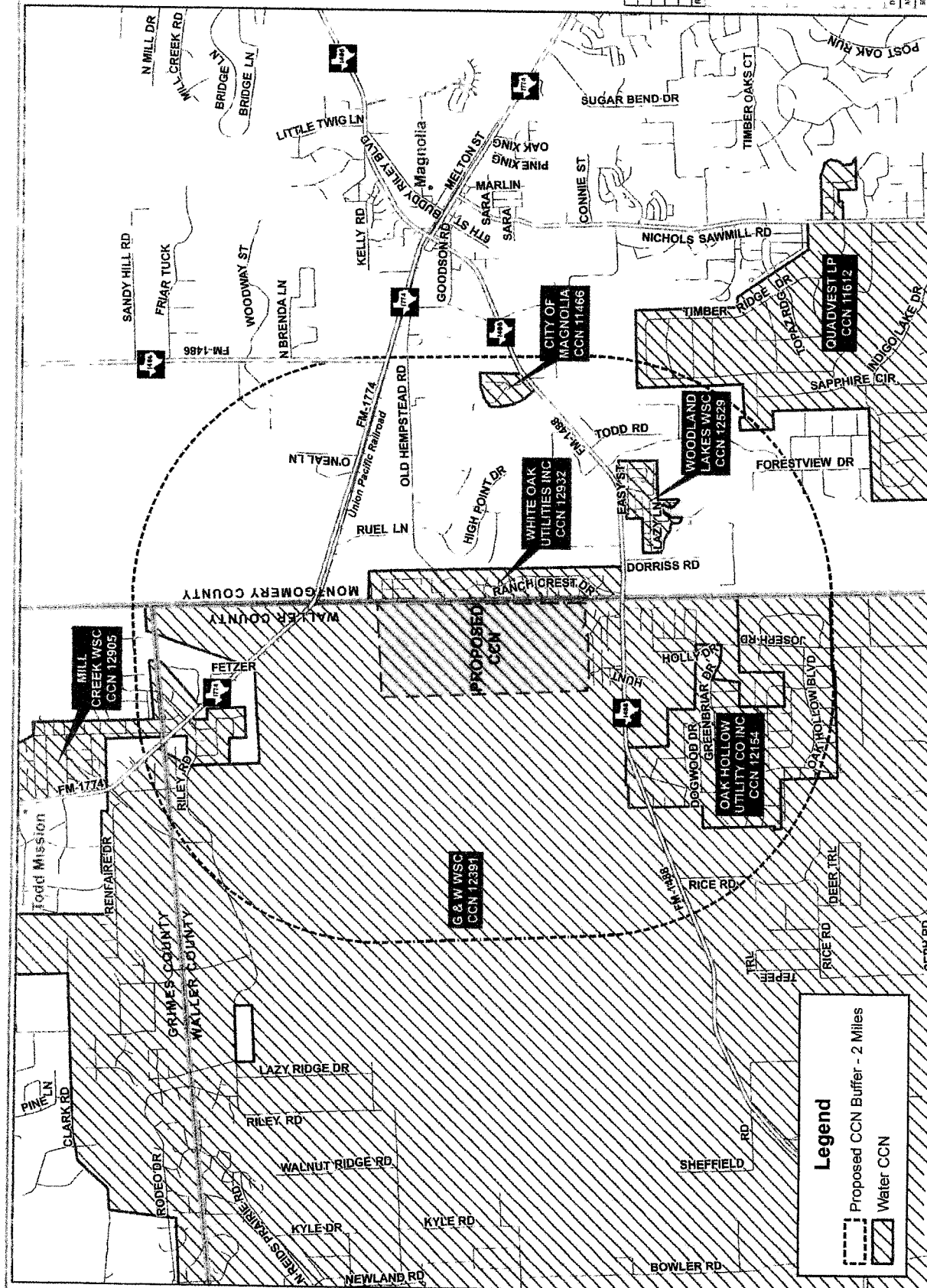
**CobbFendley**  
Texas Registration No. 274  
13403 Northwest Freeway, Suite 1100  
Houston, Texas 77040  
713-652-3242 | fax 713-652-3262  
[www.cobbfendley.com](http://www.cobbfendley.com)

WOODHAVEN ESTATES  
WALLER COUNTY, TEXAS

EXISTING CCN WITHIN 2 MILES

DRANIN ET. ROMA DWG. NO.

APPROVED BY NCU





August 20, 2014  
Mill Creek WSC  
PO Box 189  
Willis, TX 77378

Re: Service Availability Request

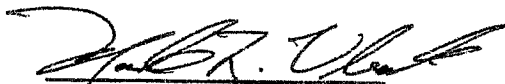
Dear Sirs:

On behalf of T&W Water Service Company we are advising you that T&W Water Service Company intends to file an application with the Texas Commission on Environmental Quality (TCEQ) to extend their existing certificate of convenience and necessity (CCN # 12892). The proposed service area consist of 803 acres and is generally bound by FM 1774 on the North, Birch Creek on the West, FM 1488 on the South and Waller County line on the East. The current development plan calls for about 1,000 residential units or their equivalent service demands. It is anticipated that service will be needed by March 1, 2015.

You have been identified as a neighboring utility of like kind and/or municipality with an extraterritorial jurisdiction (ETJ) within two miles of the proposed service area. Pursuant to TCEQ regulation, T&W Water Service Company formally asks whether you are willing or able to provide water utility service sufficient to meet the TCEQ's minimum service standards plus local demands to this property, thereby providing continuous and adequate utility service to the consuming public. Please state your willingness to provide service below. Return this letter and the filled out the questionnaire if applicable. Your response will be filed with the TCEQ.

Your timely response to this inquiry by email or fax is greatly appreciated. If you do not respond within ten days, it will be presumed that you do not desire or cannot provide utility service to the property.

Sincerely yours,



Mark L. Urback, P.E.  
MUrback@cobbfendley.com

Mill Creek WSC is willing to provide water service to the property: ☐ Yes ☐ No  
(If yes, please complete the attached questionnaire.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

**T&W Water Service Company**  
**PO Box 2927**  
**Conroe, Texas 77305**  
**(936) 756-7400**

Service Questionnaire

1. \_\_\_\_\_ is willing to provide water service to the property  
\_\_\_\_\_ yes \_\_\_\_\_ no (If yes please continue, if no please sign and return.)
2. \_\_\_\_\_ currently has the service capacities to provide continuous and adequate service to the property except for the mains necessary to interconnect the property with \_\_\_\_\_'s existing utility system  
\_\_\_\_\_ yes \_\_\_\_\_ no
3. \_\_\_\_\_ will have to build additional service capacities to serve the property \_\_\_\_\_ yes \_\_\_\_\_ no
4. The additional capacities that will be required to serve the property will require the construction of a complete onsite utility system(s) located on the property  
\_\_\_\_\_ yes \_\_\_\_\_ no
5. The additional capacities that will be required to serve the property will consist of :  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The estimated cost to provide service to the property is \$ \_\_\_\_\_, of which \$ \_\_\_\_\_ will be paid by the land owner/developer and \$ \_\_\_\_\_ will be paid by \_\_\_\_\_.
7. Service will be made available on \_\_\_\_\_, 200\_\_\_\_.
8. Other requirements for obtaining service from \_\_\_\_\_:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

\_\_\_\_\_  
(title)

August 20, 2014  
G&W WSC  
27907 Joseph RD  
Hockley, TX 77447-8606

Re: Service Availability Request

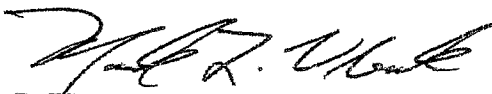
Dear Sirs:

On behalf of T&W Water Service Company we are advising you that T&W Water Service Company intends to file an application with the Texas Commission on Environmental Quality (TCEQ) to extend their existing certificate of convenience and necessity (CCN # 12892). The proposed service area consist of 803 acres and is generally bound by FM 1774 on the North, Birch Creek on the West, FM 1488 on the South and Waller County line on the East. The current development plan calls for about 1,000 residential units or their equivalent service demands. It is anticipated that service will be needed by March 1, 2015.

You have been identified as a neighboring utility of like kind and/or municipality with an extraterritorial jurisdiction (ETJ) within two miles of the proposed service area. Pursuant to TCEQ regulation, T&W Water Service Company formally asks whether you are willing or able to provide water utility service sufficient to meet the TCEQ's minimum service standards plus local demands to this property, thereby providing continuous and adequate utility service to the consuming public. Please state your willingness to provide service below. Return this letter and the filled out the questionnaire if applicable. Your response will be filed with the TCEQ.

Your timely response to this inquiry by email or fax is greatly appreciated. If you do not respond within ten days, it will be presumed that you do not desire or cannot provide utility service to the property.

Sincerely yours,



Mark L. Urback, P.E.  
MUrback@cobb fendley.com

G&W WSC is willing to provide water service to the property: ☐ Yes ☐ No  
(If yes, please complete the attached questionnaire.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

**T&W Water Service Company**  
**PO Box 2927**  
**Conroe, Texas 77305**  
**(936) 756-7400**

Service Questionnaire

1. \_\_\_\_\_ is willing to provide water service to the property  
\_\_\_\_\_ yes \_\_\_\_\_ no (If yes please continue, if no please sign and return.)
2. \_\_\_\_\_ currently has the service capacities to provide continuous and adequate service to the property except for the mains necessary to interconnect the property with \_\_\_\_\_'s existing utility system  
\_\_\_\_\_ yes \_\_\_\_\_ no
3. \_\_\_\_\_ will have to build additional service capacities to serve the property \_\_\_\_\_ yes \_\_\_\_\_ no
4. The additional capacities that will be required to serve the property will require the construction of a complete onsite utility system(s) located on the property  
\_\_\_\_\_ yes \_\_\_\_\_ no
5. The additional capacities that will be required to serve the property will consist of :  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The estimated cost to provide service to the property is \$\_\_\_\_\_, of which \$\_\_\_\_\_ will be paid by the land owner/developer and \$\_\_\_\_\_ will be paid by \_\_\_\_\_.
7. Service will be made available on \_\_\_\_\_, 200\_\_\_\_\_.
8. Other requirements for obtaining service from \_\_\_\_\_:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

\_\_\_\_\_  
(title)

August 20, 2014  
White Oak Utilities Inc.  
19221 Interstate 45 S STE 370  
Conroe, TX 77385-8727

Re: Service Availability Request

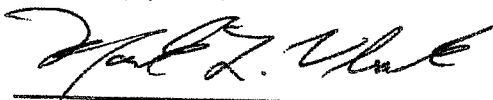
Dear Sirs:

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You have been identified as a neighboring utility of like kind and/or municipality with an extraterritorial jurisdiction (ETJ) within two miles of the proposed service area. Pursuant to TCEQ regulation, T&W Water Service Company formally asks whether you are willing or able to provide water utility service sufficient to meet the TCEQ's minimum service standards plus local demands to this property, thereby providing continuous and adequate utility service to the consuming public. Please state your willingness to provide service below. Return this letter and the filled out the questionnaire if applicable. Your response will be filed with the TCEQ.

Your timely response to this inquiry by email or fax is greatly appreciated. If you do not respond within ten days, it will be presumed that you do not desire or cannot provide utility service to the property.

Sincerely yours,



Mark L. Urback, P.E.  
MUrback@cobb fendley.com

White Oak Utilities Inc. is willing to provide water service to the property: ☐ Yes ☐ No  
(If yes, please complete the attached questionnaire.)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

**T&W Water Service Company**

**PO Box 2927**

**Conroe, Texas 77305**

**(936) 756-7400**

**Service Questionnaire**

1. \_\_\_\_\_ is willing to provide water service to the property  
\_\_\_\_\_ yes \_\_\_\_\_ no (If yes please continue, if no please sign and return.)
2. \_\_\_\_\_ currently has the service capacities to provide continuous and adequate service to the property except for the mains necessary to interconnect the property with \_\_\_\_\_'s existing utility system  
\_\_\_\_\_ yes \_\_\_\_\_ no
3. \_\_\_\_\_ will have to build additional service capacities to serve the property \_\_\_\_\_ yes \_\_\_\_\_ no
4. The additional capacities that will be required to serve the property will require the construction of a complete onsite utility system(s) located on the property  
\_\_\_\_\_ yes \_\_\_\_\_ no
5. The additional capacities that will be required to serve the property will consist of :  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. The estimated cost to provide service to the property is \$\_\_\_\_\_, of which \$\_\_\_\_\_ will be paid by the land owner/developer and \$\_\_\_\_\_ will be paid by \_\_\_\_\_.
7. Service will be made available on \_\_\_\_\_, 200\_\_\_\_\_.
8. Other requirements for obtaining service from \_\_\_\_\_:  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(print name)

\_\_\_\_\_  
(title)