



Control Number: 43690



Item Number: 15

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd
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

2009-1007-UCR

582-09-5331 TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

SEP -1 AM 9:47

CHIEF CLERKS OFFICE



43620

Texas Commission on Environmental Quality

APPLICATION NO. 36334-C
36335-C

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

, STATE OF TEXAS

COUNTY OF Bandera

The City of Bandera has provided individual notice to the following entities:

- Hill Country Utilities
- Flying L PUD
- Bandera Pass Ranch Subdivision
- Agua Utilities, Inc. d/b/a Agua Texas, Inc.
- Bandera River Ranch Water Co. Inc.
- Bridlegate Water
- Diamond Water Supply, A Super Corporation

DATE 5/13/2009

5/13/2009

5/13/2009

5/13/2009

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5/13/2009

5/13/2009

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PUBLIC UTILITY COMMISSION
CHIEF CLERK
2014 MAY -7 PM 2:53

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TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

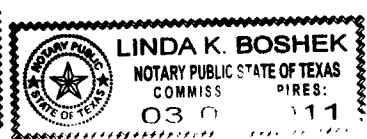
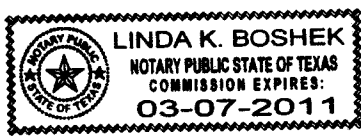
OATH

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

[Signature]
Applicant's Authorized Representative

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

Subscribed and sworn to before me this 13th day of May, 2009, to certify which witness my hand and seal of office.



Linda K. Boshek
Notary Public in and for the
State of Texas

LINDA K. BOSHEK
Print or Type Name of Notary Public
Commission Expires 3/7/2011

Notice to Neighboring Systems, Landowners and Cities

2009 SEP -1 AM 9:47

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN BANDERA COUNTY CHIEF CLERKS OFFICE

To: Diamond Water Supply, A Texas Corporation Notice Mailed: 5/13, 2009
(Neighboring System, Landowner or City)

(Address) 624 S. Grand Avenue, Ste. 2900

(City) Los Angeles State CA Zip) 90017

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas, and is generally bounded on the north by approximately 200 feet north of Dallas St.; on the east by Enchanted River Dr.; on the south by approximately 100 feet south of RR 1077; and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN applications affect customers and/or areas located in the following zip code(s): 78003. See enclosed map of the proposed service area.

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

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ON
ENVIRONMENTAL QUALITY

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 exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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

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

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

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

7003 0500 0001 0436 9455

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

MAY 13 2009

Postal Express
 132 Main
 P.O. Box 91
 Bandera, TX 780

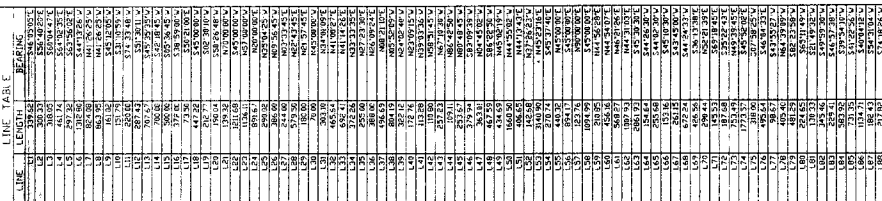
Sent To
 Diamond Water Supply, A Jeyes Corporation
 Street, Apt. No.,
 or PO Box No. 624 S. Grand Avenue, Ste. 2900
 City, State, ZIP+4
 Los Angeles, CA 90017

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>2. Print your name and address on the reverse so that we can return the card to you.</p> <p>3. Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature </p> <p>X <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to</p> <p>Diamond Water Supply, A Jeyes Corporation 624 S. Grand Avenue, Ste. 2900 Los Angeles, CA 90017</p>		<p>B. Received by (Printed Name) </p> <p>C. Date of Delivery 5/19/09</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>PS Form 3811, February 2004</p>		<p>Domestic Return Receipt</p>	

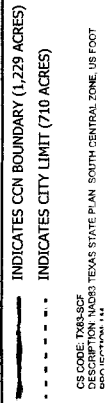
7003 0500 0001 0436 9455

102595-02-M-1540



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 9811 BOTTS LANE
 SAN ANTONIO, TEXAS 78217
 (210) 828-7070 • FAX (210) 828-1076
 www.kleinengineering.com

MAP B(ii)
PROJECTABLE DIGITAL DATA
WITH METADATA
FOR THE
PROPOSED C.C.N. APPLICATION
FOR
THE CITY OF BANDERA, TEXAS



APRIL 2009

Notice to Neighboring Systems, Landowners and Cities

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY
(CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN BANDERA COUNTY
CHIEF CLERKS OFFICE

To: Bandera River Ranch Water Co. Inc Date Notice Mailed: 5/13, 2009
(Neighboring System, Landowner or City)

(Address) 3003 N.W. Loop 410, Suite 201

(City San Antonio State TX Zip) 78230

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas, and is generally bounded on the north by approximately 200 feet north of Dallas St.; on the east by Enchanted River Dr.; on the south by approximately 100 feet south of RR 1077; and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN applications affect customers and/or areas located in the following zip code(s): 78003. See enclosed map of the proposed service area.

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

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settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

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

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

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

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

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

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

MAY 13 2009

Postmaster
 Help

Postal Express! of Bandera
 1132 Main St
 P.O. Box 9100
 Bandera, TX 78003-9100

Sent To Bandera River Ranch Water
 Street, Apt. No.,
 or PO Box No. 3003 NW Loop, Ste. 207
 City, State, ZIP+4
San Antonio TX 78230
 PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to
Bandera River Ranch Water Co, Inc
3003 NW Loop 410, Ste. 207
San Antonio, TX 78230

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X [Signature] ☐ Agent ☐ Addressee

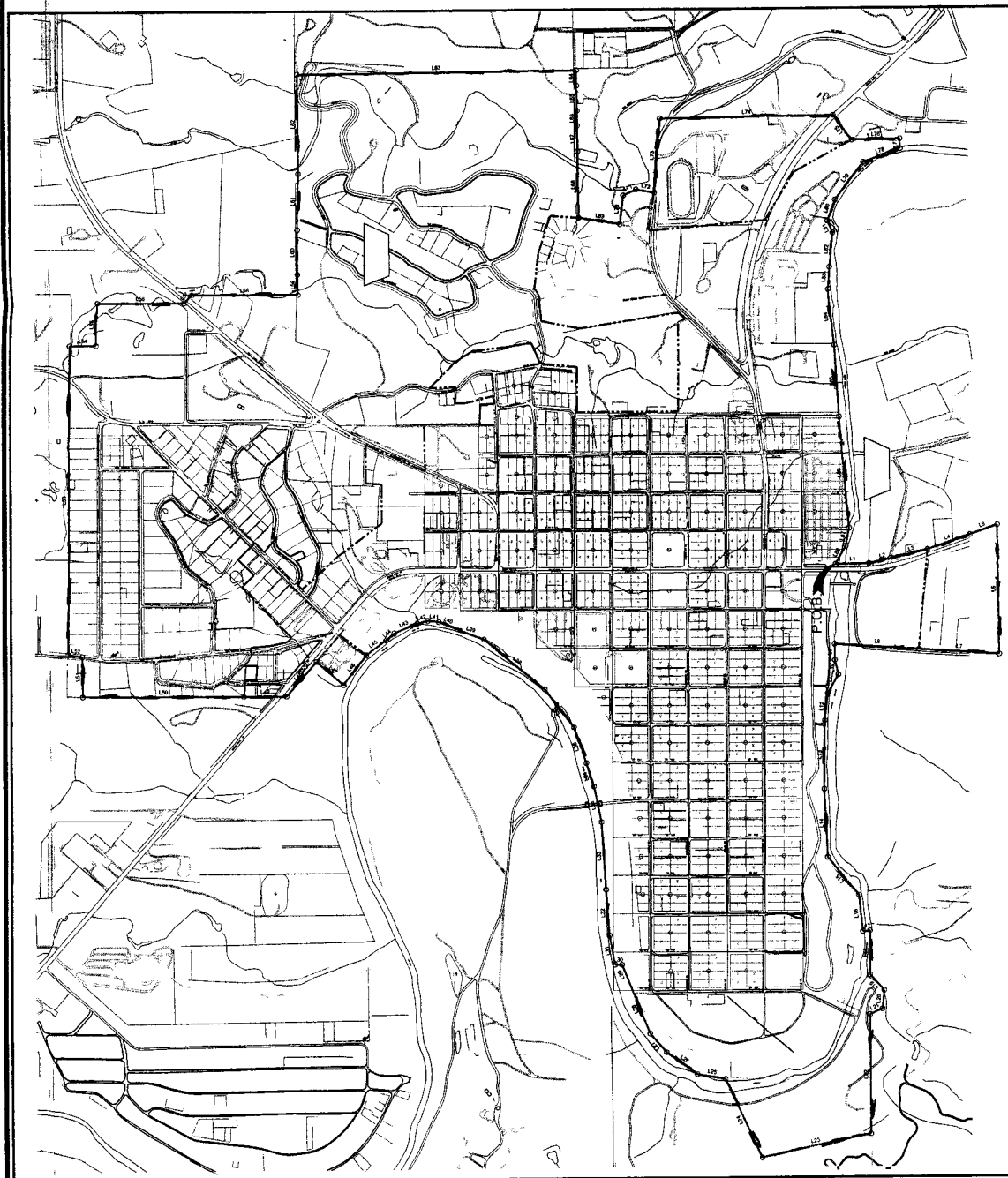
B. Received by (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☒ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ O.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

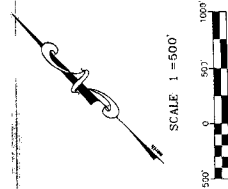
2. Article Number (Transfer from service label) 7003 0500 0001 0436 9462



INDICATES CCN BOUNDARY (1,229 ACRES)

INDICATES CITY LIMIT (710 ACRES)

APRIL 2009



PRAPARED BY:



**KLEIN
ENGINEERING
INC.**

CIVIL • MUNICIPAL • ENVIRONMENTAL ENGINEERS
 8611 BOOTS LANE
 SAN ANTONIO, TEXAS 78217
 (210) 838-7070 FAX (210) 838-7076
www.kleinengineering.com

MAP B(ii)

PROJECTABLE DIGITAL DATA WITH METADATA

FOR THE

FOR THE
PROPOSED C.C.N. APPLICATION
FOR

FOR

THE CITY OF BANDERA, TEXAS

Notice to Neighboring Systems, Landowners and Cities

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

SEP - 1 AM 9:47

CHIEF CLERKS OFFICE

To: Ague Utilities, Inc. dba Ague Texas, Inc. Date Notice Mailed: 5/13, 2009
(Neighboring System, Landowner or City)

(Address) 1106 Clayton Lane 400w

(City Austin State TX Zip 78723-1066)

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas, and is generally bounded on the north by approximately 200 feet north of Dallas St.; on the east by Enchanted River Dr.; on the south by approximately 100 feet south of RR 1077; and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN applications affect customers and/or areas located in the following zip code(s): 78003. See enclosed map of the proposed service area.

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Persons who wish to intervene or comment should write the:

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

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ON
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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.

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

MAY 13 2009

Postal Express! of Ramo
 1132 Main St
 P.O. Box 9100
 Sanderia, TX 78003-67

Sent To
Agua Utilities Inc. dba Agua Jupas Inc
 Street Apt. No.,
 or PO Box No. *1106 Clayton Lane 400 W*
 City, State, ZIP+4
Austin, TX 78723-1006

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:
Agua Utilities, Inc
dba Agua Jupas, Inc.
1106 Clayton Lane 400 W
Austin, TX 78723-1006

COMPLETE THIS SECTION ON DELIVERY

A. Signature
[Signature] ☐ Agent ☒ Addressee
 B. Received by (Printed Name) *J. Dodson* C. Date of Delivery
 D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
 (Transfer from service label)

7003 0500 0001 0436 9448

Notice to Neighboring Systems, Landowners and Cities

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

2009 SEP -1 AM 9:47

CHIEF CLERK'S OFFICE

To: Hill Country Utilities Date Notice Mailed: 5/13, 2009
(Neighboring System, Landowner or City)

(Address) 400 Cielo Rio Drive

(City) Pipe Creek State TX Zip 78063

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

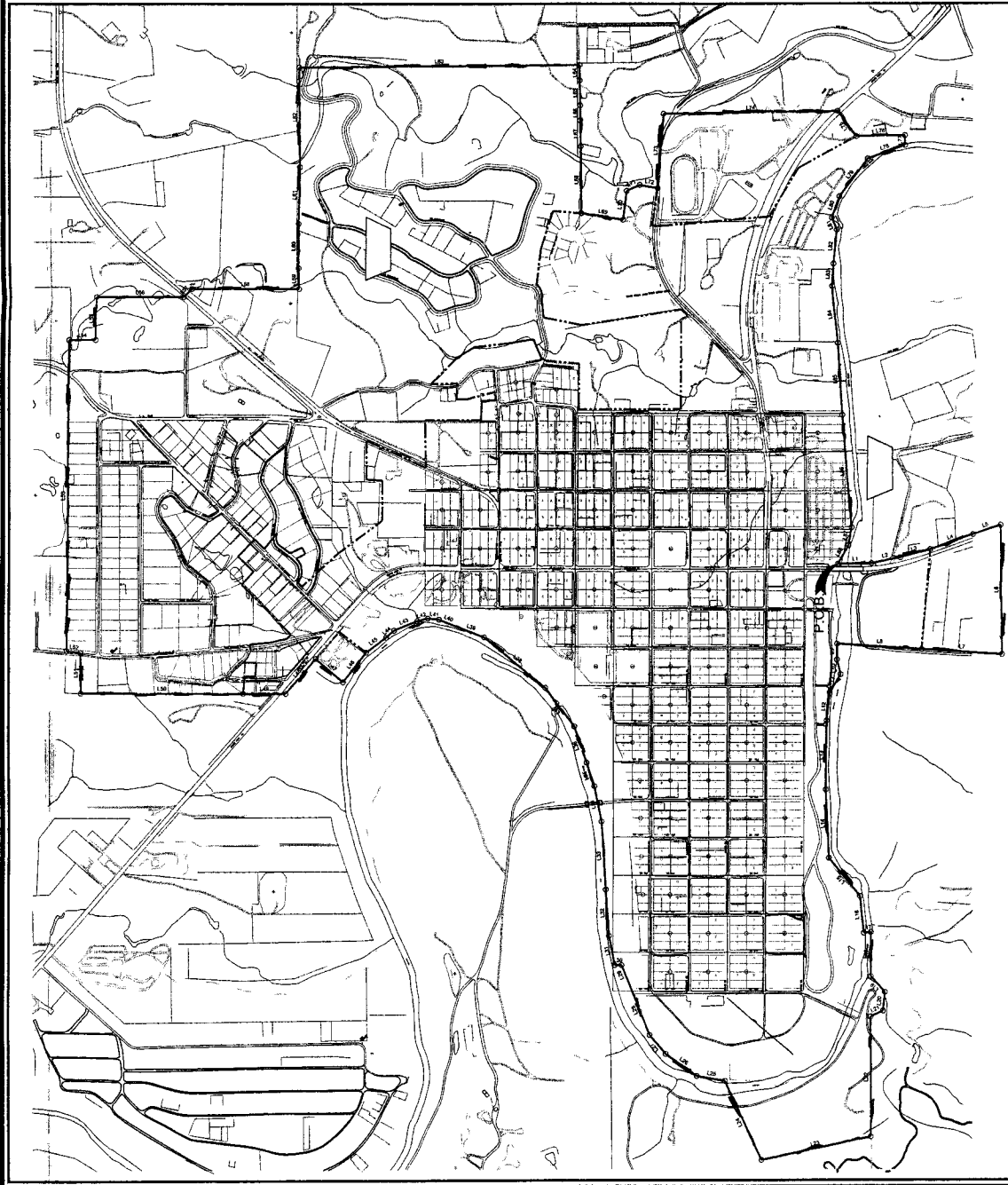
MAY 13 2009

Postal Express of Bandera
1132 Main St.
P.O. Box 9100
Bandera, TX 78003-9100

Sent To	Hill Country Utilities
Street, Apt. No., or PO Box No.	400 Cielo Rio Drive
City, State, ZIP+4	Pipe Creek, TX 78063

PS Form 3800, June 2002

See Reverse for Instructions



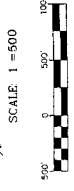
INDICATES CCN BOUNDARY (1,229 ACRES)
 INDICATES CITY LIMIT (710 ACRES)

CD CODE: TWA-6GT
 DESCRIPTION: MCGAS TEXAS STATE PLAN, SOUTH CENTRAL ZONE, US FOOT

APRIL 2009

MAP B(ii)
 PROJECTABLE DIGITAL DATA
 WITH METADATA
 FOR THE
 PROPOSED C.C.N. APPLICATION
 FOR
 THE CITY OF BANDERA, TEXAS

LINE	LENGTH	BEAR	IS
1	1.00	N 00° 00' 00" E	1.00
2	1.00	N 00° 00' 00" E	1.00
3	1.00	N 00° 00' 00" E	1.00
4	1.00	N 00° 00' 00" E	1.00
5	1.00	N 00° 00' 00" E	1.00
6	1.00	N 00° 00' 00" E	1.00
7	1.00	N 00° 00' 00" E	1.00
8	1.00	N 00° 00' 00" E	1.00
9	1.00	N 00° 00' 00" E	1.00
10	1.00	N 00° 00' 00" E	1.00
11	1.00	N 00° 00' 00" E	1.00
12	1.00	N 00° 00' 00" E	1.00
13	1.00	N 00° 00' 00" E	1.00
14	1.00	N 00° 00' 00" E	1.00
15	1.00	N 00° 00' 00" E	1.00
16	1.00	N 00° 00' 00" E	1.00
17	1.00	N 00° 00' 00" E	1.00
18	1.00	N 00° 00' 00" E	1.00
19	1.00	N 00° 00' 00" E	1.00
20	1.00	N 00° 00' 00" E	1.00
21	1.00	N 00° 00' 00" E	1.00
22	1.00	N 00° 00' 00" E	1.00
23	1.00	N 00° 00' 00" E	1.00
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27	1.00	N 00° 00' 00" E	1.00
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34	1.00	N 00° 00' 00" E	1.00
35	1.00	N 00° 00' 00" E	1.00
36	1.00	N 00° 00' 00" E	1.00
37	1.00	N 00° 00' 00" E	1.00
38	1.00	N 00° 00' 00" E	1.00
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98	1.00	N 00° 00' 00" E	1.00
99	1.00	N 00° 00' 00" E	1.00
100	1.00	N 00° 00' 00" E	1.00



PREPARED BY:
KLEIN ENGINEERING INC.
 CIVIL • MUNICIPAL • ENVIRONMENTAL ENGINEERS
 815 SOUTH MAIN STREET
 SUITE 200
 BANDERA, TEXAS 78003
 (817) 933-1000 FAX (817) 933-1001
 www.kleinengineering.com

Notice to Neighboring Systems, Landowners and Cities

2009 SEP -1 AM 9:47

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

CHIEF CLERKS OFFICE

To: Bandera Pass Ranch Subdivision Date Notice Mailed: 5/13, 2009
(Neighboring System, Landowner or City)

(Address) PO Box 1851

(City Bandera State TX Zip) 78003 - 1851

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas, and is generally bounded on the north by approximately 200 feet north of Dallas St.; on the east by Enchanted River Dr.; on the south by approximately 100 feet south of RR 1077; and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN applications affect customers and/or areas located in the following zip code(s): 78003. See enclosed map of the proposed service area.

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

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JUN 04 2009
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ON
ENVIRONMENTAL QUALITY

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 exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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

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

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

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

7003 0500 0001 0436 9431

U.S. Postal Service™
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 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

MAY 13 2009
 Postal Express
 1132 AM
 P.O. Box 78
 Bandera, TX 78003

Sent To
 Bandera Pass Ranch Subdivision
 Street, Apt. No.,
 or PO Box No. P.O. Box 1851
 City, State, Zip+4
 Bandera, TX 78003-1851

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bandera Pass Ranch Subdivision
 P.O. Box 1851
 Bandera, TX 78003-1851

2. Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
 [Signature]
☒ Agent ☐ Addressee
- B. Received by: (Printed Name)
 [Signature]
- C. Date of Delivery
 5-15-09
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☒ No

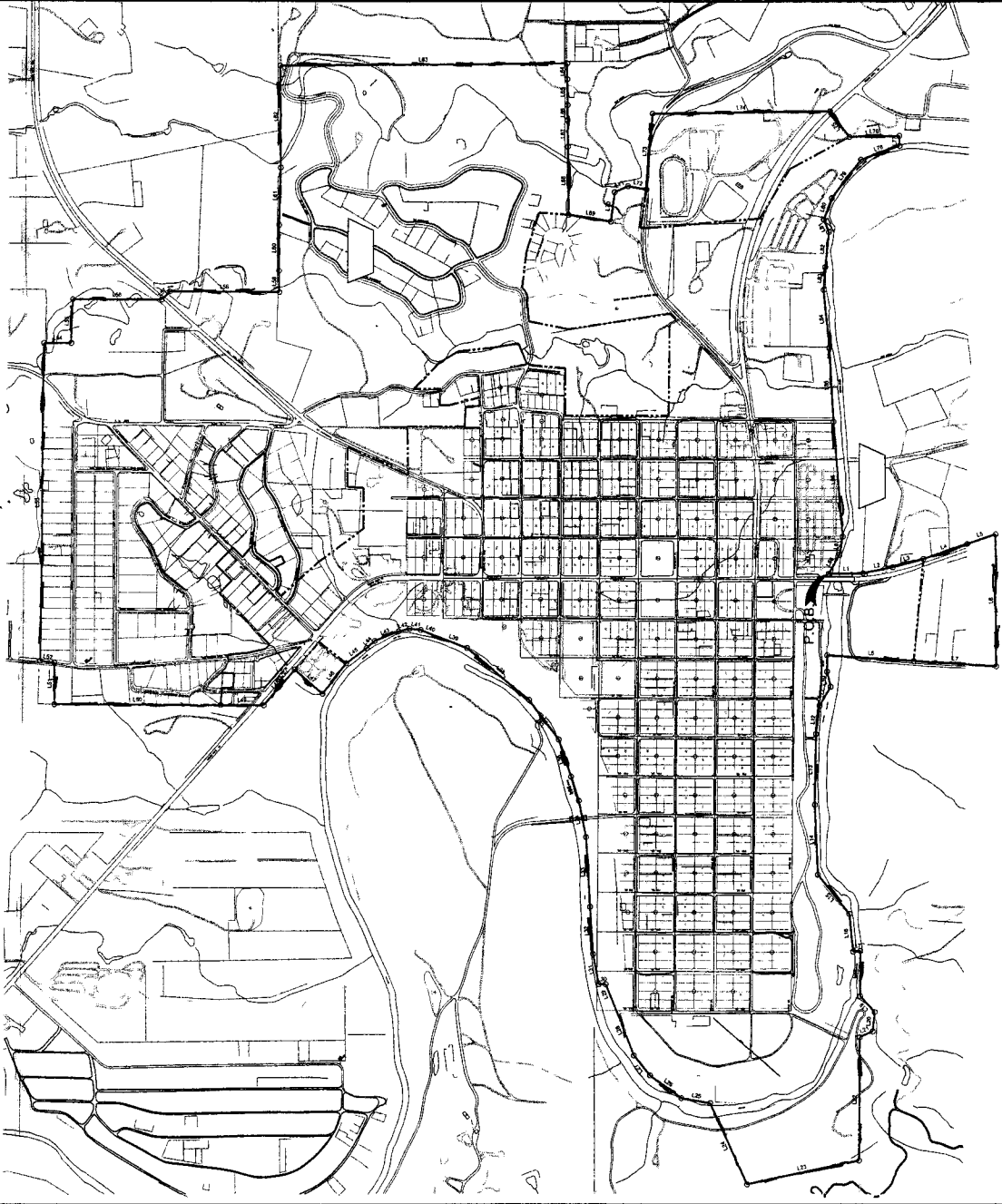
3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

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MAP B(ii)
PROJECTABLE DIGITAL DATA
WITH METADATA
FOR THE
PROPOSED C.C.N. APPLICATION
FOR
THE CITY OF BANDERA, TEXAS

APRIL 2009

INDICATES CON BOUNDARY (1,229 ACRES)
INDICATES CITY LIMIT (710 ACRES)

CS CODE, TOWN-SCE
DESCRIPTION: M003 TEXAS STATE PLAN, SOUTH CENTRAL ZONE, US FOOT
FROM TOWN-SCE 1.00

PREPARED BY:
KLEIN ENGINEERING INC.
CIVIL & MUNICIPAL & ENVIRONMENTAL ENGINEERS
8611 BATTIS LANE
SAN ANTONIO, TEXAS 78217
(210) 528-7070
www.kleinengineering.com

Notice to Neighboring Systems, Landowners and Cities

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

2009 SEP -1 AM 9:47

CHIEF CLERKS OFFICE

To: Flying L PUD Date Notice Mailed: 5/13, 2009
(Neighboring System, Landowner or City)

(Address) 281 Stone Crest Dr.

(City) Bandera State TX Zip) 78003

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas, and is generally bounded on the north by approximately 200 feet north of Dallas St.; on the east by Enchanted River Dr.; on the south by approximately 100 feet south of RR 1077; and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN applications affect customers and/or areas located in the following zip code(s): 78003. See enclosed map of the proposed service area.

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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

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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.

7003 0500 0001 0436 9424

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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

MAY 13 2009

Postal Express! of Bar
 1132 Main St
 P.O. Box 9100
 Bandera, TX 78003-9100

Sent To Flying L PUD
 Street, Apt. No. 281 Stone Crest Drive
 or PO Box No. Bandera, TX 78003
 City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Flying L PUD
281 Stone Crest Drive
Bandera, TX 78003

2. Article Number
 (Transfer from service label)

7003 0500 0001 0436 9424

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

5-18-09

D. Is delivery address different from item 1? ☐ Yes ☐ No
 If YES, enter delivery address below:

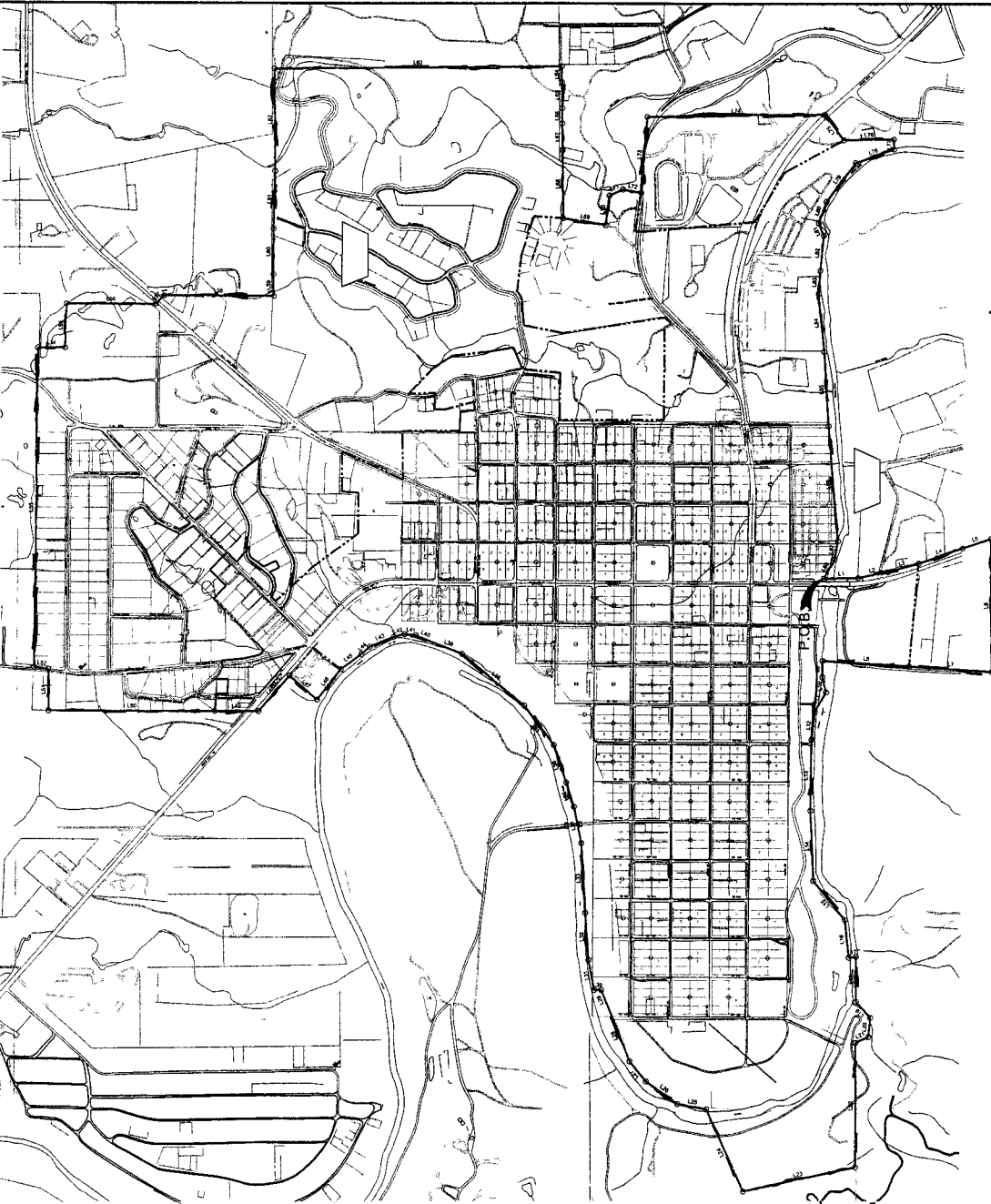
3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-02-M-1540



INDICATES CCN BOUNDARY (1,229 ACRES)
 INDICATES CITY LIMIT (710 ACRES)

CS CODE: TXA-SCE
 DESCRIPTION: NAD83 TEXAS STATE PLAIN SOUTH CENTRAL ZONE US FOOT
 DATE: 10/11/2009 1:11

APRIL 2009

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PREPARED BY:

KLEIN ENGINEERING INC.
 CIVIL/MUNICIPAL/ENVIRONMENTAL ENGINEERS
 8811 BOTTS LAKE SAN ANTONIO, TEXAS 78217
 (210) 628-1090 www.kleinengineering.com

MAP B(ii)

PROJECTABLE DIGITAL DATA
 WITH METADATA

FOR THE

PROPOSED C.C.N. APPLICATION
 FOR

THE CITY OF BANDERA, TEXAS

Notice to Neighboring Systems, Landowners and Cities

2009 SEP -1 AM 9:48

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

CHIEF CLERKS OFFICE

To: Bridlegate Water
(Neighboring System, Landowner or City)

Date Notice Mailed: 5/13, 2009

(Address) 9670 Ranch Road 12

(City) Wimberly State TX Zip 78676

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

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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

RECEIVED

JUN 04 2009

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ON
ENVIRONMENTAL QUALITY

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

notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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

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

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

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

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

MAY 13 2009

Postmaster Here
Postal Express! of Bandera
1132 Main St
P.O. Box 9100
Bandera, TX 78003

Sent To Bridgeway Water
 Street, Apt. No.,
 or PO Box No. 9670 Ranch Road 12
 City, State, ZIP+4 Wimberly, TX 78676

PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

☐ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.

☐ Print your name and address on the reverse so that we can return the card to you.

☐ Attach this card to the back of the mail piece on the flap or in the space provided.

Article addressed to:
Bridgeway Water
9670 Ranch Road 12
Wimberly, TX 78676

COMPLETE THIS SECTION ON DELIVERY

1. Signature [Signature] ☐ Agent ☐ Addressee

2. Received by (Printed Name) _____ On Date of Delivery _____

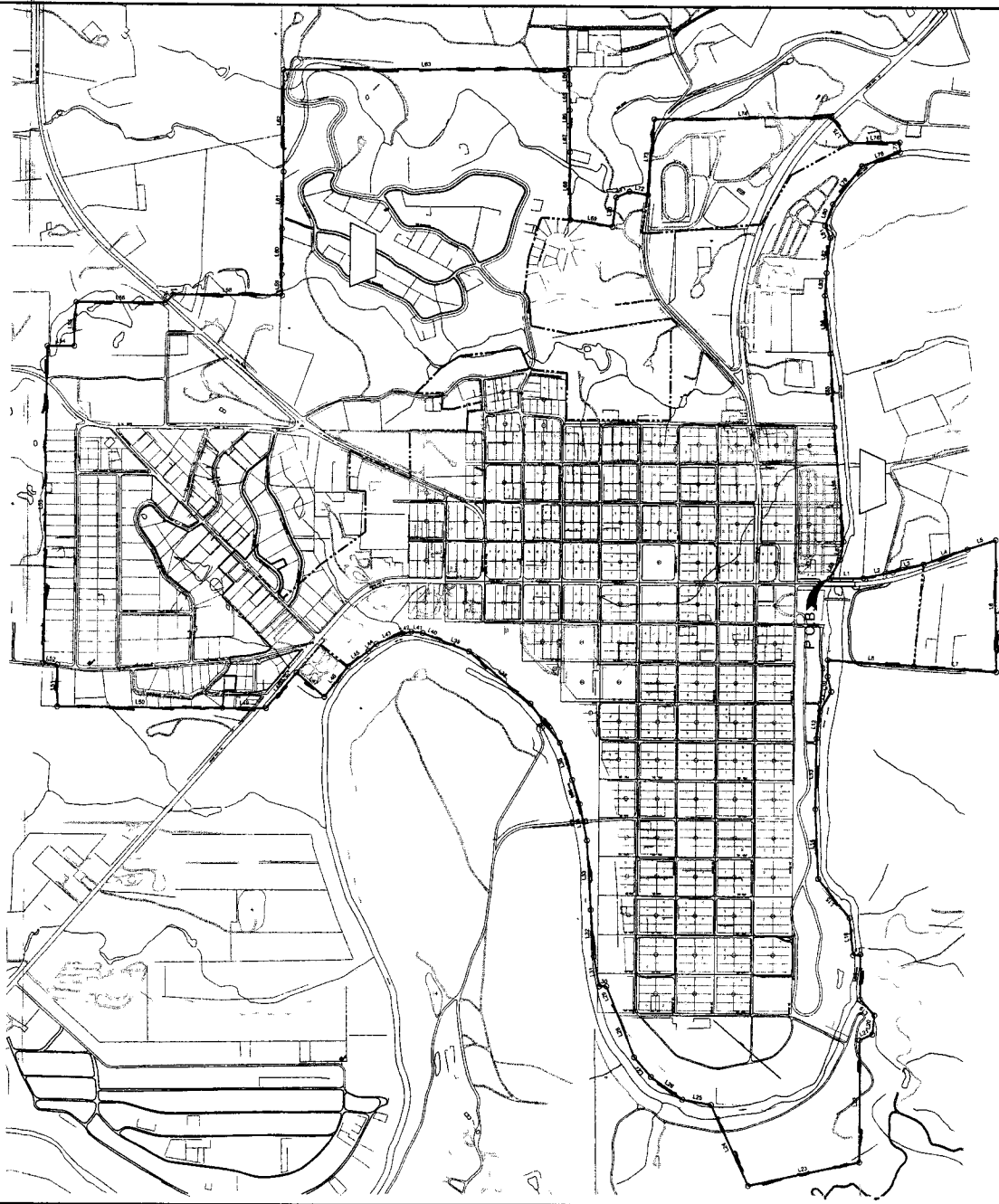
3. Is delivery address different from item 1? ☐ Yes ☐ No
 If Yes, enter delivery address below: _____

4. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

5. Restricted Delivery? (Extra Fee) ☐ Yes ☐ No

6. Article Number (transfer from service label) 7003 0500 0001 0436 9479

PS Form 3811, February 2004 Domestic Return Receipt 10265-02-100-000

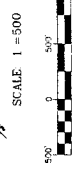


——— INDICATES CCN BOUNDARY (1,229 ACRES)
 - - - - - INDICATES CITY LIMIT (710 ACRES)

GE CODE THIS SET
 DISCUSSION JACOBS TEXAS STATE PLAN SOUTH CENTRAL ZONE 1/8 FOOT
 DATA ENTRY 11/14

APRIL 2009

LINE	LENGTH	BEARING
1	300.51	S89°48'25"E
2	488.74	S89°48'25"E
3	297.26	S89°48'25"E
4	524.00	S89°48'25"E
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98	524.00	S89°48'25"E
99	524.00	S89°48'25"E
100	524.00	S89°48'25"E



PREPARED BY:

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MAP B(ii)
 PROJECTABLE DIGITAL DATA
 WITH METADATA
 FOR THE
 PROPOSED C.C.N. APPLICATION
 FOR
 THE CITY OF BANDERA, TEXAS

2009 SEP -1 AM 9:48

CHIEF CLERKS OFFICE



Texas Commission on Environmental Quality

APPLICATION NO. 36334-C
36335-C

AFFIDAVIT OF NOTICE TO LANDOWNERS

STATE OF TEXAS

COUNTY OF Bandera

The City of Bandera has provided individual notice to
the following entities:

Michael A. Guiss
90 Flying L land + livestock

DATE
5/14/2009

RECEIVED

JUN 04 2009

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

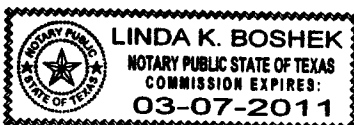
OATH

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


Applicant's Authorized Representative

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

Subscribed and sworn to before me this 14th day of May, 2009, to
certify which witness my hand and seal of office.



Linda K. Boshek
Notary Public in and for the State of Texas
LINDA K. BOSHEK
Print or Type Name of Notary Public
Commission Expires 3/1/11

Notice to Neighboring Systems, Landowners and Cities

SEP -1 AM 9:48

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

CHIEF CLERKS OFFICE

To: Michael A. Suiz
(Neighboring System, Landowner or City)
c/o Flying I Land + Livestock
(Address) 1826 Peaceful Valley
(City Bandera State TX Zip) 78003

Date Notice Mailed: 5/14, 2009

The City of Bandera has filed applications for CCNs and to decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County.

The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas, and is generally bounded on the north by approximately 200 feet north of Dallas St.; on the east by Enchanted River Dr.; on the south by approximately 100 feet south of RR 1077; and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN applications affect customers and/or areas located in the following zip code(s): 78003. See enclosed map of the proposed service area.

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:

RECEIVED

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

JUN 04 2009
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

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 exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land.

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

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

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

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

CENTRAL APPRAISAL DISTRICT OF BANDERA COUNTY

ED BARNES, RPA - CHIEF APPRAISER
WENDY M. GRAMS, RPA - DEPUTY CHIEF APPRAISER
1206 MAIN STREET
P.O. BOX 1119
BANDERA, TX 78003
PHONE: (830) 796-3039 FAX: (830) 460-3672

May 13, 2009

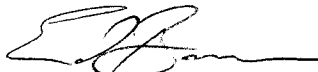
Mr. Gene R. Foerster, City Administrator
City of Bandera
P.O.Box 896
Bandera, Texas 78003

Re: CCN Area

Dear Mr. Foerster:

We have reviewed our mapping and determined that one land owner has more than 25 acres within the CCN area. His name and address is shown below.

Michael A. Luigs
% Flying L Land & Livestock
1826 Peaceful Valley
Bandera, Texas 78003



Ed Barnes, RPA
Chief Appraiser

7003 0500 0001 0436 9493

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

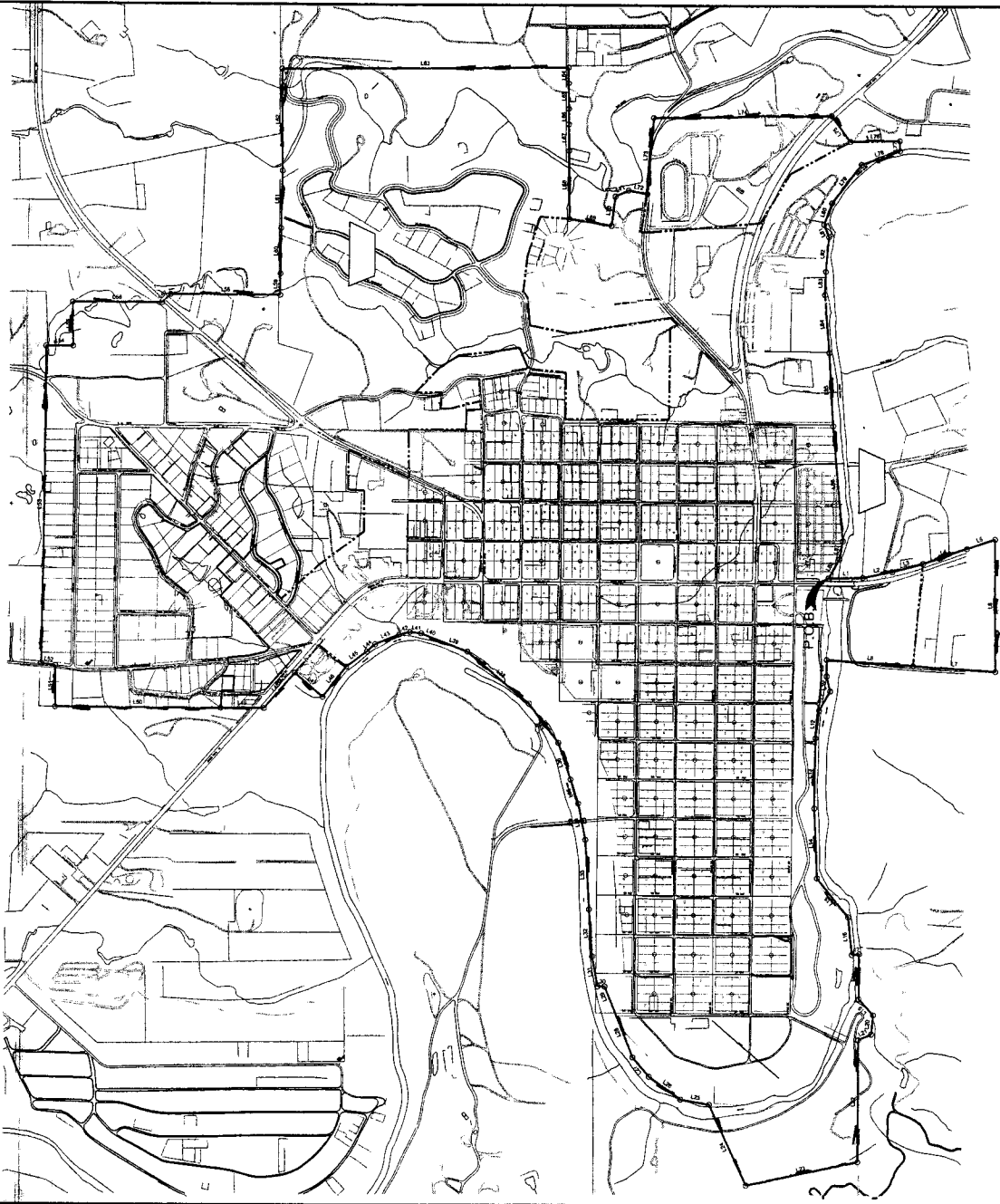
Postal Express
 1132 Main St.
 P.O. Box 78
 Bandera, TX 78003
 MAY 14 2009

Sent To *Michael A. Shipps 90 Hwy L Sand + livestock*
 Street, Apt. No.,
 or PO Box No. *1826 Peaceful Valley*
 City, State, ZIP+4 *Bandera, TX 78003*

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mail piece, or on the front if space permits.</p> <p>Article addressed to: <i>Michael A. Shipps 90 Hwy L Sand + livestock 1826 Peaceful Valley Bandera, TX 78003</i></p>	<p>4. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>5. Received by (Printed Name) <input type="checkbox"/> Date of Delivery <i>5/15/09</i></p> <p>6. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: <input type="checkbox"/> No</p>
	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	
<p>7003 0500 0001 0436 9493</p>	
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	



LINE TABLE

LINE	FROM	TO	BEARING	LENGTH
1	100	101	N 89° 59' 59" E	500.00
2	101	102	S 89° 59' 59" E	500.00
3	102	103	S 89° 59' 59" E	500.00
4	103	104	S 89° 59' 59" E	500.00
5	104	105	S 89° 59' 59" E	500.00
6	105	106	S 89° 59' 59" E	500.00
7	106	107	S 89° 59' 59" E	500.00
8	107	108	S 89° 59' 59" E	500.00
9	108	109	S 89° 59' 59" E	500.00
10	109	110	S 89° 59' 59" E	500.00
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PREPARED BY:



KLEIN ENGINEERING
INC.
3000 MUNICIPAL ENVIRONMENTAL ENGINEERS
8011 BOWEN AVE
DALLAS, TEXAS 75247
(214) 828-7078
www.klein-engineering.com

MAP B(ii)

PROJECTABLE DIGITAL DATA
WITH METADATA

FOR THE

PROPOSED C.C.N. APPLICATION

FOR

THE CITY OF BANDERA, TEXAS

APRIL 2009

INDICATES CCN BOUNDARY (1,229 ACRES)

INDICATES CITY LIMIT (710 ACRES)

CS CODE: TMS-507
DESCRIPTION: NAD83 TEXAS STATE PLAIN, SOUTH CENTRAL ZONE, US FOOT
DATA: TMS-507



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2009 SEP -1 AM 9:48

CHIEF CLERKS OFFICE

Texas Commission on Environmental Quality

APPLICATION NO. 36334-C
36335-C

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Bandera

Before me, the undersigned authority, on this day personally appeared

Gail S Joiver

who being by me duly sworn, deposes and says that (s)he is the

Publisher of the

TITLE

Bandera County Courier; that
said

NAME OF NEWSPAPER

newspaper is regularly published in Bandera

County(ies) and generally circulated in

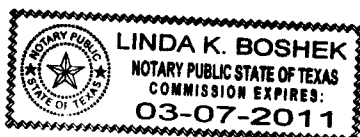
Bandera County (Counties), Texas; and that

the attached notice was published in said newspaper on the following date(s), to wit: May 14+21, 2009

Gail S Joiver
Newspaper Representative's Signature

Subscribed and sworn to before me this 28th day of May, 2009, to certify which

witness my hand and seal of office.



Linda K. Boshek
Notary Public in and for the State of Texas

LINDA K. BOSHEK
Print or Type Name of Notary Public

Commission Expires 3/7/2011

RECEIVED

JUN 04 2009

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

day! (30) 796-9789
 25¢ for each word over 10

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**PUBLIC
 NOTICE**

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN BANDERA COUNTY. The City of Bandera has filed application for CCN's and decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County. The proposed utility service area is the incorporated City Limits of the City of Bandera, Texas and is generally bounded on the north by approximately 200 feet north of Dallas St. on the east by Enchanted River Dr. on the south by approximately 100 feet south of RH 1077 and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 customers. The proposed CCN application affects customers and/or areas located in the following zip codes: 78003. A copy of the proposed service area map is available at Bandera City Hall, 511 Main Street, Bandera, Texas 78003 or by calling

**PUBLIC
 NOTICE**

830-796-4247. A request for a public hearing must be received by the State (1) your name, mailing address and daytime telephone number, (2) the applicant's name, application number or another recognizable reference in this application, (3) the statement of why we request a public hearing, (4) a brief description of how you or the person 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, PO Box 13087, Austin, Texas 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 request to be notified

**PUBLIC
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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 exclude the tract from the proposed area, or opt out by providing written notice to the Commission within (30) days

**PUBLIC
 NOTICE**

from the date that notice was provided by the applicant. All requests to opt out for the requested service area must include a scaled general location map and names and boundary description of the tract of land. Persons who meet these requirements to opt out, and who request this option, should file the required documents with the Texas Commission on Environmental Quality, Water Supply Division, Utilities and Districts Section MC 153, PO Box 13087, Austin, Texas 78711-3087. A copy of the request to opt out of the proposed area must also be sent to the applicant. Sanitary easements, mineral interests, and other interests in the proposed area must also be identified. Please contact the Commission at 512-239-0200 for more

PUBLIC NOTICE
 POWER OF TEXAS announces its plans for construction of a 300-foot guyed cellular phone tower located at 15677 Highway 16 N. (29° 48' 30.4" N, 99° 15' 50.6" W) in Medina. This notice serves to comply with the Nationwide Programmatic Agreement for Review of Effects on Historic Properties for Certain Undertakings approved by the Federal Communications Commission that became effective March 16, 2005. Please submit public comments to 210-646-8566 or gerald@burgemartinez.com.

**BANDERA
 COUNTY**



Texas Commission on Environmental Quality

APPLICATION NO. 36334-C
36335-C

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Bandera

Before me, the undersigned authority, on this day personally appeared

Gail S. Joiner

who being by me duly sworn, deposes and says that (s)he is the

the Publisher of

TITLE

Bandera County Courier; that

said

NAME OF NEWSPAPER

RECEIVED

newspaper is regularly published in Bandera

JUN 04 2009

County(ies) and generally circulated in

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

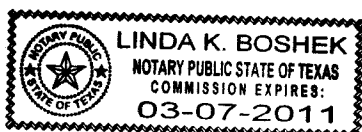
Bandera County (Counties), Texas; and that

the attached notice was published in said newspaper on the following date(s), to wit: May 14 & 21, 2009

Gail S. Joiner
Newspaper Representative's Signature

Subscribed and sworn to before me this 28th day of May, 2009, to certify which

witness my hand and seal of office.



Linda K. Boshek
Notary Public in and for the State of Texas

LINDA K. BOSHEK
Print or Type Name of Notary Public

Commission Expires 3/7/2011

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Check out this great home listing!

Bandera River Ranch 3/2.5/2 2143 sf (per owner) with split rail fencing, 0.89 corner lot covered with trees. 2 year old home with carpet, tile, designer sinks & vaulted ceilings. Open floorplan with split bedrooms & walk-in closets. Great neighborhood. VPN Ready.

\$298,500.

Vicki Browning, Broker

Sheri Cherry 830-796-1659 • Rick Sowell 210-289-0647

3917 Hwy. 16 South

866-231-0103 • 830-460-7250

PUBLIC NOTICE

PUBLIC HEARING
The City Council and Planning & Zoning Commission will have a Joint Public Hearing on June 11, 2009 at 5:00 p.m. in the City Hall located at 511 Main Street, Bandera, Texas 78003 in regard to a Special Use Permit Application for The Mansion in Bandera located at 1007 Hackberry Street, city block bordered by Hackberry, Tenth, Pecan, and Eleventh Streets. Lots 26 through 33, Block 5, Range 10.

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER AND SEWER UTILITY SERVICE IN BANDERA COUNTY. The City of Bandera has filed application for CCN's and decertify a portion of SWWC Utilities, Inc. dba Diamond Water Company with the Texas Commission on Environmental Quality to provide water and sewer utility service in Bandera County. The pro-

PUBLIC NOTICE

posed utility service area is the incorporated City Limits of the City of Bandera, Texas and is generally bounded on the north by approximately 200 feet north of Dallas St. on the east by Enchanted River Dr. on the south by approximately 100 feet south of RR 1077, and on the west by the Medina River. The total area being requested includes approximately 1,229 acres and 800 current customers. The proposed CCN application affects customers and/or areas located in the following zip code(s): 78003. A copy of the proposed service area map is available at Bandera City Hall, 511 Main Street, Bandera, Texas 78003 or by calling 830-796-4247. 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)

PUBLIC NOTICE

the statement; (4) we request a public hearing; (5) a brief description of how you or the person you represent would be adversely affected by the granting of the application for a CCN; and (6) your proposed adjustment to the application for 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, PO Box 13087, Austin, Texas 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 request to be notified if a hearing is set will receive notice. If a hear-

NOTICE

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 exclude the tract from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled general location map and a metes and bounds description of the tract of land. Persons who meet the requirements to opt out and wish to request this option should file the required documents with the Texas Commission on Environmental Quality, Water Supply Division, Utilities and Districts, Section MC-153, PO Box 13087, Austin, Texas 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. 05/14x2c

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TEXAS
COMMISSION
ON ENVIRONMENTAL
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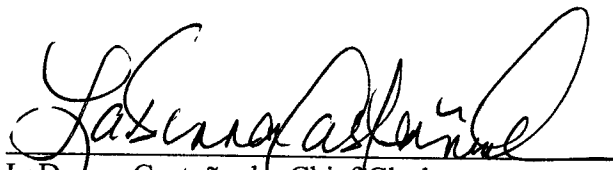
CHIEF CLERKS OFFICE

STATE OF TEXAS §

COUNTY OF TRAVIS §

I, LaDonna Castañuela, Chief Clerk of the Texas Commission on Environmental Quality, do hereby certify that the attached mailing list provides the persons to whom the notice of the public hearing for City of Bandera, SOAH Docket No. 582-09-5331, TCEQ Docket No. 2009-1007-UCR, was mailed on July 31, 2009.

Given under my hand and the seal of the Texas Commission on Environmental Quality, this
the 4th day of August, 2009.



LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality

(SEAL)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING
CITY OF BANDERA
SOAH Docket No. 582-09-5331
TCEQ Docket No. 2009-1007-UCR**

APPLICATION. City of Bandera, P.O. Box 896, Bandera, Texas 78003, has applied with the Texas Commission on Environmental Quality (TCEQ) to decertify a portion of Certificate of Convenience and Necessity (CCN) No. 12865 from SWWC Utilities, Inc. dba Diamond Water Co. and to obtain a water and sewer CCN in Bandera County, Texas (Application Nos. 36334-C and 36335-C).

CONTESTED CASE HEARING. The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing on this application at:

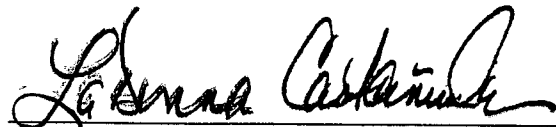
**10:00 a.m. – September 2, 2009
William P. Clements Building
300 West 15th Street, 4th Floor
Austin, Texas 78701**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, allow an opportunity for settlement discussions, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding will be similar to a civil trial in state district court. The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 13, Texas Water Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 291; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. To participate in the evidentiary hearing as a party, you must attend the preliminary hearing and show you would be affected by the petition in a way not common to members of the general public.

INFORMATION. For information concerning the hearing process, please contact the TCEQ Office of the Public Interest Counsel (MC 103), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-6363. For additional information, contact the TCEQ Water Supply Division, Utilities & Districts Section (MC 153), P.O. Box 13087, Austin, TX 78711-3087, telephone 512-239-4691. General information regarding the TCEQ can be found at our web site at www.TCEQ.state.tx.us.

Persons with disabilities who plan to attend this hearing and who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

Issued: July 31, 2009



LaDonna Castañuela, Chief Clerk
Texas Commission on Environmental Quality

MAILING LIST
City of Bandera
SOAH Docket No. 582-09-5331
TCEQ Docket No. 2009-1007-UCR

Gene R. Foerster, City Administrator
City of Bandera
P.O. Box 896
Bandera, Texas 78003
Applicant

Thomas Laxson
P.O. Box 120
Bandera, Texas 78003
Protestant

Nita Jenkins
P.O. Box 388
Bandera, Texas 78003
Protestant

Lee Kneupper
377 Johns
Bandera, Texas 78003
Protestant

Linda Stein
P.O. Box 1762
Bandera, Texas 78003
Protestant

Max Walden
P.O. Box 3363
Bandera, Texas 78003
Protestant

Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

Via electronic mail:

Douglas Brown, Staff Attorney, Environmental Law Division (MC 173)
Lisa Fuentes, Technical Staff, Water Supply Division, Utilities & Districts Section
(MC 153)
John Lock, Technical Staff, Water Supply Division, Utilities & Districts Section
(MC 153)
Blas Coy, Office of Public Interest Counsel (MC 103)