

Control Number: 43857



Item Number: 1

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

TCEQ Interoffice Memorandum

TO: Bridget Bohac, Chief Clerk

THRU: *6/20/12*
Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

6/20/12
Wera Poe, P. E., Team Leader
Plan & Groundwater Review Section
Water Supply Division

6/20/12
Lisa Fuentes, Team Leader
Utilities Financial Review
Water Supply Division

FROM: *6/20/12*
Brian Dickey
Utilities Technical Review Team
Water Supply Division

6/20/12
Debbie Reyes Tamayo
Utilities Financial Review
Water Supply Division

DATE: June 22, 2012

SUBJECT: Docket No. 2012-1196-UCR. Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No.10324, in Williamson County; Application No. 37116-C

CN: 602959033; RN: 101453322

We hereby transfer the official file for the above referenced application to the Chief Clerk's Office. Please refer the application to the State Office of Administrative Hearings and request that a hearing be scheduled.

A protest letter was received by Mr. Billy W. Evans who does not agree that the City of Liberty Hill has adequate resources or infrastructure to serve the customers within its current boundaries and has other concerns regarding cost of service for future customers.

Staff estimates 8 people to attend this hearing.

The staff assigned to this case is:

Technical - Brian Dickey
Technical - Debbie Reyes Tamayo
Legal -

If we may be of further service regarding this matter, please contact

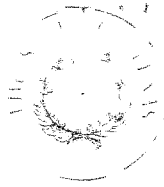
Tammy Benter

Tammy Benter, Manager

TB/DRT/mmg

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
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2012 JUN 25 PM 4:51
PUBLIC UTILITY COMMISSION
CHIEF CLERKS OFFICELING CLERK

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 22, 2012

CERTIFIED MAIL

Mr. Arturo D. Rodriguez, Jr.
Russell & Rodriguez, LLP
1633 Williams Dr., Ste. 200
Georgetown, TX 78628

Re: Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No. 10324, in Williamson County; Application No. 37116-C

CN: 602959033; RN: 101453322

Dear Mr. Rodriguez:

The Texas Commission on Environmental Quality (TCEQ) received a protest from Mr. Billy W. Evans on the application referenced above. Texas Water Code, Section 13.246 provides that affected parties may protest the application and request a hearing on whether a CCN should be amended. The Commission's Chief Clerk has assigned Docket No. 2012-1196-UCR to this matter. Any further communications should refer to this docket number. Please see the enclosed mailing list.

This matter has been referred to the State Office of Administrative Hearings to schedule a hearing. When a hearing has been scheduled, you will receive a notice of hearing which explains when and where the hearing will be held.

In order to review the application, the staff of the TCEQ may need additional information regarding your utility's service. You may be receiving Staff Requests for Information (RFI's) within a few weeks. We would appreciate your cooperation in providing the information requested.

If you have questions about this process or what material you should bring with you to the hearing, please contact Mr. Brian Dickey at (512)239-0963 or Ms. Debbie Reyes Tamayo at (512) 239-4683.

Sincerely,

A handwritten signature in cursive script, reading "Tammy Benter", is written over the typed name.

Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division

TB/DRT/mmg

cc: Enclosed Mailing List

Mailing List for Application No. 37116-C
Docket No. 2011-1196-UCR
City of Liberty Hill

Mr. Arturo D. Rodriguez, Jr.
Russell & Rodriguez, LLP
1633 Williams Dr., Ste. 200
Georgetown, TX 78628

Representing: City of Liberty Hill

Mr. Billy W. Evans
1051 CR 201
Liberty Hill, TX 78642

Protestant


To: Administrative Reviewer

Date Complete: May 10, 2012

From: Cartographer-Utilities & Districts Section

Subject: Overlap & Notice Check for Administrative Review No. A-084-11/37116-C
City of Liberty Hill (10324) to amend water CCN in Williamson county.

- X 1. No new overlap of service areas exists.
2. An overlap:
3. Dual certification:
4. An overlap exists with the city limits of:
5. If this is a Sale, Transfer, or Merger, is additional area being requested?
7. Map submitted is digital request digital data.
9. Utility notice was sufficient.
- X 10. Utility notice was insufficient. In addition to those systems listed in the application, they will also need to notify:
- TWO MILES:
- Liberty Hill ISD (pending SER)
- Chisholm Trail SUD (11590)
- Durham Park WSC (10432)
- Liberty Greenline LLC (13135)
- Aqua Utilities (11157)
- City of Leander (10302)
- Williamson county
- All cities and etj's within 2 miles of the proposed area
- X 11. Notice:
- On the east by CR 279
- On the West by Double File Trce
- X 12. Other comments: New maps and data removed area. New acreage is 3204 if needed.


Kent Steelman

R&R
RUSSELL & RODRIGUEZ, L.L.P.
ATTORNEYS AT LAW

1633 WILLIAMS DRIVE
BUILDING 2, SUITE 200
GEORGETOWN, TEXAS 78628

Email: arodriguez@txadminlaw.com

PHONE (512) 930-1317
FAX (866) 929-1641
WWW.TXADMINLAW.COM

May 4, 2012

VIA HAND DELIVERY

Ms. Debbie Reyes Tamayo
Ms. Tammy Benter
Texas Commission on Environmental Quality
Utilities & Districts Section
P.O. Box 13087, MC-153
Austin, Texas 78711-3087

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TO EQ
WATER SUPPLY DIV.
2012 MAY 4 PM 3 39

Re: Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No. 10324, in Williamson County; Application No. 37116-C

CN: 602959033; RN: 101453322

Dear Ms. Tamayo and Ms. Benter:

This firm represents the City of Liberty Hill in the above referenced application. I am in receipt of your letter dated February 7, 2012, entitled "Notice of Deficiency." We appreciate the extension of time you have provided to allow the City to respond your request for information. In addition to the new maps, you indicated a desire to demonstrate need for the expanded CCN.

We are pleased to provide this information to you. The City recently acquired the Liberty Hill Water Supply Corporation to provide potable water within the City. Since the acquisition of the water system, the City has already planned to improve water service to its current customers as well as provide water service to the area within its requested service area. Attached hereto as Exhibit 1 is the "Water System 5-Year Capital Improvements Plan (CIP) Update" prepared by the City Engineer, Perry Steger. These improvements plan for growth inside the City's current CCN and for the area within the proposed CCN.

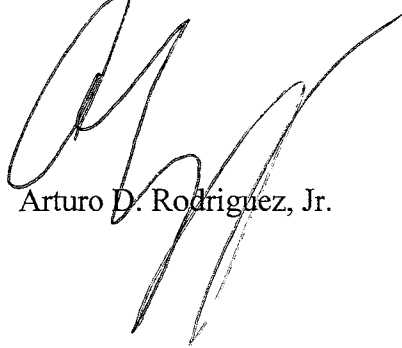
As a municipal provider of retail service, the City is planning for its long-term service and water supply needs to accommodate the eventual increase in population and water demands. Attached as Exhibit 2 is a portion of the Texas Water Development Board's Municipal Water Demand and Water Supply Information" for the Brazos - Region G Planning Area, which was last updated in 2011. The page included in Exhibit 2 demonstrates that the City of Liberty Hill's water demands will grow by 48% by 2020 and 107% by 2030. This demonstrates a remarkable growth in the City's water planning area, which includes the requested service area.

The need for the water CCN is evident. If you need further information regarding need, please let me know.

Additionally, enclosed as Exhibit 3 is a copy of a revised CCN map excluding the properties of Mr. Edward S. Butler; with Liberty Hill Land Partnership Ltd., Mr. William W. Soja and Ms. Deborah W. Soja; with Revocable Living Trust, and Ms. Ann Greenberg representing Liberty Hill Independent School District. The CD-ROM with the digital data for the map is included as well.

Thank you very much for your attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Arturo D. Rodriguez, Jr.', written in a cursive style.

Arturo D. Rodriguez, Jr.

Attachments as stated in letter

cc: (w/o Attachments)

Tammy Kirk, City Secretary

Exhibit 1



November 7, 2011

Manuel De La Rosa, City Manager
City of Liberty Hill
1120 Loop 332
Liberty Hill, Texas 78642

Re: Water System 5-Year Capital Improvements Plan (CIP) Update

Dear Manny,

As you are aware, we are actively preparing a 5-Year CIP report for the City's water supply and distribution system. This report will identify projects that the City should initiate within the next five years to improve operation of the water system and properly prepare for future growth.

In order to assist with the City's current plans to issue Certificates of Obligation to fund these and other expenses, we are submitting preliminary data on the projects that will be contained in the final CIP report. Enclosed is an excerpt from the report showing a summary of recommended Phase 1 projects (implementation within two years), and accompanying cost estimates.

Please let me know if you have any questions. We're looking forward to submitting the full report later this month.

Sincerely,

Perry C. Steger
PCS/brl

Enclosure

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WATER SUPPLY DIV.
2012 MAY 4 PM 3 40

Summary of C.I.P. Phase One and Related Recommendations

Phase One of the Capital Improvements Program for the City of Liberty Hill's water supply and distribution system consists of construction projects and improvements that are to be implemented within two years.

Project	City's Cost
Trinity Sands Wells 6 & 7	\$251,000
<i>Drill and develop wells for additional water supply. Construct necessary waterline extensions to connect the wells to the existing distribution system. The cost shown above is after subtracting a \$250,000 Community Development Block Grant (CDBG) Program grant.</i>	
Install Variable Frequency Drives (VFDs)	\$34,800
<i>Add VFDs to the existing well pump controls at Wells 2, 3, 4 and 5. VFDs increase the efficiencies of motors by reducing electric costs and extend the life of the motors.</i>	
Upgrade Supervisory Controls and Data Acquisition (SCADA) Components	\$76,000
<i>New FCC regulations effective 2013 will require the replacement of the system's existing SCADA equipment. The new, upgraded controls will give greater control over the system's performance.</i>	
Trinity Sands Well No. 8	\$300,000
<i>Purchase site and drill well for additional water supply. Construct necessary waterline extensions to connect the well to the existing distribution system.</i>	
Water Meter Replacements	\$60,000
<i>Replace existing water meters that are leaking, inaccurate, or otherwise poorly performing. This project will help reduce water loss and improve system efficiencies.</i>	
Phase One Total:	\$721,800

Proposed Water System Improvements
CITY OF LIBERTY HILL
Williamson County, Texas

TRINITY SANDS WELLS 6 & 7

PRELIMINARY COST SUMMARY

Revised October 24, 2011

Item Description	Quantity	Unit Price	Cost
Branigan Well (Well No. 6):			
Test Well w/ 12" hole, casing, gravel pack., SS screen & press. cementing	Lump Sum		\$60,000.00
Develop Trinity Sands well w/ pump & drop piping	" "		40,000.00
Conc. Sealing Slab & Well Head Piping w/ appurtenances	" "		10,000.00
Chlorination Facilities	" "		12,500.00
Electical & Controls (VFD & SCADA)	" "		25,000.00
Gravel Access Drive	" "		5,000.00
Chain Link Fencing (50' x 50') w/ 16' double leaf gate	" "		3,000.00
		Sub-Total:	\$155,500.00
Rigby Well (Well No. 7):			
Test Well w/ 12" hole, casing, gravel pack, SS screen & press. cementing	Lump Sum		\$60,000.00
Develop Trinity Sands well w/ pump & drop piping	" "		40,000.00
Conc. Sealing Slab & Well Head Piping w/ appurtenances	" "		10,000.00
Chlorination Facilities	" "		12,500.00
Electrical & Controls (VFD & SCADA)	" "		25,000.00
Gravel Access Drive	" "		2,000.00
Plug exist. residential well	" "		2,500.00
Chain Link Fencing (50' x 50') w/ 16' double leaf gate	" "		3,000.00
		Sub-Total:	\$155,000.00
Distribution Piping:			
4" SDR-21 PVC w/ sand bedding & tracer wire tape	1,500 L.F.	\$15.00	\$22,500.00
M.J. SSB Ductile Iron cl-350 Fittings w/ restraint glands	500 lbs.	5.00	2,500.00
6" Gate Valve w/ restraint glands & valve box	2 Ea.	800.00	1,600.00
4" Gate valve w/ restraint glands & valve box	2 Ea.	700.00	1,400.00
6" Wet Connection	2 Ea.	1,000.00	2,000.00
Clearing & Chipping	Lump Sum		2,000.00
Trench Safety & Erosion Control w/silt fencing	" "		2,000.00
		Sub-Total:	\$34,000.00
Construction Total:			\$344,500.00
Contingencies (approx. 10%):			34,500.00
Legal:			18,500.00
Land, Easements & Right of Way:			50,000.00
Surveying & Staking:			3,500.00
Administrative (grant):			25,000.00
Engineering:			25,000.00
Less CDB Grant			(250,000.00)
City's Contribution:			\$251,000.00

Note: This is a preliminary cost summary based on similar work on the Liberty Hill system and not an actual cost quote. It has not been based on any received bids. A revised and more accurate estimate can be provided after actual construction bids have been received and tabulated on all phases of the project. Legal includes closing, appraisal, negotiations and document preparation costs.

Proposed Water System Improvements
CITY OF LIBERTY HILL
Williamson County, Texas

Variable Frequency Drives

PRELIMINARY COST SUMMARY

October 26, 2011

Item Description	Quantity	Unit Price	Cost
Well No. 2: Circuit breaker, transient voltage surge suppressor (TVSS); 480v, 3-phase, 15-hp VFD rated for 50 deg. C w/ pilot lights & HOA controls; line & load filters	Lump Sum		\$6,500.00
Well No. 3: Circuit breaker, transient voltage surge suppressor (TVSS); 480v, 3-phase, 10-hp VFD rated for 50 deg. C w/ pilot lights & HOA controls; line & load filters Fan-cooled, NEMA 3R enclosure w/ rain/sun shade	Lump Sum " "		\$6,500.00 1,000.00
Well No. 4: Circuit breaker, transient voltage surge suppressor (TVSS); 480v, 3-phase, 15-hp VFD rated for 50 deg. C w/ pilot lights & HOA controls; line & load filters Fan-cooled NEMA 3R enclosure w/ rain/sun shade	Lump Sum " "		\$6,500.00 1,000.00
Well No. 5: Circuit breaker, transient voltage surge suppressor (TVSS); 480v, 3-phase, 15-hp VFD rated for 50 deg. C w/ pilot lights & HOA controls; line & load filters Fan-cooled NEMA 3R enclosure w/ rain/sun shade	Lump Sum " "		\$6,500.00 1,000.00
Construction Total:			\$29,000.00
Contingencies (10%)			2,900.00
Engineering (10%)			2,900.00
Total:			\$34,800.00

Note: This is a preliminary cost summary based on similar work in the area and not an actual cost quote. It has not been based on any received bids. A revised and more accurate estimate can be provided after actual bids have been received and tabulated on all phases of the project.

Proposed Water System Improvements
CITY OF LIBERTY HILL
Williamson County, Texas

**Supervisory Controls and Data Acquisition System
(SCADA)**

PRELIMINARY COST SUMMARY
October 25, 2011

Item Description	Quantity	Unit Price	Cost
Office:			
Replace exist. PLC w/ Allen-Bradley MicroLogix 1400	Lump Sum		\$1,500.00
Program PLC: exist. functionality, old protocol & new protocol	" "		5,000.00
Second omnidirectional antenna & cable on elev. tank	" "		1,500.00
		Sub-Total	\$8,000.00
Well No. 1:			
Submersible sensor	Lump Sum		\$1,500.00
Flowmeter w/ analog & pulse signals to PLC	" "		4,000.00
Reprogram PLC for level & flow monitoring w/ level lockout	" "		500.00
		Sub-Total:	\$6,000.00
Well No. 2:			
Allen-Bradley MicroLogix 1400 PLC	Lump Sum		\$1,500.00
MDS SD-04 radio transceiver using exist. antenna	" "		1,000.00
Submersible sensor wired to PLC	" "		1,500.00
Flowmeter w/ analog & pulse signals to PLC	" "		4,000.00
Program PLC: new protocol, level & flow monitoring w/ level lockout	" "		3,000.00
		Sub-Total:	\$11,000.00
Well No. 3:	Lump Sum		
Allen-Bradley MicroLogix 1400 PLC	" "		\$1,500.00
MDS SD-04 radio transceiver using exist. antenna	" "		1,000.00
Submersible sensor wired to PLC	" "		1,500.00
Flowmeter w/ analog & pulse signals to PLC	" "		4,000.00
Program PLC: new protocol, level & flow monitoring w/ level lockout	" "		3,000.00
		Sub-Total:	\$11,000.00
Well No. 4:	Lump Sum		
Allen-Bradley MicroLogix 1400 PLC	" "		\$1,500.00
MDS SD-04 radio transceiver using exist. antenna	" "		1,000.00
Submersible sensor wired to PLC	" "		1,500.00
Flowmeter w/ analog & pulse signals to PLC	" "		4,000.00
Program PLC: new protocol, level & flow monitoring w/ level lockout	" "		3,000.00
		Sub-Total:	\$11,000.00
Well No. 5:	Lump Sum		
Allen-Bradley MicroLogix 1400 PLC	" "		\$1,500.00
MDS SD-04 radio transceiver using exist. antenna	" "		1,000.00
Submersible sensor wired to PLC	" "		1,500.00
Flowmeter w/ analog & pulse signals to PLC	" "		4,000.00
Program PLC: new protocol, level & flow monitoring w/ level lockout	" "		3,000.00
		Sub-Total:	\$11,000.00
Construction Total:			\$58,000.00
Contingencies (approx. 20%):			12,000.00
Engineering:			6,000.00
Total:			\$76,000.00

Note: This is a preliminary cost summary based on similar work in the area and not an actual cost quote. It has not been based on any received bids. A revised and more accurate estimate can be provided after actual bids have been received and tabulated on all phases of the project.

Proposed Water System Improvements
CITY OF LIBERTY HILL
Williamson County, Texas

**TRINITY SANDS WELL
WELL NO.8**

PRELIMINARY COST SUMMARY
October 20, 2011

Item Description	Quantity	Unit Price	Cost
Well			
Test Hole	Lump Sum		\$10,000.00
Develop gravel packed Trinity Sands Well	" "		95,000.00
Conc. Sealing Slab & Well Head Piping w/ appurtenances	" "		12,500.00
Chlorination Facilities	" "		15,000.00
Electical & Controls	" "		25,000.00
Gravel Access Drive	" "		7,500.00
Chain Link Fencing (50' x 50') w/ 16' double leaf gate	" "		3,000.00
		Sub-Total:	\$168,000.00
Distribution Piping:			
4" SDR-21 PVC w/ sand bedding & tracer wire tape	2,000 L.F.	\$15.00	\$30,000.00
M.J. SSB Ductile Iron cl-350 Fittings w/ restraint glands	500 lbs.	5.00	2,500.00
6" Gate Valve w/ restraint glands & valve box	1 Ea.	800.00	800.00
4" Gate valve w/ restraint glands & valve box	1 Ea.	700.00	700.00
6" Wet Connection	1 Ea.	1,000.00	1,000.00
Clearing & Chipping	Lump Sum		2,000.00
Trench Safety & Erosion Control w/silt fencing	" "		1,000.00
		Sub-Total:	\$38,000.00
Construction Total:			\$206,000.00
Contingencies (approx. 10%):			20,600.00
Legal:			5,000.00
Land, Easements & Right of Way:			50,000.00
Surveying & Staking:			2,400.00
Engineering:			16,000.00
Total:			\$300,000.00

Note: This is a preliminary cost summary based on similar work on the Liberty Hill system and not an actual cost quote. It has not been based on any received bids. A revised and more accurate estimate can be provided after actual construction bids have been received and tabulated on all phases of the project.

Proposed Water System Improvements
CITY OF LIBERTY HILL
Williamson County, Texas

Water Meter Replacements

PRELIMINARY COST SUMMARY

November 7, 2011

Item Description	Quantity	Unit Price	Cost
Large Water Meter Replacement (1" and larger): Replace large commercial water meters with new, more accurate models to reduce water loss	Lump Sum		\$30,000.00
Small Water Meter Replacement (1" and smaller): Replace standard size residential and small commercial water meters. Meters that are leaking or have been known to perform poorly will be prioritized for replacement with new, more accurate models.	Lump Sum		\$20,000.00
Construction Total:			\$50,000.00
Contingencies (10%)			5,000.00
Engineering (10%)			5,000.00
Total:			\$60,000.00

Note: This is a preliminary cost summary based on similar work in the area and not an actual cost quote. It has not been based on any received bids. A revised and more accurate estimate can be provided after actual bids have been received and tabulated on all phases of the project.

Exhibit 2

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Table C-72
Brazos G Regional Water Planning Area
Municipal Water Demand & Supply By City/County
(acft)

<u>City/County</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>2030</u>	<u>2040</u>	<u>2050</u>	<u>2060</u>
JARRELL-SCHWERTNER WSC							
Demand	567	479	722	1,006	1,308	1,651	2,019
Supply	634	634	634	634	634	634	660
Groundwater	50	50	50	50	50	50	50
GW Constrained Supply		NC	NC	NC	NC	NC	NC
Surface water	584	584	584	584	584	584	610
SW Constrained Supply		NC	NC	NC	NC	NC	NC
Balance	67	155	(88)	(372)	(674)	(1,017)	(1,359)
JONAH WATER SUD							
Demand	1,159	1,676	2,229	2,804	3,415	4,092	4,845
Supply	3,226	1,675	2,228	2,803	3,270	3,270	3,270
Groundwater	430	430	430	430	430	430	430
GW Constrained Supply		NC	NC	NC	NC	NC	NC
Surface water	2,796	3,313	3,866	4,441	4,908	4,908	4,908
SW Constrained Supply		1,245	1,798	2,373	2,840	2,840	2,840
Balance	2,067	(1)	(1)	(1)	(145)	(822)	(1,575)
LEANDER							
Demand	1,344	3,887	5,380	7,119	9,028	11,156	13,439
Supply	7,619	7,619	6,400	6,400	6,400	6,400	6,400
Groundwater	-	-	-	-	-	-	-
GW Constrained Supply		NC	NC	NC	NC	NC	NC
Surface water	7,619	7,619	6,400	6,400	6,400	6,400	6,400
SW Constrained Supply		NC	NC	NC	NC	NC	NC
Balance	6,275	3,732	1,020	(719)	(2,628)	(4,756)	(7,039)
LIBERTY HILL							
Demand	268	454	673	940	1,223	1,537	1,874
Supply	192	192	77	77	77	77	77
Groundwater	192	192	192	192	192	192	192
GW Constrained Supply		NC	77	77	77	77	77
Surface water	-	-	-	-	-	-	-
SW Constrained Supply		NC	NC	NC	NC	NC	NC
Balance	(76)	(262)	(596)	(863)	(1,146)	(1,460)	(1,797)
MANVILLE WSC							
Demand	732	1,064	1,466	1,933	2,446	3,022	3,640
Contractual Demand	560	560	560	560	560	-	-
Supply	3,514	3,825	3,825	3,825	3,832	3,832	3,832
Groundwater	3,514	3,825	3,825	3,825	3,832	3,832	3,832
GW Constrained Supply		NC	NC	NC	NC	NC	NC
Surface water	-	-	-	-	-	-	-
SW Constrained Supply		NC	NC	NC	NC	NC	NC
Balance	2,222	2,201	1,799	1,332	826	810	192
ROUND ROCK							
Demand	13,522	23,103	31,146	40,704	51,176	62,801	75,268
Contractual Demand	4,295	1,569	2,279	3,112	4,035	5,040	6,118
Supply	21,892	21,766	21,646	21,543	21,466	21,356	21,247
Groundwater	821	821	821	821	821	821	821
GW Constrained Supply		NC	NC	NC	NC	NC	NC
Surface water	21,071	20,945	20,825	20,722	20,645	20,535	20,426
SW Constrained Supply		NC	NC	NC	NC	NC	NC
Balance	4,075	(2,906)	(11,779)	(22,273)	(33,745)	(46,485)	(60,139)
SOUTHWEST MILAM WSC							
Demand	209	259	318	386	465	549	643
Supply	134	281	281	281	286	286	286
Groundwater	134	281	281	281	286	286	286
GW Constrained Supply		NC	NC	NC	NC	NC	NC
Surface water	-	-	-	-	-	-	-
SW Constrained Supply		NC	NC	NC	NC	NC	NC

(P) Indicates city is in multiple counties. Projections shown are for this county's portion only.
Dash represents a value of zero (0)
NC indicates the supply is "not constrained"

RECEIVED
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Exhibit 3



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10

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

37116-C
RECEIVED
TCEQ
WATER SUPPLY DIV.
2012 JAN 12 PM 2 05

RE: Application 37116-C

Sirs;

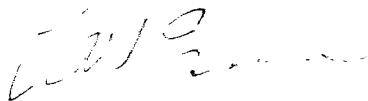
I request a public hearing to discuss the proposed expansion of CCN No. 10324 for the City of Liberty Hill, Texas. I have not been contacted previously by the applicant to address the following problems.

- 1) The City of Liberty Hill does not have adequate resources or infrastructure to serve the customers within its current boundaries. Additional water supplies are not available from existing sources. Expansion of the CCN area to prevent other SUDs from acquiring the area is not justification.
- 2) The cost to serve the proposed **low density** area has not been discussed with the future customers. The cost of service may be prohibitive. If the system expansion and improvements are to be provided by grants or other means, to insure the benefits are affordable, this should first be discussed in local meetings.

The expansion of the existing CCN should include only that area which must, and can be supplied without major costs and new facilities. IE, the new high school.

As an owner of more than 25 acres within the proposed expansion area, I hereby reserve the right to "opt out" of the CCN if the above questions and concerns are not answered to my satisfaction. I own the following tax parcels: R023001, R392794, R095976, and R023002.

Sincerely,



Billy W. Evans
1051 CR 201
Liberty Hill, TX 78642
(512)515-5109

RECEIVED
7076
WATER SUPPLY DIV.

2011 JAN 2 PM 2 05

1157 AQUA UTILITIES INC
10432 DURHAM PARK WSC
10432 DURHAM PARK WSC

13155 LIBERTY GREENLINE LLC

10432 DURHAM PARK WSC

PROPOSED LIBERTY HILL WATER SUPPLY DIVISION

10002 CITY OF LEANDER

1157 AQUA UTILITIES INC

11588 CHURCHILL TRAIL SUB

PROPOSED WATER CCN EXPANSION
Liberty Hill Water Supply Corporation
Williamson County, Texas

STEGEMAN BIZZELL

APR 2011

Legend:
Existing Water Lines
Liberty Hill City Limits
Proposed Liberty Hill WSC CCN
Existing Liberty Hill WSC CCN

Williamson County
Liberty Hill City Limits

R&R
RUSSELL & RODRIGUEZ, L.L.P.
ATTORNEYS AT LAW

1633 WILLIAMS DRIVE
BUILDING 2, SUITE 200
GEORGETOWN, TEXAS 78628

Email: arodriguez@txadminlaw.com

PHONE (512) 930-1317
FAX (866) 929-1641
WWW.TXADMINLAW.COM

January 18, 2012

VIA HAND DELIVERY

Ms. Debbie Reyes
Texas Commission on Environmental Quality
Utilities & Districts Section
P.O. Box 13087, MC-153
Austin, Texas 78711-3087

RECEIVED
TO EQ
WATSON COUNTY DIV.
2012 JAN 18 AM 9 59

Re: *Application from the City of Liberty Hill to Amend Certificate of Convenience and Necessity (CCN) No. 10324 in Williamson County; Application No. 37116-C*

CN: 602959003; RN: 101453322

Dear Ms. Reyes,

This firm represents the City of Liberty Hill in the above referenced application. I am in receipt of your November 21, 2011, letter that contained instructions on how to publish notice of the above-referenced application. Enclosed with this letter are the following documents, which satisfy the notification requirements:

1. The original and three copies of the *Publisher's Affidavit* from the Williamson County *Sun* as well as the tear sheet from January 1, 2012, and January 8, 2012, demonstrating that published notice was provided (see Exhibit No. 1);
2. Four copies of the *Notice to Neighboring Systems, Landowners and Cities* and the map sent to each neighboring system, landowner owning more than 25 acres, and city within two (2) miles or more of the City of Liberty Hill (see Exhibit No. 2);
3. An original and three copies of the *Affidavit of Notice to Neighboring Utilities and Affected Parties* signed by Mr. Manuel De La Rose, City Manager for the City of Liberty Hill (see Exhibit No. 3).

Thank you very much for your attention to this matter.

Sincerely,


Arturo D. Rodriguez, Jr.

Attachments as stated in letter
cc: (w/o Attachments)
Mr. Manuel De La Rosa
Mr. Richard Hamala



Texas Commission on Environmental Quality



PUBLISHER'S AFFIDAVIT
APPLICATION NO. 37116-C

STATE OF TEXAS
COUNTY OF Williamson

Before me, the undersigned authority, on this day personally appeared
Gin Burnett, who being by me
duly sworn, deposes and says that (s)he is the Rep. - office manager
(TITLE)
of the Williamson County Sun
(NAME OF NEWSPAPER)

that said newspaper is regularly published in Williamson County
(COUNTY/COUNTIES)
and generally circulated in Williamson County, Texas; and
(COUNTY/COUNTIES)

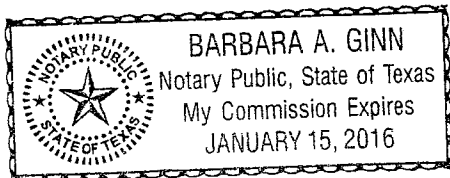
that the attached notice was published in said newspaper on the following date(s), to wit:
January 1 & 8, 2012
(DATES)

Gin Burnett
(SIGNATURE OF NEWSPAPER REPRESENTATIVE)

Subscribed and sworn to before me this 13th day of January, 2012,
to certify which witness my hand and seal of office.

Barbara A Ginn
Notary Public in and for the State of Texas

Barbara A Ginn
Print or Type Name of Notary Public
Commission Expires 01-15-16





11

11



Bonnie Jackson and Jane Best



Carolyn Bonnet.

PUBLI

Legal Notice

Continued from Page 7B

**CITATION BY PUBLICATION
THE STATE OF TEXAS
COUNTY OF WILLIAMSON
TO ALL PERSONS INTERESTED IN THE ESTATE OF
DAVID EWING BALMFORTH,
DECEASED, Cause No. 11-0778-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.**
CASSANDRA GAIL THOMAS, Applicant in the above numbered and entitled estate, filed on the 28th day of December, 2011 an APPLICATION TO DETERMINE HEIRSHIP AND FOR LETTERS OF INDEPENDENT ADMINISTRATION of the said estate and requests that the said Court determine who are the heirs and only heirs of the said DAVID EWING BALMFORTH, DECEASED, and their respective shares and interest in such estate.

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the County Court-house in Georgetown, Williamson County Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance it shall be returned unserved.

Issued and given under my hand and seal of office at Georgetown, Texas, this 28th day of December, 2011.

Nancy E. Rister
Williamson County Clerk
405 MLK Street Box 14
Georgetown, Texas 78626
By: S. Perdue, Deputy
Applicant's Attorney
Lawrence A. Russell
Attorney at Law
9951 Anderson Mill Rd Ste 200

Austin TX 78750

**CITATION BY PUBLICATION
THE STATE OF TEXAS
COUNTY OF WILLIAMSON
TO ALL PERSONS INTERESTED IN THE ESTATE OF
MARSH F. SMITH A/K/A
SKIP SMITH, DECEASED,
Cause No. 11-0782-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.**

**REBECCA L. SMITH AND
MARSH F. SMITH III, Applicant in the above numbered and entitled estate, filed on the 30th day of December, 2011 an APPLICATION FOR APPOINTMENT OF INDEPENDENT ADMINISTRATOR AND DETERMINATION OF HEIRSHIP of the said estate and requests that the said Court determine who are the heirs and only heirs of the said MARSH F. SMITH A/K/A/ SKIP SMITH, DECEASED, and their respective shares and interest in such estate.**

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the County Court-house in Georgetown, Williamson County Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance it shall be returned unserved.

Issued and given under my hand and seal of office at Georgetown, Texas, this 30th day of December 2011.

Nancy E. Rister
Williamson County Clerk
405 MLK Street Box 14
Georgetown TX 78626
By: C. Dawson, Deputy
Applicant's Attorney
Randall C. Stump
803 Main St.
Georgetown Texas 78626

**NOTICE OF APPLICATION
FOR CERTIFICATE OF
CONVENIENCE AND**

NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County. The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is generally bounded on the north by County Road 206 on the east by CR 279, on the south by Brewer Branch and Little Creek, and on the west by Double File Tree. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

A copy of the proposed service area map is available at 1120 Loop 332, Liberty Hill, Texas 78642 or by calling 512/778-5449. 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 to be notified a hearing is set will receive notice if a hearing is scheduled. If a public hearing is requested, the Executive Director will issue the CCN and will for the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no hearing is reached and an administrative hearing is held, SOAH will submit a recommendation to the Commission for final decision. If an administrative 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, 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 and a metes and bounds description of the tract of land. Persons who meet the requirements to opt out, and wish request this option should the required documents to 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 be sent to the applicant. For more information regarding your request, please call 1-512-0200.

**CITATION BY PUBLICATION
THE STATE OF TEXAS
COUNTY OF WILLIAMSON
TO ALL PERSONS INTERESTED IN THE ESTATE OF
HOMERO AMANDO F. EZ, JR., DECEASED, Cause No. 11-0780-CP4, in County Court at Law #4 of Williamson County, 405 Martin Luther King Street, Georgetown, Texas 78626.**





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CONSTRUCTION, INC.**

Commercial Construction
Interior Remodeling
Construction
Free Estimates
8139

Handyman Services

Your Handyman. Christmas lights, home repair/remodeling, window replacement, fencing, small jobs welcome. \$25/hour or by the job. Jeff, 512-925-5109

Have truck will haul. Garage clean-out, tree debris, appliances, Fall clean up, gutter cleaning. All your hauling and cleaning needs. Reasonable rates. 635-1971

Handyman Service & Repair. Electrical, plumbing, drywall, framing, additions, decks and haul-off. References available. Local since 1990. \$45/hr. 512-868-1044

C&R Handyman Service. "Small projects are ideal." 20 years experience. Call David at 512-293-2355. crhsgeorgetown@verizon.net

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Commercial**

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**CONSTRUCTION
SMALL JOBS A-Z**

AND RESIDENTIAL

maintenance and repair needs inside and out

THEN WE'RE NOT FINISHED

Painting • Electrical • Room Additions • Drywall

• Engineer on staff

(Public Notices Continued)

ber, 2011
Charles E. Lance
Attorney for Applicant

INVITATION TO BID #201212
Sealed bids will be received by the City of Georgetown in the Georgetown Municipal Complex, Purchasing Department, at 300-1 Industrial Avenue, Georgetown, Texas 78626 at January 19, 2012 at 2:00 p.m. and immediately thereafter publicly opened and read, for constructing the following project:

The project consists of furnishing and installing and providing all labor and materials required for a new parking lot, consisting of 81 parking spaces, new sidewalk, concrete driveway, landscaping and irrigation and other miscellaneous items, as more fully described in the Drawings and the summary of work contained in Section 01010.

Bidding Documents are on file and may be examined at the office of the Steger Bizzell, 1978 S. Austin Ave., Georgetown, Tx., 78626, (512)930-9412. Bidding Documents may be obtained upon payment to the Engineer, accompanied with a check in the amount of \$100.00 per set, which is not refundable. Bids not accompanied by cashier's check or bid bond will not be considered. Bidders should register on the City of Georgetown's Ebid web site - <http://bids.georgetown.org>.

Public Meeting to Consider Proposed Ordinances By the Georgetown City Council on Tuesday, January 10, 2012

An Ordinance of the City Council of the City of Georgetown, Texas, amending part of the Zoning District Map adopted on the 4th Day of April 2002 in accordance with the Unified Development Code passed and adopted on the 11th Day of March 2003, to rezone 2.54 acres in the Antonio Flores Survey from Industrial (IN) District to General Commercial (C-3) District, as recorded in the Deed Reference, Volume 2462, Page 946 and Document Number in 2003085211 of the Official Public Records of Williamson County, Texas, repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date

An Ordinance of the City Council of the City of Georgetown, Texas, amending part of the Zoning District Map adopted on the 4th Day of April 2002 in accordance with the Unified Development Code passed and adopted on the 11th Day of March 2003, to rezone 9.48 acres in the Joseph Fish Survey from Agriculture (AG) District to Residential Single-Family (RS) District, as recorded in Deed Reference, Document Number 2006070080 of the Official Public Records of Williamson County, Texas, repealing conflicting ordinances and resolutions; including a severability clause; and establishing an effective date.

Meeting to be held at 6:00 pm, at the Georgetown Council

(Public Notices Continued)

cember, 2011 an **APPLICATION TO DETERMINE HEIRSHIP** and an **APPLICATION FOR LETTERS OF ADMINISTRATION** of the said estate and requests that the said Court determine who are the heirs and only heirs of the said **LINDA JO JORDAN, DECEASED**, and their respective shares and interest in such estate

Said application may be heard at 10:00 o'clock a.m. on or after the first Monday next after the expiration of ten days from the date of publication of this citation, at the County Court-house in Georgetown, Williamson County, Texas.

All persons interested in said estate are hereby cited to appear before said Honorable Court on or before above mentioned time and place by filing a written answer contesting such application should they desire to do so.

If this citation is not served within 90 days after the date of its issuance, it shall be returned unserved.

Issued and given under my hand and seal of office at Georgetown, Texas, this the 21st day of December, 2011
Nancy E. Rister
Williamson County Clerk
405 MLK Street, Box 14
Georgetown, Texas 78626
By: S. Perdue, Deputy
Applicant's Attorney:
Mark S Whitaker
15 N Main Street
Temple TX 76701

NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) TO PROVIDE WATER UTILITY SERVICE IN WILLIAMSON COUNTY, TEXAS

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County. The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is generally bounded on the north by County Road 206; on the east by CR 279; on the south by Brewer Branch and Little Creek; and on the west by Double File Trce. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

A copy of the proposed service area map is available at 1120 Loop 332, Liberty Hill, Texas 78642 or by calling 512/778-5449. 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

(Public Notices Continued)

office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court. If you are a landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the proposed area, you may request to be excluded from the proposed area (or "opt out") by providing written notice to the Commission within (30) days from the date that notice was provided by the applicant. All request to opt out of the requested service area must include a scaled, general location map and a metes and bounds description of the tract of land. Persons who meet the requirements to opt out, and wish to request this option should file the required documents with the:

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

A copy of the request to opt out of the proposed area must also be sent to the applicant. Staff may request additional information regarding your request. Si desea informacion en Espanol, puede llamar al 1-512-239-0200.

Notice of Public Auction

A public auction will be held to satisfy Landlord's lien pursuant to Chapter 59 of the Texas Property Code. Sale will be held at 10:00am on the 28th day of January, 2012, at A-A-A Storage Inner Loop L.P. located at 1301 NE Inner Loop, Georgetown, TX., 78626. All units will be sold to the highest bidder for cash. Clean up and removal deposit will be required. Seller reserves the right to withdraw any property from the sale and reserves the right to reject any bid. Sales include items from the following tenant's storage spaces:

Sarah Hiller, Rita Martinez, Rebecca Gentry, Joshua Klecka
Description of Items:
Clothes, Misc Boxes and Totes, Misc Household Items, Furniture, Toys, Television, Computers, Printer, Movies, Luggage, Books

For further information on the sale, please contact A-A-A Storage Inner Loop Manager at 1301 NE Inner Loop, Georgetown, TX, 78626 Phone: 512-864-0110

Application has been made with the Texas Alcoholic Beverage Commission for a Mixed Beverage Restaurant Permit with Food and Beverage by Tombstone Texas Bar &



10-10-10

Application No. 37116-C
Notice to Neighboring Systems, Landowners and Cities

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

To:

Date Notice Mailed: January 5, 2012

The City of Liberty Hill has filed an application to amend CCN No. 10324 with the Texas Commission on Environmental Quality to provide water utility service in Williamson County.

The proposed utility service area is located approximately 1.5 miles northwest of downtown Liberty Hill, Texas, and is **generally** bounded on the north by County Road 206; on the east by CR 279; on the south by Brewer Branch and Little Creek; and on the west by Double File Trce. The total area being requested includes approximately 5,542 acres and 0 current customers. The proposed amendment affects customers and/or areas located in the following zip code: 78642.

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

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

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a

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

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

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

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

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

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

Texas Commission on Environmental Quality



AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES
APPLICATION NO. 37116-C

STATE OF TEXAS
COUNTY OF Williamson

The City of Liberty Hill, Texas has provided
individual notice to the following entities:

	DATE
<u>See attached list</u>	<u>Jan. 5, 2012</u>
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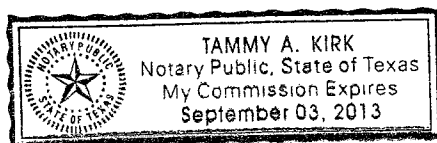
OATH

I, Manuel De La Rosa, being duly sworn, file this form as
City Manager (indicate relationship to applicant,
that is, owner, member of partnership, title of officer of corporation, or other authorized
representative of applicant); that in such capacity, I am qualified and authorized to file and
verify such form, am personally familiar with the notices given with this application, and have
complied with all notice requirements in the application and application acceptance letter; and
that all such statements made and matters set 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 17th day of January, 2012,
to certify which witness my hand and seal of office.



Tammy Kirk
Notary Public in and for the State of Texas
Tammy Kirk
Print or Type Name of Notary Public
Commission Expires 9/3/13



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Aqua Texas Inc.
1106 Clayton Ln, Ste 400W
Austin, TX 78723-2476

Chisholm Trail Special Utility District
PO Box 249
Florence, TX 76527

Durham Park Water Supply Corporation
900 Glasscock Road
Liberty Hill, TX 78642

Raymond Elroy Foust
PO Box 45
Liberty Hill, TX 78642

Robert L & Edena Harris
1053 County Road 201
Liberty Hill, TX 78642

City of Leander
PO Box 317
Leander, TX 78641

Liberty Hill ISD
14001 W. State Hwy 29
Liberty Hill, TX 78642

Mueller Family LP #1
PO Box 4879
Temple, TX 76505

Gabriel Sr. & Susie Pina
6800 Ranch Road 1869
Liberty Hill, TX 78642

Hal Duncan & Phillip Trussell
341 S Van Ness Ave
Los Angeles, CA 90020

Dinah Beth Brothers
PO Box 909
Liberty Hill, TX 78642

James B. & Patricia Curry
4850 Ranch Road 1869
Liberty Hill, TX 78642

Billy W Evans
1051 County Road 201
Liberty Hill, TX 78642

Leroy O. & Thelma M Hall
17100 W Hwy 29
Liberty Hill, TX 78642

Loyd Hodges
5501 RR 1869
Liberty Hill, TX 78642

Coy W. & Melisa L. Lechow
PO Box 348
Liberty Hill, TX 78642

Liberty Hill Land Partnership
PO Box 9190
Austin, TX 78766

David & Pamela Nemir & Terri Panico
1221 E. Baltimore Drive
El Paso, TX 79902

Gary R & Cathy Rylander
7102 Darcus Cv
Austin, TX 78759

Hal & Phillip Trussell
341 S Van Ness Ave
Los Angeles, CA 90020

Butler Family Partnership, LTD
Attn: Edward Butler
PO Box 9190
Austin, TX 78766

Chisholm Davis
PO Box 576
Liberty Hill, TX 78642

Mildred Adell Foust
PO Box 940
Liberty Hill, TX 78642

James O. Hanley Revocable Living Trust
PO Box 128
Liberty Hill, TX 78642

City of Leander
PO Box 319
Leander, TX 78641

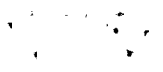
Liberty Greenline LLC
PO Box 969
Liberty Hill, TX 78642

Fannie Louise Marcom
16250 W Hwy 29
Liberty Hill, TX 78642

Chester & Vicki Park
1049 County Road 201
Liberty Hill, TX 78642

William W Soja Revocable Living Trust
Deborah W Soja Revocable Living Trust
PO Box 547
Liberty Hill, TX 78642

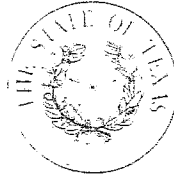
Judge Dan A. Gattis
Williamson County
710 Main Street, Suite 101
Georgetown, TX 78626





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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2012

CERTIFIED MAIL

Mr. Arturo D. Rodriguez, Jr.
Russell & Rodriguez, LLP
1633 Williams Dr., Ste. 200
Georgetown, TX 78628

FINAL NOTICE OF DEFICIENCY

Re: Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No. 10324, in Williamson County; Application No. 37116-C

CN: 602959033; RN: 101453322

Dear Mr. Rodriguez:

On February 7, 2012, the Commission sent a letter instructing you to work with Mr. Butler, Mr. and Ms. Soja and Ms. Ann Greenberg to obtain sufficient information to exclude their properties from the City of Liberty Hill's proposed service and to provide revised maps.

The Commission also asked for a demonstration of the need for service in the proposed area and for a response to the hearing request from Mr. Evans. The deadline for returning all requested information was March 10, 2012. As of the date of this letter, we have not received any of the requested information.

Please submit all information by **April 9, 2012**. If we do not receive the requested information by this date, your application will be returned for failure to prosecute.

If you have further questions, please contact Ms. Debbie Reyes Tamayo at (512) 239-4683, or if by correspondence, include Mail Code 153 in the letterhead address.

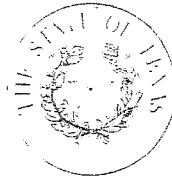
Sincerely,

A handwritten signature in cursive script that reads "Tammy Benter".

Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

TB/DRT/mmg

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



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 7, 2012

CERTIFIED MAIL

Mr. Arturo D. Rodriguez, Jr.
Russell & Rodriguez, LLP
1633 Williams Dr., Ste. 200
Georgetown, TX 78628

NOTICE OF DEFICIENCY

Re: Application from the City of Liberty Hill, to Amend Certificate of Convenience and Necessity (CCN) No. 10324, in Williamson County; Application No. 37116-C
CN: 602959033; RN: 101453322

Dear Mr. Rodriguez:

In order to issue or amend a CCN, certain criteria must be met in accordance with Chapter 30 Texas Administrative Code (TAC), §291.102 (d). One criteria is for the applicant to demonstrate the need for service in the proposed area. The application shows there are no requests for service in the proposed service area.

To demonstrate the need for service in the proposed area, please provide the following:

- a) Copies of any letters of intent from developers, landowner requests, applications for service, or a combination of these;
- b) a distribution map showing the City of Liberty Hill's current facilities in the proposed area;
- c) the names and physical addresses of customer's currently receiving water service from the City of Liberty Hill in the proposed area and indicate the location of these water connections on a map or plat of the proposed area.
- d). other information relevant to the need for service.

In addition, enclosed are copies of correspondence from Mr. Edward S. Butler; with Liberty Hill Land Partnership Ltd, Mr. William W. Soja and Ms. Deborah W. Soja; with Revocable Living Trust, and Ms. Ann Greenberg representing Liberty Hill Independent School District. Mr. Butler, Mr. and Ms. Soja, and Ms. Greenberg are requesting exclusion of their properties from the City of Liberty Hill's proposed service area in Williamson County.

Mr. Arturo D. Rodriguez, Jr.
Page 2
February 7, 2012

We have reviewed these requests and find the requests meet the criteria outlined in 30 Texas Administrative Code, §291.102(h), and is effective without a hearing or other process by the Commission.

Please work with Mr. Butler, Mr. and Ms. Soja, and Ms. Greenberg to obtain sufficient information to exclude their properties from the requested service area.

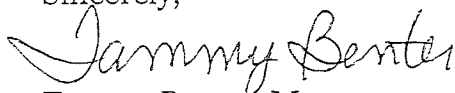
Please submit revised maps of the City of Liberty Hill's proposed service area excluding the properties mentioned above by **March 10, 2012**. Provide documentation showing the need for service, and forward a copy of the response to this office concerning Mr. Evens request for a hearing.

Lastly enclosed is a copy of a letter from Mr. Billy W. Evans requesting a hearing on the City of Liberty Hill's application. This copy is being sent to you so that the City may contact regarding Mr. Evans and attempt to resolve the issues brought forward in his letter.

Please respond to Mr. Evans and forward a copy of the response to this office also by **March 10, 2012**. If Mr. Evans does not file a written withdrawal of his request for a hearing, the application may be sent to the State Office of Administrative Hearings for scheduling.

If you have further questions, please contact Ms. Debbie Reyes Tamayo at (512) 239-4683, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Tammy Benter, Manager
Utilities & Districts Section
Water Supply Division
Texas Commission on Environmental Quality

TB/DRT/mmg

Ann E. Greenberg
Attorney at Law

WALSH, ANDERSON,
GALLEGOS, GREEN
and TREVIÑO, P.C.

ATTORNEYS AT LAW

agreenberg@wabsa.com
512.454.6864, Ext. 618

January 27, 2012

Via Hand Delivery

Ms. Tammy Holguin-Benter, Manager
Utilities and Districts Section, MC153
Water Supply Division, Building F
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
12100 Park 35 Circle
Austin TX 78753

Via CMRRR# 7196 9008 9111 0805 4331

Ms. Tammy Holguin-Benter, Manager
Utilities and Districts Section, MC153
Water Supply Division, Building F
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, TX 78711-3087

RECEIVED
TO EQ
WATER SUPPLY DIV.
2012 FEB 1 AM 11 48

Re: ***Landowner's Request to Opt Out of Proposed Area in CCN
Tex. Water Code § 13.246(h)/ Property Located in Williamson County
Application Number 37116-C***

Dear Ms. Holguin-Benter:

Pursuant to Texas Water Code § 13.246(h), the Liberty Hill Independent School District (the "District") hereby files this request seeking to exclude a tract of land owned by the District and consisting of more than 25 acres from the service area affected by the City of Liberty Hill's (the "City") proposed amendment to CCN No. 10324. The District received notice of the City's proposed amendment on January 6, 2012.

The following records are enclosed with this request, including the mapping information described by 30 Tex. Admin. Code § 291.105 (a)(2)(A-G):

1. Warranty Deed, including metes and bounds survey (Exhibit 1);
2. Land Title Survey Map (Exhibit 2).

For your reference, also enclosed is a map showing the proposed expansion of the City's CCN; the District's property at issue is labeled (Exhibit 3).

By filing this timely request, the District has met the requirements of Texas Water Code § 13.246(h) in order to exclude property from a proposed service area. The City's application to

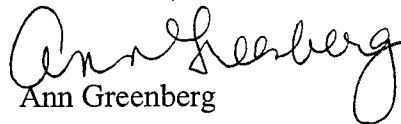
Ms. Tammy Holguin-Benter, Manager
Utilities and Districts Section, MC153
Water Supply Division, Building F
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
January 27, 2012
Page 2

amend CCN No. 10324 should be modified accordingly. It should be noted that the District successfully sought removal of the subject property from the City's CCN by Petition for Expedited Release, granted by the Executive Director on December 20, 2011.¹

Should you deem it required, the District requests a public hearing.

Please do not hesitate to contact me with any questions or concerns.

Best wishes,


Ann Greenberg

AEG/cdg
Enclosures

cc: *Via Facsimile 866-929-1641*
Mr. Auturo D. Rodriguez, Jr.
RUSSELL & RODRIQUEZ, LLP
1633 Williams Drive
Building 2, Suite 200
Georgetown, Texas 78628
(w/*Enclosures*)

Via Email: rhart@libertyhill.txed.net
Dr. Rob Hart
Superintendent of Schools
LIBERTY HILL ISD
P.O. Box 68
Liberty Hill, TX 78642-0068
(w/o *Enclosures*)

Via CMRRR # 7196 9008 9111 0805 4355
Mr. Manuel De La Rosa
City Manager
CITY OF LIBERTY HILL
P.O. Box 1920
Liberty Hill, Texas 78642
(w/o *Enclosures*)

¹ Application No. 37180-C was granted by letter dated December 20, 2011. The District's expedited release is currently subject to a Motion to Overturn filed by the City on January 12, 2012.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Date: July 2, 2009

Grantors: THE AMY S. BATES CHARITABLE REMAINDER TRUST

THE ELBERT M. AND LOUISE V. MARCOM CHARITABLE
REMAINDER TRUST

LOUISE VAUGHN MARCOM, INDEPENDENT EXECUTOR OF THE
ESTATE OF MARY ANN VAUGHN, DECEASED

Mailing Address: 16250 W. Highway 29
Liberty Hill, Williamson County, Texas 78642

Grantee: BOARD OF TRUSTEES OF THE LIBERTY HILL INDEPENDENT SCHOOL DISTRICT

Grantee's Mailing Address: 14001 HWY 29 W
Liberty Hill, Williamson County, Texas 78642

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration.

Property (including improvements):

Being a 95.982 acre tract of land situated in the Richard West Survey, Abstract No. 643, Williamson County, Texas, being a portion of a called 106.229 acre tract, save and except a 10.00 acre tract and a 0.29 acre tract described in a Deed to Elbert M. Marcom and Louise V. Marcom, Trustees of the Elbert M. and Louise V. Marcom Living Trust Recorded in Document No. 2008092740, of the Official Public Records of Williamson County, Texas, and also being a portion of a called 106.229 acre tract, save and except a 10.00 acre tract and a 0.29 acre tract Described in a Deed to Amy S. Bates, Trustee of The Amy S. Bates Charitable Remainder Trust, Recorded in Document No. 2008092741, of the Official Public Records of Williamson County, Texas, hereafter referred to as the 95.939 acre tract, said 95.982 acre tract being more particularly described by metes in Exhibit A, which is attached hereto and incorporated herein by reference for all purposes.

Reservations from Conveyance:

Right of First Refusal and Right of First Offer in Favor of Grantor. This conveyance by Grantor is subject to a Right of First Refusal and Right of First Offer on an adjacent Property which is evidenced by an instrument of even date conveying same from Grantee to Grantor.

Mineral Interest Reservation: For Grantor and Grantor's heirs, successors, and assigns forever, a reservation of a 51% royalty interest in oil, gas, and other minerals in and under and that may be produced from the Property. If the mineral estate is subject to existing production or an existing lease, this reservation includes the production, the lease, and all benefits from it.

Groundwater Interest Reservation: To the extent that any vested rights in the Groundwater exist in connection with the Property Grantor reserves for Grantor and Grantor's heirs, successors, and assigns forever, a 51% royalty interest in such rights in the groundwater in and under and that may be produced from the Property. If the water estate is subject to existing production or an existing license, this reservation includes the production, the license, and all benefits from it. Notwithstanding the foregoing, Grantor shall not have any right to enter onto the surface of the Property for any purpose relating to Grantor's reserved water interests or to extract Grantor's water interests in any manner that will adversely affect Grantee's improvements constructed or to be constructed on the surface of the Property or Grantee's right to occupy and enjoy the rights of surface ownership of the Property. Grantor hereby expressly waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the water estate owned by Grantor.

Nothing herein, however, restricts or prohibits the pooling or unitization of the portion of the water estate owned by Grantor with land other than the Property or the exploration or production of water by means of wells that are drilled on the surface of land other than the Property but enter or bottom under the Property, provided that these operations in no manner interfere with the surface or subsurface support of any improvements constructed or to be constructed on the Property.

Wind Energy Reservation: To the extent that any vested rights in the Wind Energy exist in connection with the Property, Grantor reserves for Grantor and Grantor's heirs, successors, and assigns forever, a 51% royalty interest in such rights in the wind energy to be produced on or above the Property. Such royalty interest shall not include a reservation of the right to use the surface estate for wind energy generation nor does such conveyance include easements on, under or over the property for purposes of transmission. Grantor hereby expressly waives and conveys to Grantee the right of ingress and egress to and from the surface of the Property relating to the portion of the wind estate owned by Grantor.

Exceptions to Conveyance and Warranty:

- Mineral and/or royalty interest, Recorded in Volume 905, Page 845, Deed Records, Williamson County, Texas.
- Terms, Conditions, and Stipulations in Oil, Gas and Mineral Lease, Recorded in Volume 726, Page 750, Deed Records, Williamson County, Texas.
- Channel Easement granted to the State of Texas by instrument recorded in Volume 415, Page 557, Deed Records, Williamson County, Texas

Grantor, for the consideration and subject to the reservations from conveyance and exceptions to conveyance and warranty, grants, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, their heirs, beneficiaries, successors and assigns forever; and it does hereby bind itself and its successors to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said Grantee, their heirs, beneficiaries, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

THE AMY S. BATES CHARITABLE REMAINDER TRUST

By: Amy S. Bates
Amy S. Bates, Trustee

THE ELBERT M. AND LOUISE V. MARCOM CHARITABLE
REMAINDER TRUST

By: Elbert M. Marcom
Elbert M. Marcom, Trustee

By: Louise V. Marcom
Louise V. Marcom, Trustee

THE ESTATE OF MARY ANN VAUGHN, DECEASED

By: Louise Vaughn Marcom
Louise Vaughn Marcom, Independent Executor

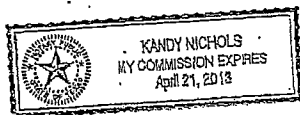
THE STATE OF TEXAS

COUNTY OF WILLIAMSON

ACKNOWLEDGMENT

BEFORE ME, a Notary Public, on this day personally appeared Amy S. Bates, known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon her oath stated that she is the Trustee of the AMY S. BATES CHARITABLE REMAINDER TRUST; that she is authorized to execute such instrument; and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 2 day of July, 2009.



Kandy Nichols
Notary Public, State of Texas