Robert J. Huston, Chairman R. B. "Ralph" Marquez, Commissioner Kathleen Hartnett White. Commissioner Jeffrey A. Saitas, Executive Director



### TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

August 8, 2002

Mr. Leo Montalvo Montalvo & Ramirez 900 North Main McAllen, Texas 78501

Declaration of Administrative Completeness RE:

Name: LaJoya Water Supply Corporation

CCN Number: 20785

Administrative Review Number: A-159-2

Type of Application: CCN

Dear Mr. Montalvo:

The above referenced application was received by the Water Quality Applications Team on August 1, 2002. An administrative review of the application has been conducted and the application was declared administratively complete on August 8, 2002.

This application has been forwarded to Ms. Michelle Abrams, Utility Certification and Rate Analysis Team, Districts and Utilities Section (Mail Code 153), Water Supply Division for a technical review. If during the course of the technical review additional information is needed, you will be notified of the deficiency and be requested to supplement the application.

You may contact Ms. Abrams at (512) 239-6014 if you have questions regarding the technical evaluation of your application. If you have questions regarding the administrative review, please contact Peggy Hiscoe at (512) 239-6168.

Sincerely,

Peggy Hiscoe

Reggy Hisove

Water Quality Applications Team (Mail Code 156)

Permits Administrative Review Section

Registration, Review & Reporting Division

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tnrcc.state.tx.us

To:

Administrative Reviewer

Date: August 5, 2002

From:

Cartographer-Utilities & Districts Section

Subject:

Overlap & Notice Check for Administrative Review No.

La Joya WSC to amend sewer CCN 20785 in Starr County

- 1. No new overlap of service areas exists. X
  - 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?
  - 6. Due to  $\square$  an inadequate map  $\square$  no map filed by the applicant, a determination cannot be made as to the actual location of requested service boundary.
  - 7. Map submitted is in a digital version. Attach insert to request electronic copy with response letter.
  - 8. Need a more detailed map, such as a subdivision plat or USGS topo map with the boundary clearly identified.
  - 9. Utility notice was sufficient.
- 10. Utility notice was insufficient. In addition to those systems listed in the application, X they will also need to notify:

TWO MILES:

City of Sullivan City

11. Notice: Generally located 5 miles Northeast of downtown La Grulla. X

On the North by US 83

On the East by a line approximately ½ a mile East of 16 Mile Rd.

On the South by a line approximately ½ a mile South of US 83

On the West by a line approximately ½ a mile West of 16 Mile Rd.

12. Other comments:

Kent Steelman

### TEXAS NATURAL RESOURCE CONSERVATION COMMISSION TELEPHONE MEMO TO THE FILE

Please complete with typewriter or black pen.

Call to: <u>Regang</u> Date of call: <u>8/2/02</u> / 0 A  Phone no.: ()	Call from: Doug Holcomb  File no.: A-159-2  Subject: Sa Joya WSC
Information for file: Noug will fay notices to longlete them, and faxt other back	The Thortoloo who in tura will.  Hold off seeding NOD letter.
. Sig	ned

Texas Comptroller of Public Accounts

### Texas Taxes / Certification of Account Status



### Franchise Tax Certification of Account Status

Return to: New Corporation Search | Corporation Search Results

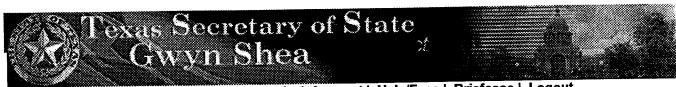
Certificates for filing with the Secretary of State to dissolve, merge, withdraw, or convert are not available through this Web site at this time.

000000000000000000000000000000000000000	910000000000000000000000000000000000000	٤.
Certificate of Account Status	Officers And Directors Information	3
	Superior and the superi	ř

Company Information	LA JOYA WATER SUPPLY CORPORATION PO BOX 518A LA JOYA, TX 78560-0518
Status	IN GOOD STANDING - EXEMPT CORPORATION
Registered Agent	LEO MONTALVO 900 NORTH MAIN MCALLEN, TX 78501
Registered Agent Resignation Date	
State of Incorporation	TX
File Number	0021653601
Charter/COA Date	September 13, 1965
Charter/COA Type	CHARTER
Taxpayer Number	17415600166

ca-003(Rev. 09-06-99)

For help, see <u>Detailed Instructions</u>.



Business Organizations | Trademarks | Account | Help/Fees | Briefcase | Logout

### BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number:

21653601

**Entity Type:** 

**Domestic Nonprofit Corporation** 

Original Date of Filing:

N/A

September 13, 1965 Entity Status:

In existence Non-Profit Type: Water Supply Corporation

**Formation Date:** 

0000000000

FEIN:

Tax ID: **Duration:** 

Perpetual

Name:

Address:

LA JOYA WATER SUPPLY CORPORATION

[ADDRESS NOT PROVIDED]

SHOW DED APPLY		LA SUR LA	ASSEXAGES LAGGES
BEGGTE TOWN	Address		Inactive Date
Name Leo Montalvo	900 NORTH MAIN MCALLEN, TX 7850		
<u> </u>			

Order

Return to Search

### Instructions:

To place an order for additional information about a filing press the 'Order' button.

### **MONTALVO & RAMIREZ**

Attorneys at Law 900 North Main McAllen, Texas 78501 Tel 956/631-1185 Fax 956/631-1187

Marcus Montalvo Roxanna Salinas Eduardo Cantu

Leo Montalvo Jesus Ramirez Jose R. Guerrero

January 5, 2001-

- august 1, 2002

Ms. Lisa Mejia Utilities & Districts Section Water Permits & Resource Management Division 12015 Park 35 Circle Bыlding F, Room 3101 Austin, Texas 78711-3087

hotate in DAC that feling fee has been

a luguid

RE:

Application LJWSC Sewer Certificate of Wowled - (CCN) No.20785 -- ADM Review No. 1

Dear Ms. Mejia:

Enclosed please find three applications for sewer serv enclosed for your review and approval please find one

As per our last conversation the filing fee of \$100.00 is to be waived. We would appreciate it very much if this application can be processed at your earliest convenience.

Call me as soon as you receive application so we can answer any questions you may have. Thank you for your assistance and cooperation.

180 MONTALVO -

Sincerely,

MONTALVØ & RAMIREZ

BY: ATA DEFICATA FIX

SECRETARY

enclosure: as stated

RECEIVED A-159-2

AUG 0 1 2002

Water Quality Applications Team

Received 8/1/2002 by Doug Helcomb T.N.R.C.C.

# LA JOYA WATER SUPPLY CORPORATION

### APPLICATION SEWER CCN NO. 20785

January 5, 2001

### **CONTACT PERSON:**

LEO MONTALVO MONTALVO & RAMIREZ 900 NORTH MAIN MCALLEN, TEXAS 78501 TEL: (956) 631-1185

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

	A THE
學。因為	
TNR	CC

### PURPOSE OF THIS APPLICATION

	P	URPOSE OF	THIS APPLICATIO	M		
		BTAIN	☐ New Water CC	N	☐ New Sewe	
	A A	MEND	☐ Water CCN #	<del> </del>	Sewer CCN	1#
	TNRCC	. APPLIC	CANT INFORMATI	<u>ON</u>		
a.	Applicant: L	a Joya Wate	er Supply Corporatio	oration	gal Entity)	<b>*</b> .
b.	Utility Name: _	Day 519-A				o Hidalgo
C.	Telephone (95	56) 585-2 <u>459</u>	La Joya Stat Fax: <u>(956)</u> 595-1	188	ip78560	_ County: Hidalgo
d.	if this person i Name: <u>Leo</u> Address: <u>90</u> City <u>McAl Len</u>	s the owner, op Montalvo O North Mai St <u>TX</u>	perator, engineer, a T nT Zip <u>7850</u> 1	ritle: At to Felephone Fax <u>(956)</u>	956 ) 631-11 631-1187	<del></del>
e.	members, dire	ectors, lessee/l lemar Ramire	essor, or partners of the second seco	of the lega Title: <u>Pre</u> Telephone Fax <u>(</u> )	entity applying sident	
	Name: Eloy Address: Ri City Missic	t. 29 Box /	05	Telephone	e-President e <u>(956 ) 984-4</u>	<u>818</u> 
	Name: <u>Jose</u> Address: <u>Rt</u> City <u>Missio</u>	<u>Cuada Lupe</u> . 7 Box 526 n St	–25 TX Zip <u>7857</u> 2	Fax()	e ( <sup>956</sup> ) 682-1	376
	Name: Rob Address: Rt City Missio	. 10 Box 25	1	Title: Me Telephon Fax(	mber e <u>(956 ) 584-1</u> )	
			- Attach additional	sheet(s) ii	necessary -	

Provide the following information about the utility's certified operators: f.

Name	Classes	License Number
	B Surface	456-33-4525
Humberto Torres, Jr Arnoldo Villarreal	B Surface	459-06-6529
Angel Iglesias	B Surface	465-23-8689

- Attach additional sheet(s) if necessary -

THE STATE OF TEXAS

COUNTY OF TRAVIS
I hereby certify that this is a true and correct copy of a
Texas Commission on Environmental Quality document,
which is filed in the permanent records of the Commission.
Given under my hand and the seal of office on

LaDonna Castanuela, Chief Clork in Epylonen i tra 14 Text

A:\CCNAPPLICATION.wpd

### **Board Members**

Name: <u>Jose Luis Trigo</u> Address: <u>P.O. Box 1610</u> City Sullivan City St Tx Zip 78595	_ Title: <u>Member</u> _ Telephone (956) 984-4818 Fax( <u>)</u>
Name: Guadalupe J. Garza  Address: Rt. 3 Box 109-K  City Mission St Tx Zip 78572	Title: <u>Member</u> Telephone ( 956) 585-4089 Fax( )
Name:         Arturo Garza           Address:         P.O. Box 1           City         Penitas         St Tx         Zip 78576	Title: <u>Member</u> Telephone (956) 581-1836 Fax( )
Name: <u>George Barreiro</u> Address: <u>Rt. 6 Box 229</u> City <u>La Joya</u> St <u>Tx</u> Zip <u>78560</u>	Title: <u>Member</u> Telephone (956) 580-5074 Fax( )
Name: Froylan "Titl" Ramirez  Address: P.O. Box 206  City Sullivan City St Tx Zip 78596	Title: <u>Member</u> Telephone (956) 580-6120 Fax( )

### **Certified Water Operators**

Name	Classes	License Number
Federico Soliz	B Surface	458-27-0572
Emilio Flores, Sr.	B Surface	344-44-0577
Javier Ramirez	B Surface D Waste	460-21-2404
Gerardo Flores	B Surface	455-96-8854
Francisco Flores	C Surface	463-84-2437
Bladimir Salinas	C Surface	457-59-1246
Emilio Flores, Jr.	C Surface	463-59-9220
Noe Santana	D Surface	462-47-1059
Benito Hernandez	C Surface	451-58-4461
Rammer Salinas	C Distribution	463-45-9656
Roy Martinez	D Surface	464-96-5217
Roberto Rodriguez III	D Surface	467-13-7564
Orlando Ortiz	D Surface	450-61-0739

		Investo	Investor owned utility		
		In	ndividual		
	100	Н	ome or Property Owners Association		
•			or-profit corporation		
	X	Non-p Water	rofit, member-owned, member-controlled cooperative corporation (Water Code Chapter 67, Supply or Sewer Service Corporation)		
		Munic	ipality		
		Distric	<del>*</del>		
		Other	Please explain:		
h. lí i. ií		Please	t is a For-Profit Corporation: e provide a copy of the corporation's "Certification of Account Status" from the Texas Statroller of Public Accounts. (See Note below) e provide the corporation's charter number as recorded with the Office of the Texas Secretary  Note: This certification can be obtained from:  http://open.cpa.state.tx.us or		
			Comptroller of Public Accounts, Office Management P.O. Box 13528 Austin, Texas 78711-3528 1-800-252-5555		
•	If the corpo i. ii.	ration: Pleas Pleas	int is a Water Code Chapter 67 water supply or sewer service corporation or other non-prose provide a copy of the Articles of Incorporation and By-Laws.  See provide the corporation's charter number as recorded with the Office of the Texas Secretary 00216536		
b. •	Are the YES If YES (ED) Have YES If yes need	AP app s, please for sen	pple already living in the proposed area? NO		

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

g.

### Additional Information

### Tract 1:

La Joya Water Supply is currently providing water service to twenty-six (26) customers in Starr County. The area lies South of U.S. Expressway 83 about .5 miles and 1.0 miles West of the Hidalgo/Starr County Line. The service has been provided to these customers for over 25 years. This area has been incorporated in the EDAP sewer project.

Page 9a

	c.	Is any portion of the proposed service area inside an incorporated city?  YES NC _X  If YES, Withine city limits of:  Provide a copy of any franchise, permit, or consent granted by the city. If not available, please explain:
	d	Is any portion of the proposed service area inside another utility's CCN area?  YES NO _X
		If YES, has the current CCN holder agreed to decertify the proposed area.
✓		If NO, are you seeking dual or single certification of the area? Explain why recertification of the area is in the public interest.
	e.	Attach the following maps with each copy of the application: (All maps should include applicant's name, address telephone number and date of drawing or revision. All maps should be folded to 8½ x 11 inches).
		i. A large scale map showing the exact proposed service area and any existing service area and if available the existing and proposed facilities. A metes and bounds description is not required, however, the facilities and service area boundaries should be shown with such exactness that they can be located on the ground Applicant should use U.S.G.S. 71/2-minute series, subdivision plat, engineer planning map, or other large scale map
		ii. A copy of the TNRCC official CCN map showing the exact proposed service area. A copy of the TNRCC official map may be obtained by contacting the Utility Rates & Services Section, Water Utilities Division at 512/239-6960.
3.	NEW	SYSTEM INFORMATION
	a.	Please provide the following information:  i. A list of all public drinking water supply systems or sewer systems within a 2 mile radius of the propose
		system.  Copies of written requests seeking to obtain service from each of the public drinking water supply system or sewer systems listed in #3.a.i above or documentation that it is not economically feasible to obtain service from them.
		iii. Copies of written responses from each system or evidence that they did not reply.  iv. Go to #3.b. La Joya Water Supply is the only utility provider within 5 miles of proposed area to be added to CON
	b.	Were your requests for service denied?
		<ul> <li>i. If yes, continue.</li> <li>ii. If no, please provide a detailed analysis which justifies your reasons for not accepting service. A separation analysis must be prepared and submitted for each system that granted your request for service.</li> </ul>
	C.	Please summarize how the proposed utility system will be constructed and describe each projected construction phase, if any: EDAP application has been submitted to Texas Water Development Board.  TNRCC has been a participation in discussion with reference to size scope and
		Incation. Initial construction to be a .9 mgm.
		<del></del>
<b>V</b>	d.	Date of plat approval, if required:

	e.	Date Plans & Specifications submitted for approvalLog No Attach copy or proval letter if available.
	f.	Date Construction is scheduled to commence
	g.	Date service is scheduled to commence
4.	EXIST	FING SYSTEM INFORMATION 12 UNION SYPTEM INFORMATION
	a.	Please provide the following information for <u>each</u> water and/or sewer system.
		i. Water system's TNRCC Public Water System identification number:
		ii. Sewer system's TNRCC Discharge Permit number: (for each system)  W Q -   -   W Q -   -
		iii. Date of last inspection
		iv. Attach a copy of the most recent inspection report letter.
		v. For each system deficiency listed in the inspection report letter, attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the propose completion dates.
	b.	Using the current number of customers, is any facility component in systems named in #4a above operating a 85% or greater of minimum standard capacity?  YesNoNo
		Attach an explanation listing of actions to be taken to make system improvements including proposed completic dates.
	c.	List in the table below, the number of existing and/or proposed metered and non-metered connections (by size

Water System			Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
5/8" or 3/4" meter	9106	1172	Residential	0	26
1" meter or larger	92	0	Commercial		N/A
Non-Metered	0	0	Industrial		N/A
Other:	N/A	0	Other:		N/A
Total Water	9198	1172	Total Sewer		N/A

		Purchased on a ( )regular - ( )seasonal	- ( )emergency basis?			
		Source	% of total supply			
•						
	iii.	Sewer treatment capacity	·			
		Yes				
		Purchased on a ( )regular - ( )seasona				
		Source	% of total treatment			
	iv.	Provide a certified copy of the most cur	rent water or sewer treatment capacity purchase agreem			
	IV.	contract.	Tell Water of Serior Realment Supersky parenase agreem			
Э.	If this	s application is for a water <u>CCN on</u> ly, please	explain how sewer service is provided:			
			· · · · · · · · · · · · · · · · · · ·			
	If this	s application is for a sewer CCN only, please	explain how water service is provided:			
	14/~ +	Water service is already being provided is part of the area to be to be amended Developers will be responsible for extending water service to respective developments.				
	Wate	eloners will be responsible for e	xtending water service to respective development			

#### 5.

- offered by an existing water service provider as stated in #3.a. above, but the applicant has determine that the cost of service as finally offered renders the project not economically feasible, the applicant mus provide a comparison analysis of all necessary costs for acquiring and continuing to receive service from the existing system for the same period.
- Attach projected profit and loss statements, cash flow worksheets, and balance sheets (projected five year ii. financial plan worksheet is attached) for each of the first five years of operation. Income from rates should correlate to the growth projections in #5.a above.
- Attach a proposed rate schedule or tariff. Describe the procedure for determining the rates and fees an iii. indicate date of last change, if applicable. Attach copies of any cost of service studies or rate analysis worksheets.
- b. For existing systems,
  - attach a profit and loss statement and current balance sheet for existing businesses (end of last fiscal year is acceptable). Describe sources and terms for borrowed capital such as loans, bonds, or notes (profit ar loss and balance sheet worksheets are attached, if needed).

- ii. Attach a proposed rate schedule-or tariff.
- NOTE: A: Listing system many be required to provide information in 5.a.i. above during the technical review phase if necessary for staff to completely evaluate the application.
- c. Identify any funds you are required to accumulate and restrict by lenders or capital providers.
- d. In lieu of the information in #5.a. thru #5.c., you may provide information concerning loan approvals within the lact three (3) years from lending institutions or agencies including the most recent financial audit of the applicant.

### 6. NOTICE REQUIREMENTS

- a. All proposed notice forms must be completed and submitted with the application. However, do not mail or publis them until you receive written approval from the commission to do so.
- b. The commission cannot grant a CCN until proper notice of the application has been given. Commission rules c not allow a waiver of these notice requirements.
- c. It is the applicant's responsibility to ensure that proper notice is given to all entities that are required to receive notice.
- d. Recommended notices forms for publication, neighboring systems and cities and customers are included with the application to use in preparing your proposed notices. (These notice forms are also available in Spanish up request.)
- e. After reviewing and, if necessary, modifying the proposed notice, the commission will send the notice to t applicant after the application is accepted for filing along with instructions for publication and/or mailing. Plea review the notice carefully and note any additional neighboring utilities which may be included in the acceptan letter.
- f. Notice For Publication:
  - The applicant shall publish the notice in a newspaper having general circulation in the county or counties whe a certificate of convenience and necessity is being requested, once each week for two consecutive week beginning with the week after the notice is received from the commission. Proof of publication in the form couplisher's affidavit shall be submitted to the commission within 30 days of the last publication date. The affidashall state with specificity each county in which the newspaper is of general circulation.
- g. Notice To Neighboring Utilities:
  - List all neighboring retail public utilities and cities providing the same utility service within the follow vicinities of the applicant's proposed certificate area; and
  - ii. any city whose extra-territorial jurisdiction (ETJ) overlaps the proposed service area.
  - For applications for the issuance of a NEW certificate of public convenience and necessity, the applic must mail the notice to all cities and neighboring retail public utilities providing the same utility servithin five (5) miles of the requested service area, and any city with an ETJ which overlaps the proposervice area.
  - iv. For applications for the AMENDMENT of certificate of public convenience and necessity, the applic must mail the notice to all cities and neighboring retail public utilities providing the same utility ser within two (2) miles of the requested service area, and any city with an extra-territorial jurisdiction wo overlaps the proposed service area.

- h. Notice to Customers

  Utilities that are quired to possess a certificate but that are rently providing service without a certificate must provide individual mailed notice to all current customers. The dice must contain the current rates, the date thos rates were institutes and any other information required in the application.
- i. The commission may require the applicant to deliver notice to other affected persons or agencies.

Do not publish or send copies of the proposed notices to anyone at the time you submit the application to the commission. Wait until you receive written authorization to do so. This will occur after the commission has reviewed the notices for completeness, and your application has been accepted for filing.

State of Texas	<del></del>	
to file and verify such all the requirements of and correct. I further	or other authorized representative of A application, am personally familiar with optained in this application; and, that a	, being duly swom, file this application as hip to Applicant, that is, owner, member of partnership, title as applicant); that, in such capacity, I am qualified and authorized that the maps filed with this application, and have complied with such statements made and matters set forth therein are true good faith and that this application does not duplicate any filing Commission.
I further represent the applicants for service	hat the Applicant will provide contir ce within its certificated service area	nuous and adequate service to all customers and qualified at the service to all customers are service to all customers and at the service to all customers are service to all customers and at the service to all customers are service to al
		AFFIANT (Leo Montalvo) (Applicant's Authorized Representative)
If the Affiant to this for verified Power of Atto	orm is any person other than the sole or orney must be enclosed.	wner, partner, officer of the Applicant, or its attorney, a properly
SUBSCRIBED AND, MA	SWORN TO BEFORE ME, a Notary F 2001.	ublic in and for the State of Texas, this 57th day of
SEAL	MANIA ELENA FLORES Notary Public STATE OF TEXAS	Mu' ju flu NOTARY PUBLIC
	My (1 - 1 - Exp.03-05-2001 )	NOTART FUBLIC

# ATTACHMENTS TO CCN APPLICATION

CHARTER NUMBER

AS RECORDED WITH

THE OFFICE OF THE

TEXAS SECRETARY OF STATE

### The State of Texas Secretary of State

CERTIFICATE OF AMENDMENT

FOR

LA JOYA WATER SUPPLY CORPORATION CHARTER NUMBER 00216536

THE UNDERSIGNED. AS SECRETARY OF STATE OF THE STATE OF TEXAS,
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF AMENDMENT FOR THE ABOVE
NAMED ENTITY HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO
CONFORM TO LAW.

ACCORDINGLY THE UNDERSIGNED. AS SECRETARY OF STATE, AND BY VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW. HEREBY ISSUES THIS CERTIFICATE OF AMENDMENT.

DATED JULY 19, 1993



John

### ARTICLES OF INCORPORATION

AND

**BY-LAWS** 

**FOR** 

LA JOYA WATER SUPPLY CORPORATION

### ARTICLES OF INCORPORATION .



OF

### LA JOYA WATER SUPPLY CORPORATION

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

WE, the undersigned natural persons of the age of twenty-one

(21) years or more, at least three of whom are citizens of the

State of Texas, acting as incorporators of a Corporation, do hereby adopt the following Articles of Incorporation for such Corporation:

ARTICLE I.

The name of the Corporation is La Joya Water Supply Corporation.

ARTICLE II.

The Corporation is a non-profit Corporation organised under Article 1434a of the Revised Civil Statutes of Texas of 1925, as amended, supplemented by the Texas Hon-Profit Corporation Act, Article 1.01 et seq., as amended, and is authorized to exercise all powers, privileges and rights conferred on a Corporation by these Acts, and all powers and rights incidental in carrying out the purposes for which the Corporation is formed, except such as are inconsistent with the express provisions of these Acts.

ARTICLE III.

The period of its duration is perpetual.

ARTICLE IV.

The Corporation is formed for the purpose of furnishing a water supply for general farm use and domestic purposes to individuals residing in the rural community of La Joya, Texas, and the surrounding rural areas. The places where the business of the Corporation is to be transacted shall be at the La Joya Community in Hidalgo County, Texas, and the surrounding rural areas.



### ARTICLE V.

The street address of the initial registered office of the Corporation is 301 East 10th Street, Mission, Texas, and the name of its initial registered agent at such address is Neal King.

### ARTICLE VI.

The number of directors constituting the initial Board of Directors of the Corporation is five (5), and the names and sourcesses of the persons who are to serve as the initial directors are:

of the barbone	Address_	City
Name		
Early G. Robertson	5 1/2 Mi. N. Doffing	Mission, Pres
	8 Mi. W. Hwy. 83	La Joya, Texas
Concepcion Chapa		Mission, Texas
Alejandro Mercado	8 Mi. W. Military Hwy.	
Oilbert Ellis	2 1/4 M1. N. Glasscock	Mission, Texas
	Corner, Wayne & Hwy. 83	La Joya, Texas
Eliberto Reyna		
	ARTICLE VII.	

### The name and street address of each incorporator is:

· Name	Address	<u>C1ty</u>
Hane	5 1/2 Mi. N. Doffing	Mission, Texas
Early G. Robertson	·	La Joya, Texas
Concepcion Chapa	8 M1. W. Hwy. 83	Mission, Texas
Alejandro Mercado	8 Mi. W. Military Hwy.	Mission, Texas
Gilbert Ellis	2 1/4 Mi. N. Olasscock	
Eliberto Reyna	Corner, Wayne & Hwy. 83	La Joya, Texas
	ARTICLE VIII.	

Each incorporator shall be a member of the Board of Directors who are to serve as directors until the first annual meeting of the members, or until their successors are elected and qualified. Upon the issuance of the Charter and annually thereafter on the first Tuesday in January the Board of Directors shall elect a President

a Vice-President, and a Secretary-Treasurer. The position of the Secretary-Treasurer shall be placed under a fidelity bond in an amount which shall be set by the Board of Directors. The amount of said bond shall be set from time to time by the Board of Directors, but shall not be less than \$1,000.00.

### ARTICLE IX.

The Corporation shall conduct its butiness on a non-profit basis, and no dividends shall ever be paid upon the memberships of such Corporation and all profits arising from the operation of such business shall be annually paid out to the persons who have, during the past year, transacted business with such Corporation, in direct proportion to the amount of business transacted, provided that no such dividends shall ever be paid while any indebtedness of the Corporation remains unpaid, and provided also that the directors of such Corporation may allocate to a reserve fund such amounts of the annual income as they deem necessary for maintenance upkeep, operation and replacements, emergency repairs, and for deficiencies in income necessary to meet debt service costs.

### ARTICLE X.

The Corporation may make and collect charges for water delivered in such amounts and in such manner as may be provided for in the By-Laws and make additional charges, prospective and retactive, on the basis of the number of connections or otherwise as may be provided for, in the By-Laws. It may adjust rates from time to cover deficiencies in income in the event the amount collected from water and other charges is insufficient in any year to operate and maintain the water system and pay annual obligation

and to enforce the collection thereof by the termination of water service or otherwise as provided in the By-Laws and by a personal action at law. In addition, at the end of any fiscal year the Corporation may make and levy an assessment against each member of the Corporation in the manner and for the purposes as may be provided for in the By-Laws and may enforce the collection of same by termination of water service or otherwise as provided for in the By-Laws and by a personal action at law.

### ARTICLE XI.

The Board of Directors shall select as depository for the funds of said Corporation, a bank within the State of Texas which is insured with the Federal Deposit Insurance Corporation and shall require of said depository such bond as the Board deems necessary for the protection of said corporation.

### ARTICLE XII.

The directors of the Corporation shall establish and maintain so long as the Corporation is indebted to the Government in a bandwithin the State of Texas, insured with the Federal Deposit Insurance Corporation, a reserve fund account separate and apart from other fund accounts of the Corporation. There shall be deposited in such fund the sum of \$250 per month from the revenues of the Corporation. Such deposits will continue until the total amount deposited equals \$30,000; provided, however, that after any withdrawals, such deposits shall be resumed until the amount accumulation the fund is restored to \$30,000.

Withdrawals from this fund shall be made only for emergency repairs, obsolescence of equipment, and for making up any defici:

revenue for loan payments. One of the objects of this reserve fund is to assure, during the periods of non-water deliveries or water shortages, the availability of funds equal to the difference between collection from the sale of water and collections that would have been made had the members been able to purchase the quantity of water used normally.

The directors shall invest all sums in this fund not required to be expended within the year in which the same are deposited, in bonds or other evidence of indebtedness of the United States of America, or they shall deposit said sums at interest in a savings account, in a bank insured with the Federal Deposit Insurance Corporation. Securities so purchased shall be deemed at all times to be a part of the reserve fund account.

### ARTICLE XIII.

The Corporation is and shall continue to be a Corporation without capital stock. Membership in the Corporation shall be sold for \$20 per member.

### ARTICLE XIV.

Membership in the Corporation shall be deemed personal estate and shall be transferable only on the books of the Corporation in such manner as the By-Laws may prescribe.

IN WITNESS WHEREOF, WE have hereunto set our hand, this the day of September, 1965.

Tellet W. Elle

Concept on Chape



THE STATE OF TEXAS
COUNTY OF HIDALGO

1480

I, Roberta Daniel
, a Notary Public, do
hereby certify that on this 8th day of September, 1965,
personally appeared before me, Early G. Robertson, Concepcion
Chapa, Alejandro Mercado, Gilbert Ellis and Eliberto Reyna, who
each being by me first duly sworn, severally declared that they
are the persons who signed the foregoing document as incorporators,
and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the

Hotary Public in and for Hidalgo County, Texas.

My commission expires June 1, 1967

ROBERT A DELECT NOVAN FUNCTION AND FOR THE DISCOULD NOVE FEXAL



## The State of Texas

SECRETARY OF STATE

IT IS HEREBY CERTIFIED. that

Articles of incorporation

nf

LA JOYA WATER SUPPLY CORPORATION

were filed in this office and a curtificate of

incorporation was 'same' on September 13, 1965;

IT IS FURTHER CERTIFIED. that no certifficate

of dissolution has both issued, and it is type atton

ts will in existence.



IN TESTIMONY WHEREOU - have hereunto stand my name afficialis in coursed to be impossed hereon the same of the city of Author the

Cled Cius

### **OF**

### LA JOYA WATER SUPPLY C PORATION Corporations Section

Pursuant to the provisions of article 1396-4.03 of the Texas Non-Profit Corporation Act, the undersigned corporation adopts the following articles of amendment

- 1. The name of the corporation is LA JOYA WATER SUPPLY CORPORATION.
- 2. The following amendment to the articles of incorporation was adopted on <u>July 12, 1993</u>

Article V. is amended to read as follows:

The street address of the initial registered office of the corporation is 900 North Main. McAllen. Texas. 78501 and the name of its registered agent at such address is Leo Montalyo.

### Article VI. is amended to read as follows:

The number of directors constituting the Board of Directors of the Corporation is Nine (9), and the name and address of the persons who are to serve as the directors are:

P.O. Box 66. Penitas, Texas 78576 Jose Luis Garza P.O. Box 161, Sullivan City, Texas 78595 Jose Luis Trigo P.O. Box 34, La Joya, Texas 78560 Leo J. Leo, Jr. Rt. 3, Box 109-K, Mission, Texas 78572 Guadalupe Jose Garza Rt. 3, Box 254, Mission, Texas 78572 Bacilio De Luna Rt. 7, Box 526-25, Mission, Texas 78572 Jose Guadalupe Reyna P.O. Box 186, Los Ebanos, Texas 78565 Pedro Villalon P.O. Box 63, Penitas, Texas 78576 Baldemar Ramirez Rt. 10, Box 251, Mission, Texas 78572 Roberto Vela

### Article XV. is added to read as follows:

No director shall be liable to the Corporation or to the Corporation's membership for monetary damages for any act or omission in the director's capacity as a director of the Corporation, except and unless the director shall be found liable for a breach of the director's duty of loyalty to the Corporation or the Corporation's membership; an act or omission not in good faith that constitutes a breach of the director's duty to the Corporation or an act or omission that involves intentional misconduct or a knowing violation of the law on the part of the director; a transaction from which the director receives an improper benefit, whether or not the benefit results from an action taken within the scope of the director's office; or an act or

The andment was adopted at a meeting of Board of Directors held on July 12.

1993, and received the vote of a majority of the directors in office, there being no members having voting rights in respect thereof.

LA JOYA WATER SUPPLY CORPORATION

BY:

LEO J. LEC, JR., SECRETARY

THE STATE OF TEXAS {
COUNTY OF HIDALGO {

I, Leo Montalvo, a Notary Public, do hereby certify that on this 13th day of July, 1993, personally appeared before me Leo J. Leo, Jr., who being by me first duly sworn, declared that he is the person who signed the foregoing document as secretary, and that the statements therein contained are true.

IN WITNESS HEREOF, I have hereunto set my hand and seal the day and year above written.

Notary Public in and for Hidalgo County, Texas
My Commission Expires:

#### BY-LAWS

#### LA JOYA WATER SUPPLY CORPORATION

By-laws of La Joya Water Supply Corporation, having been presented to the Board of Directors of said Corporation and duly adopted as follows:

#### ARTICLE I.

The president shall preside at all members' and directors' meetings. He may, and upon demand of one-third (1/3) of the members, shall call a special meeting of the members or directors, and he may, and shall, upon demand of one-third (1/3) of such directors, call a special meeting of the directors or membership. Such special meeting shall be held upon giving the notice required in Article XII of the By-Laws. He shall perform all other duties that usually pertain to the office or are delegated to him by the Board of Directors.

#### ARTICLE II.

The Vice-President shall, in case of the absence or disability of the President, perform the duties of the President.

### ARTICLE III.

The Secretary-Treasurer shall have the custody of all the monies and securities of the Corporation. He shall keep regular books and shall keep minutes of all meetings of members and directors. All monies of the Corporation shall be deposited by him in such depository as shall be selected by the directors.

Checks must be signed by him and the President or Vice-President, in the absence of the President. He shall have custody of the seal of the Corporation and affix it as directed hereby or by resolution passed by the Board of Directors or members. The position of the Secretary-Treasurer shall be placed under a fidelity bond in an amount which shall be set by the Board of Directors. The amount of said bond shall be set from time to time by the Board of Directors, but shall not be less than One Thousand Dollars (\$1,009.00).

### ARTICLE IV.

(a) The Board of Directors shall consist of nine (9) members, a majority of whom shall constitute a quorum.

Immediately after the adoption of these By-Laws and the election and qualification of the nine (9) Directors, the members of the Board of Directors shall draw lots. Those Directors drawing numbers one (1), two (2), and three (3) shall serve for a term of one (1) year and until their respective successors are duly elected and qualified. Those Directors drawing numbers four (4), five (5), and six (6) shall serve for a term of two (2) years and until their respective successors are duly elected and qualified. Those in tors drawing numbers seven (7), eight (8), and nine (9) shall serve for a term of three (3) years and until their respective successors are duly elected and qualified.

- (b) Those Directors who are elected at the expiration of each of the terms provided for in Paragraph (a) above shall serve for a term of three (3) years and the term of office of members of the Board of Directors shall continue to be for three (3) years, with three (3) members being elected each year by the members at the members' regular meeting provided for in Article XI of these By-Laws.
- (c) The Directors shall serve without pay, but may be compensated for actual expenses by a majority vote of the Directors. Upon the death or resignation of a member of the Board of Directors, a successor shall be elected by a majority vote of the Directors remaining to serve out the remaining portion of the term thus vacated.

#### ARTICLE V.

Regular meetings of the Board of Directors shall be held at such time and place as the board may determine at the next previous regular meeting. No further notice to the directors of such regular meetings shall be required, and it shall be the duty of each director to attend the same without further notice.-

### ARTICLE VI.

The Corporation shall conduct its business on a non-profit basis, and no dividends shall ever be paid upon the membership of such Corporation. All profits arising from the operation of such business shall be annually paid out to the persons who

have, during the past year, transacted business with such Corporati , in direct proportion to t amount of business transacted, provided that no such dividends shall ever be paid while any indebtedness of the Corporation remains unpaid.

#### ARTICLE VII.

The directors of the Corporation shall establish and maintain, so long as the Corporation is indebted to the Government, in a bank within the State of Texas, insured with the Federal Deposit Insurance Corporation, a reserve account separate and apart from other funds accounts of the corporation. There shall be deposited in such fund the sum of Two Thousand One Hundred Sixty-eight Dollars (\$2,168.00) per month from the revenues of the Corporation. Such deposits will continue until the total amount deposited equals Twenty-one Thousand Six Hundred Eighty and 16/100 Dollars (\$21,680.16); provided, however, that after any withdrawals, such deposits shall be resumed until the amount accumulated in the fund is restored to Twenty-one Thousand Six Hundred Eighty and 16/100 Dollars (\$21,680.16).

Withdrawals from this fund shall be made only for emergency repairs, obsolescence of equipment, and for making up any deficiencies in revenue for loan payments. One of the objectives of the reserve fund is to assure, during the periods of non-water deliveries or water shortages, the availability of funds equal to the difference between collection from the sale of water and collections that would have been made had the members been able to purchase the quantity of water used normally.

The directors shall invest all sums in this fund not required to be expended within the year in which the same are deposited in bonds or other evidence of indebtedness to the United States of America, or they shall deposit said sums at interest in a savings account, in a bank insured with FDIC. Securities so purchased shall be deemed at all times to be a part of the reserve fund account.

### ARTICLE VIII.

Every person (which includes any legal Section 1. entity) owning or having a legal right to the control, possession or occupancy of property served or which may reasonably be served by the corporation shall have the right to become a member of the Corporation upon payment of the membership fee hereinafter provided and upon compliance with the reasonable requirements of the Corporation governing the purchase of water, charges for connections and operation of and service by the system. Membership shall not be denied because of the applicant's race, color, creed or national origin. It is the intent of the Corporation to provide service on a non-discriminatory basis to all persons desiring service to the extent that the capabilities of the system will reasonably permit. Membership and service may be denied when the additional service requested would prevent the system from providing adequate service.

Section 2. The membership fee shall be One Hundred

Dollars (\$100.00) which shall entitle the member to one connection

to the water main of the Corporation. A person may own more than one embership but each member s. Il be entitled to only one (1) vote regardless of the number of memberships owned. Membership Certificates shall be in such form as shall be determined by the Board of Directors.

### ARTICLE IX.

For the purpose of determining members entitled to notice of or to vote at any meeting of members or any adjournment thereof or in order to make a determination of members for any other proper purpose, ownership of memberships shall be deemed to be in those persons who are the record owners of memberships as evidenced by the membership transfer book on the 15th day of the month next preceding the month of the date upon which the action requiring such determination is to be taken.

### ARTICLE X.

In order to insure that business done by the Corporation shall continue within the capacity of its facilities and to prevent undue financial burden on the members of the Corporation, membership in the Corporation shall be transferred from the original members, their transferees, pledges, administrators or executors, or purchasers at judicial sale, or other persons, only after approval by the directors of the person proposing to buy said membership. Membership in the Corporation shall be deemed personal estate, and shall be transferable only upon surrender of membership certificate endorsed by the record owner to the transferee, and after all indebtedness due the Corporation has been paid by the transferer member.

### ARTICLE XI.

There shall be a regular meeting of the members annually on the last Friday in February at 8:00 o'clock p.m. to transact all business that may be properly brought before it. The Secretary-Treasurer shall give at least fifteen (15) days written notice of such annual meeting to the membership indicating the time, place and purpose of such meeting, and shall address and mail the notice to each member at the address last known to the Corporation. Voting by proxy-shall be permitted. At meetings of the members whether annual, general or special, the members present in person or represented by proxy shall constitute a quorum for the transaction of business.

### ARTICLE XII.

- (a) Special Members Meeting. Special meeting of members may be held with the written consent of a majority of the members. Prior to any special members' meeting, the President shall request in writing that the Secretary-Treasurer give ten (10) days notice to the members. The notice shall indicate the time, place and purpose of the meeting and shall be addressed to the members at their addresses last known to the Corporation.
  - (b) Special Directors Meeting. Special Directors Meeting may be held with the written consent of a majority of the Directors. Prior to any such special directors meeting, the President shall request in writing that the Secretary-Treasurer give one (1) day notice to the Directors, which notice shall

indicate he time, place and purpose ' the meeting and shall be addressed to the Directors at their addresses last known to the Corporation.

### ARTICLE XIII.

The business of the Corporation may be handled under the direction of the Board of Directors, by a manager to be elected by majority vote of the Board, and he shall serve with or without compensation. The manager, with the approval of the Board of Directors, may employ, with or without compensation, such supervisory, clerical or other employees as he may require to effectively operate the business of the Corporation.

### XIV.

All members will be billed for water charges on the first (lst) day of each month, and bills will be payable on or before the tenth (10th) day of the month. If payment is made after the tenth (10th) but before the fifteenth (15th) a late charge of One Dollar (\$1.00) will be made. If payment is not made for regular or additional water charges or any other indebtedness owing the corporation by the fifteenth (15th) day of the month, the Corporation may discontinue water services without further notice. After water service has been discontinued by reason of non-payment, the member will be charged a Four Dollar (\$4.00) reconnect charge or such charge as may be established by the Board of Directors if he should later pay the amount due the corporation on

prior bil and request to be reconner d to the facilities of the Corporation. In the event a member should surrender his membership certificate properly endorsed to the Secretary-Treasurer of the Corporation, his water service shall be discontinued and his obligation to pay for water service shall terminate except as for the minimum charge for the current month or the charge for water used during the current month, whichever is greater, and except as for any prior unpaid amounts due the Corporation.

### ARTICLE XV.

The Board of Directors shall have the authority to sell the membership of any member in the event on non-payment of any water charges or other indebtedness owing by said member within thirty (30) days after demand for payment by mail, properly addressed to such delinquent member at the address of the member, last known to the Corporation. The proceeds of any sale of membership over and above the amount due the corporation shall be paid to the delinguent member. In lieu of such sale of membership, the Board of Directors may purchase the membership on behalf of the Corporation at a price determined by the board to be of fair value of the membership, provided that in the event of either a sale of the membership or the purchase thereof by the Corporation the proceeds of such sale shall be first applied to the payment of any indebtedness due the Corporation by the delinquent member.

### ARTICLE XVI.

For so long as the Corporation is indebted for a loan or loans made to it by the United States of America through the Farmers Home Administration, the Corporation shall insure with a reputable insurance company such of its properties and in such amounts as is required by the State Director of the Farmers Home Administration for the State of Texas.

### ARTICLE XVII.

The fiscal year of the Corporation shall be from January 1st to December 31st.

### ARTICLE XVIII.

(a) If at the end of any fiscal year or in the event of emergency repairs, the Board of Directors determines the total amount derived from the collection of warrs charges to be insufficient for the payment of all dosts incident to the operation of the Corporation's system docing the year in which such charges are collected, the mard shall make and levy an assessment against each member of the Corporation as the Board may determine or as may be readily 1 by Farmers. Home Administration, so that the sum of some essments and the amount collected from water and other charges is sufficient to fully pay all costs of openation maintenance, replacement and repayment on indeptendents. They year's operations, but this provision shall not open to for the

benefit c any third party creditor of ir than Farmers

Home Administration without a favorable vote of the majority
of the members. A proportionate amount of the necessary
total of such assessments levied in any year shall be levied
against each member in an amount which bears the same relation
to the total assessment as the number of service connections
supplying such member bears to the total number of service
connections with the system of the Corporation.

(b) In the event a member should surrender his membership certificate properly endorsed to the Secretary-Treasurer of the Corporation, his obligation to pay such assessments shall be limited to assessments made and levied prior to the date of surrender of his membership certificate; provided however, that this paragraph and the last sentence of Article XIV shall not apply to relieve a member of his obligation under special agreements covering multiple membership certificates held by one member which may have been required or approved by the Farmers Home Administration.

### ARTICLE XIX.

The books and accounts of the Corporation shall be audited by a person competent to perform such audit at least once each year. The reports prepared by such auditor shall be submitted to the members at the annual meeting of such members.

### ARTICLE XX.

These By-Laws may be altered, amended, or repealed by a vote of a majority of the members present at any regular members' meeting or at any special members' meeting called for that purpose, except that the members shall not have the power to change the purpose of the Corporation so as to decrease its rights and powers under the laws of the State, or to waive any requirements of bond or other provisions for the safety and security of the property and funds of the Corporation or its members, or to deprive any member of rights and privileges then existing. Notice of any amendment to be made at a special meeting of the members must be given at least ten (10) days before such meeting and must set forth the amendments to be considered. For so long as the Corporation is indebted for a loan or loans made to it by the United States of America through the Farmers Home Administration, these By-Laws shall not be altered, amended or repealed without the prior written consent of the State Director of the Farmers Home Administration for the State of Texas.

### ARTICLE XXI.

The seal of the Corporation shall consist of a circle within which shall be inscribed "LA JOYA WATER SUPPLY CORPORATION."

The above By-Laws were unanimously adopted by the members of the LA JOYA WATER SUPPLY CORPORATION, at the Annual Members' Meeting in the La Joya High School in La Joya, Texas, on the 28th day of February, A.D., 1973.

Secretary - 🗚 JOYA WATER

SUPPLY CORPORATION

# COPY OF INSPECTION REPORT LETTER (INSPECTION DATE FEBRUARY 22, 2000)

Kopert J. Huston, Chairman R. B. "Ralph" Marquez, Commissioner John M. Baker, Commissioner Jessey A. Saitas, Executive Director



### TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

April 19, 2000

### **CERTIFIED MAIL 70993220000454546884** RETURN RECEIPT REQUESTED

Mr. Jose Guadalupe Reyna President La Joya WSC P.O. Box 518A La Joya, Texas 78560

Re: Notice of Violation for the Public Water Supply at:

La Joya WSC, Highway 83 and Approximately 0.5 Mile N. Abram Road, Palmview

(Hidalgo County), Texas TNRCC ID No.: 1080022

Dear Mr. Reyna:

On February 22, 2000, Mr. Jacinto R. Hinojosa of the Texas Natural Resource Conservation Commission (TNRCC) Harlingen Region Office conducted an inspection of the above-referenced facility to evaluate compliance with applicable public water supply requirements. During the inspection, certain outstanding alleged violations were identified for which a written reply is needed. Enclosed is a summary which lists the inspection findings. Please submit to this office by May 19, 2000 a schedule outlining a compliance plan that addresses each of the outstanding alleged violations. Within 15 days of completion of the compliance plan, you must provide this office with documentation demonstrating that compliance has been achieved.

In the listing of alleged violations, we have cited applicable requirements, including TNRCC rules. If you would like to obtain a copy of the applicable TNRCC rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TNRCC Rules." Also included for your information is a brochure on the enforcement process entitled "The TNRCC Has Inspected Your Business."

The TNRCC recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. The TNRCC looks forward to working with you to resolve these matters. If you complete the necessary corrective actions and resolve the outstanding alleged violations in a timely manner, we will not pursue further action for the alleged violations at this time. However, please note that if you fail to adequately respond, the TNRCC will consider exercising the enforcement powers granted by the Legislature to carry out its mission to protect human health and the environment.

REPLY TO: REGION 15 • 1804 WEST JEFFERSON AVE. • HARLINGEN, TEXAS 78550-5247 • 956/425-6010 • FAX 956/412-5059

### SUMMARY OF INSPECTION FINDINGS

Entity: La Joya WSC	TNRCC ID No.: 1080022	Inspection Date: 2/22/2000
, , , , , , , , , , , , , , , , , , , ,		NOV Sent: 4/19/2000

	OUTSTANDING ALLEGED VIOLATIONS				
No.	Requirement(s) Cited	Description of Alleged Violation, Corrective Action Recommendation, and Compliance Documentation	Compliance Due Date		
1	30 TAC, §290.45(b)(2)(B)	Failure to provide a treatment plant capacity of 0.6 gallon per minute per connection under normal rated design flow.	May 19, 2000		
		Must provide a treatment plant capacity of at least 8.0 MGD.			
		Note: This was based on the 8809 active connections noted during the investigation.			
		Please submit photographs, receipts and/or other documentation verifying compliance has been achieved.	·		
2	30 TAC, §290.45(b)(2)(Λ)	Failure to provide a raw water pump capacity of 0.6 gallon per minute per connection with the largest pump out of service.	May 19, 2000)		
		Must provide a raw water pump capacity of at least 8.0 MGD with the largest pump out of service.			
		Note: This was based on the 8809 active connections noted during the investigation.			
		Please submit photographs, receipts and/or other documentation verifying compliance has been achieved.			
3	30 TAC, §290.45(b)(2)(E)	Failure to provide a total storage capacity of 200 gallons per connection.	May 19, 2000		
]		Must provide a total storage capacity of 200 gallons per connection.			
		Note: This was based on the 8809 active connections noted during the investigation.			
		Please submit photographs, receipts and/or other documentation verifying compliance has been achieved.			

4	30 TAC, §290.45(b)(2)(G)	Failure to provide an elevated storage capacity of 100 gallons per connection.  Must provide an elevated storage capacity of 100 gallons per connection.  Note: This was based on the 8809 active connections noted during the investigation.  Please submit photographs, receipts and/or other documentation verifying compliance has been achieved.	May 19, 2000
5	30 TAC, §290.46(m)	Failure to provide a maintenance program to recondition and repaint the clarifiers at the La Havana Water Plant.  Must provide a maintenance program to recondition and repaint the clarifiers at the La Havana Water Plant.  Please submit photographs, receipts and/or other documentation verifying compliance has been achieved.	May 19, 2000
6	30 TAC, §290.46(ρ)(1)	Failure to provide a maintenance program for the ground storage tank.  Must provide a maintenance program to include the recondition or replacement of the ground storage tank at the Mile 5 Road Booster station.  Please submit photographs, receipts and/or other documentation verifying compliance has been achieved.	May 19, 2000

NOTE: Since the system is currently under enforcement, the expansion of the La Havana water treatment plant to meet the above requirements must be completed in accordance with the timetable outlined in the administrative order.

Mr. Jose Guadalupe .yna President Page 2 April 19, 2000

If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Hinojosa in the Harlingen Region Office at (956) 430-6029.

Sincerely,

Hipolito Cabrera

Water Section Manager Harlingen Region Office

HC/jh

cc: TNRCC-Central Office

Mr. Cesario Vela, Compliance Assistance, Texas Rural Water Association

Enclosures: Summary of Inspection Findings

Obtaining TNRCC Rules

Enforcement Brochure RG-344

## COPY OF PROFIT AND LOSS STATEMENTS, AND BALANCE SHEETS

### LA JOYA WATER SUPPLY CORPORATION REPORT OF EXAMINATION DECEMBER 31, 1999