

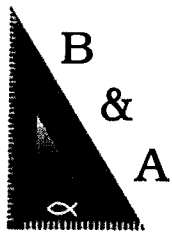


Control Number: 43895



Item Number: 12

Addendum StartPage: 0



# Bleyl & Associates

Planning • Engineering • Management

318 W. Highland  
San Angelo, Texas 76903  
Tex. Reg. No. F-678

March 6, 2015

Public Utility Commission of Texas  
Ms. Elisabeth English  
Engineering Specialist  
Water Utilities Division  
1701 N. Congress Avenue  
Austin, Texas 78711-3326

RECEIVED  
2015 MAR 19 AM 11:15  
PUBLIC UTILITY COMMISSION  
FILING CLERK

Reference: Concho Rural Water Corporation – CCN No. 11361  
CCN Amendment/Expansion  
B&A Project No. 11203

Dear Ms. English:

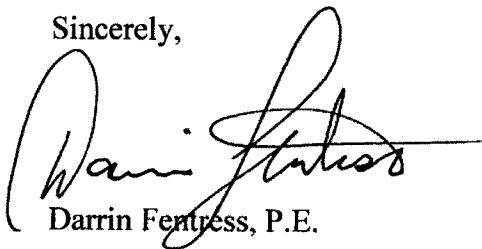
On behalf of our client, Concho Rural Water Corporation (“CRWC”), we request approval of the proposed Certificate of Convenience and Necessity (“CCN”) to cover the proposed Arden Road Public Water System (the “PWS”). In reference to the Commission Staff’s response, Docket No. 43895, we have cured the mapping related deficiencies and provided the following documents attached to this letter:

- Detailed map delineating the proposed service area
- Scaled metes and bounds map with description sealed by a registered professional land surveyor.
- 2 mile radius of the proposed water service area that clearly shows all utilities, districts, groundwater conservation districts, counties, and cities that are located within 2 miles.
- Copy of the Articles of Incorporation, By-Laws, and the most recent TCEQ inspection reports for the public water systems that operate under CCN No. 11361.

At this time there has only been one request for service, however the proposed area is currently under development and additional requests will be filed in the next 3-6 months.

If you have any questions or need additional information please contact me at (325) 262-4082 or by e-mail at [dfentress@bleylengineering.com](mailto:dfentress@bleylengineering.com).

Sincerely,



Darrin Fentress, P.E.

Enclosures

cc: Concho Rural Water Corporation

San Angelo  
(325) 262-4082  
(325) 480-0451

Bryan  
(979) 268-1125  
(979) 260-3849 Fax

Mr. Ben Wiese, Owner  
Austin  
(512) 328-7878  
(512) 328-7884 Fax

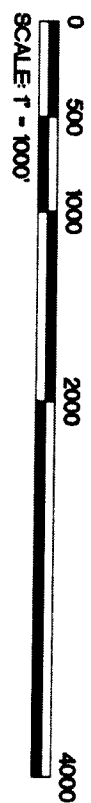
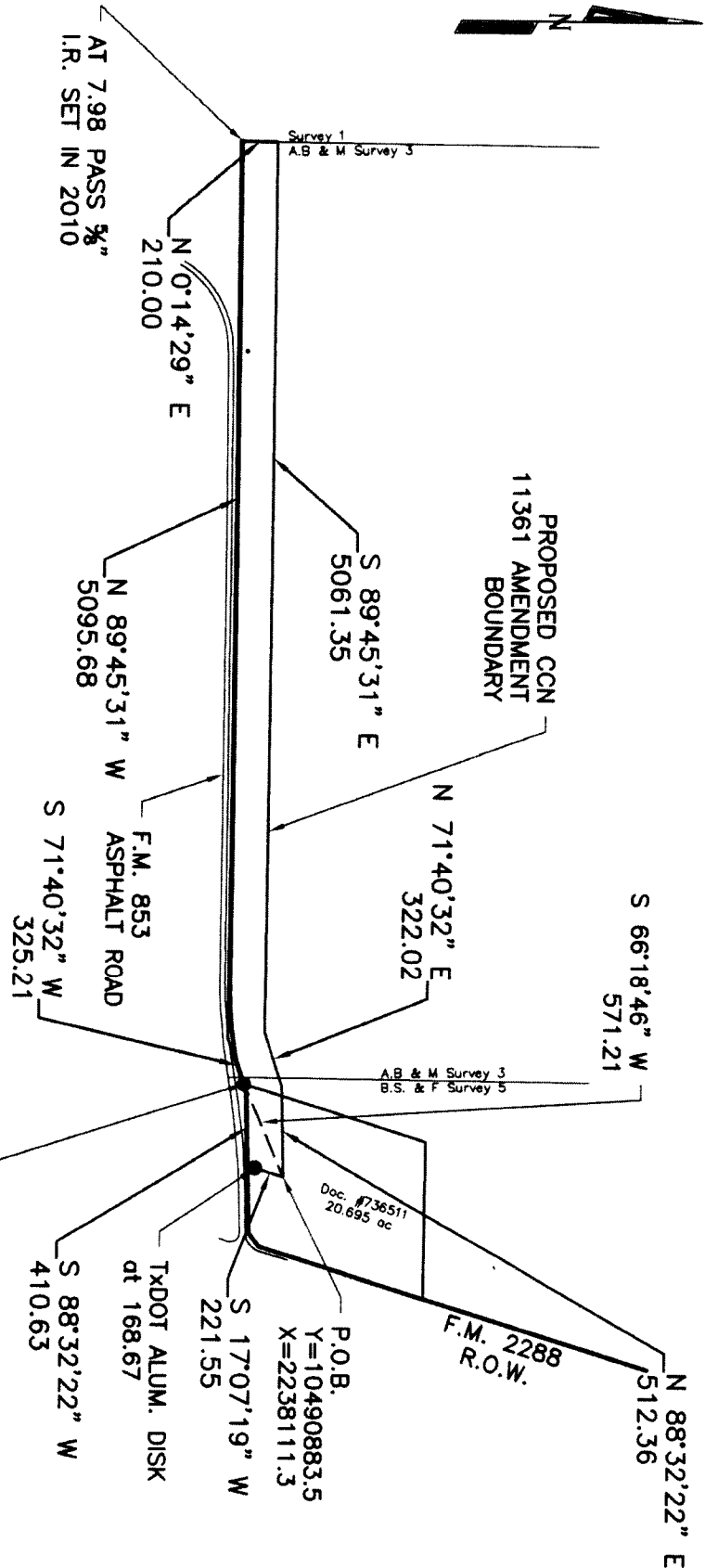
Conroe  
(936) 441-7833  
(936) 760-3833 Fax

12

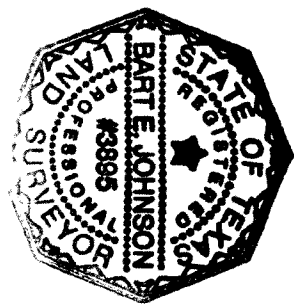
# **OVERSIZED MAP(S)**

TO VIEW OVERSIZED MAP(S)  
PLEASE GO TO  
**CENTRAL RECORDS**

FOR ANY QUESTIONS  
PLEASE CALL **CR** MAIN LINE  
**(512) 936-7180**



*[Signature]*  
Bart E. Johnson, R.P.L.S. #3895  
16110 Fitzgerald Drive  
San Angelo, Texas 76904  
(325) 835-2164  
Job #214050-East



SCALE: N.T.S.  
DATE: 9-26-14  
DRAWN BY: JPH  
CHECKED BY: DMF

PREPARED FOR:  
CONCHO RURAL WATER CORP.  
8174 N. US HWY 87  
SAN ANGELO, TEXAS 76901  
(325) 658-2961

**METES & BOUNDS MAP**

BASED ON GROUND SURVEY MADE OCTOBER 2013

**Bleyl & Associates**  
B & A Project • Engineering • Management  
www.bleylengineering.com

318 W. HIGHLAND  
SAN ANGELO, TX. 76903  
325-262-4062 PHONE  
325-480-0451 FAX  
TEX. FIRM REG. No. 678

JOB NO. SHEET 1 OF 1

**BART E. JOHNSON**  
**Registered Professional Land Surveyor**

16110 Fitzgerald Drive ~ San Angelo, Texas 76904  
Phone 325 835-2164 ~ Fax 325 835-2253 ~ Firm # 10017500

This is a special purpose description intended strictly for use in conjunction with obtaining a  
Certificate of Convenience and Necessity  
on behalf of  
Concho Rural Water Corporation

Being a 210 foot wide strip of land including part of T.J. Moore Survey 11, part of B.S. & F. Survey 5 and part of A.B. & M. Survey 3 in Tom Green County, Texas; said strip, which also includes area within F.M. 853 and encloses 28.3 acres of land, is described by metes and bounds as follows:

Beginning at a point in Survey 5 from which a Texas Department of Transportation aluminum cap at the S.W. corner of a "20.695" acre tract described as a save & except tract in Document # 736511 of the Official Public Records of Tom Green County bears S.66°18'46"W. 571.21 feet; said point, which has coordinates on the Texas Coordinate System of 1983 - Central Zone of Y=10490883.5 feet and X=2238111.3 feet, is located about 500 feet west northwest of the centerline intersection of F.M. Highway 853 and F.M. Highway 2288.

Thence S.17°07'19"W., at 168.67 feet pass a Texas Department of Transportation aluminum cap, and continuing in all 221.55 feet to a point.

Thence S.88°32'22"W. 410.63 feet to a point.

Thence S.71°40'32"W. 325.21 feet to a point.

Thence N.89°45'31"W. 5095.68 feet to a point.

Thence N.0°14'29"E., at 7.98 feet pass a 5/8" iron rod set in 2010 for the S.W. corner of Survey 3 per said Document # 736511, and continuing in all 210.00 feet to a point

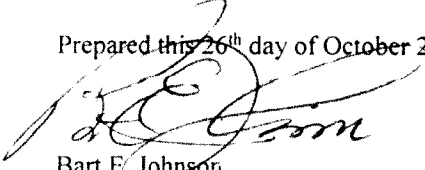
Thence S.89°45'31"E. 5061.35 feet to a point.

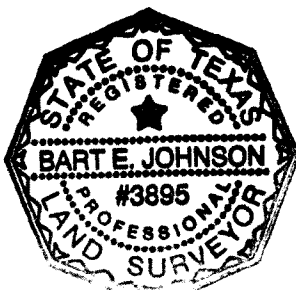
Thence N.71°40'32"E. 322.02 feet to a point.

Thence N 88°32'22"E. 512.36 feet to the point of beginning

Courses, distances, coordinates and area are of the Texas Coordinate System of 1983 - Central Zone per GPS observations and a National Geodetic Survey {NGS} Online Positioning Users Service {OPUS} solution.

Prepared this 26<sup>th</sup> day of October 2014 from a previous ground survey.

  
Bart E. Johnson  
R.P.L.S. # 3895



# Articles of Incorporation of

## ARTICLE ONE

The name of the corporation is Concho Rural Water Corp.

## ARTICLE TWO

The period of its duration is perpetual.

## ARTICLE THREE

The purpose or purposes for which the corporation is organized is to transact any and all lawful business for which corporations may be incorporated under the Texas Business Corporation Act.

## ARTICLE FOUR

The aggregate number of shares which the corporation shall have authority to issue is 5,000

## ARTICLE FIVE

The corporation will not commence business until it has received for the issuance of its shares consideration of the value of not less than \$1,000.

## ARTICLE SIX

The address of its registered office is 40 W Twohig Ave  
San Angelo, Texas 76901

and the name of its registered agent at such address is Ronald E. Williams

## ARTICLE SEVEN

The number of initial directors is 2 and the name and address of each director is

B. F. Wiese III	P. O. Box 304	Carlsbad, Texas	76934
President			
Jo Ann Wiese	P. O. Box 304	Carlsbad, Texas	76934
Vice President			
Sec. Treas.			

## ARTICLE EIGHT

The name and address of the incorporator is

Sworn to on August 20, 1990 by the above named incorporator.

Incorporator

(Notary Seal)

*Diana Jones*  
Notary Public

Tom Green  
County, Texas

BY-LAWS  
OF  
CONCHO RURAL WATER CORPORATION

ARTICLE I

OFFICES

1.01 The registered office of the corporation shall be located in Carlsbad, Texas.

1.02 The corporation may also have offices at such other places both within and without the State of Texas as the board of directors may from time to time determine or the business of the corporation may require.

ARTICLE II

MEETINGS OF SHAREHOLDERS

2.01 Meetings of shareholders for any purpose may be held at such time and place within or without the State of Texas as shall be stated in the notice of the meeting or in a duly executed waiver of notice thereof.

Time of Annual Meeting

2.02 Annual meetings of the shareholders, commencing with the year 1984, shall be held on the 1st Wednesday of March, if not a legal holiday, and if a legal holiday, then on the next secular day following, at 10:00 o'clock A.M., at which they shall elect a board of directors, and transact such other business as may properly be brought before the meeting.

Special Meetings

2.03 Special meetings of the shareholders, for any purpose or purposes may be called by the President and shall be called by the President or Secretary at the request in writing of a majority of the board of directors, or at the request in writing of shareholders owning 10% of all the shares entitled to vote at the meetings. Such request shall state the purpose or purposes of the proposed meeting, shall be limited to the purposes stated in the notice, unless all shareholders entitled to vote shall consent in writing for the consideration of other items or unless all shareholders entitled to vote shall vote affirmatively for any other proposal.

Notice of Meeting

2.04 Notice of each meeting of shareholders stating the place, day and hour of the meeting and, in the case of a special meeting, the purpose or purposes for which the meeting is called, shall be delivered not less than ten (10) and not more than fifty

(50) days before the date of the meeting, either personally or by mail, by or at the direction of the president, the secretary, or the officer or persons calling the meeting, to each shareholder of record entitled to vote at such meeting.

#### Quorum

2.05 The holders of a majority of the shares issued and outstanding and entitled to vote thereat, present in person or represented by proxy, shall constitute a quorum at all meetings of the shareholders for the transaction of business except as otherwise provided by statute or by the Articles of Incorporation. If, however, a quorum shall not be present or represented at any meeting of the shareholders, the shareholders entitled to vote thereat, present in person or represented by proxy, shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present or represented. At such adjourned meeting, provided a quorum shall be present or represented, any business may be transacted which might have been transacted if the meeting had been held in accordance with the original notice thereof.

2.06 If a quorum is present at any meeting, the vote of the holders of a majority of the shares entitled to vote, present in person or represented by proxy shall decide any questions properly brought before such meeting, unless the question is one upon which a different vote is required by statute or by the articles of incorporation.

#### Voting

2.07 Each outstanding share having voting power shall be entitled to one vote on each matter submitted to a vote at a meeting of shareholders. A shareholder may vote either in person or by proxy executed in writing by the shareholder or by his duly authorized attorney-in-fact.

2.08 Any action required or which may be taken at a meeting of the shareholders may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders entitled to vote with respect to the subject matter thereof.

### ARTICLE III

#### DIRECTORS

3.01 The number of directors which shall constitute the whole board shall be one, none of whom need be residents of the State of Texas or shareholders of the corporation. The director shall be elected at the annual meeting of the shareholders, and the director elected shall serve until his successor shall have been elected and qualified.



## Voting

3.02 At each election for directors every shareholder entitled to vote at such election shall have the right to vote the number of shares owned by him for as many persons as there are directors to be elected and for whose election he has a right to vote, but no shareholder shall have the right to cumulate his votes. Any director may be removed either for or without cause at any special meeting of shareholders duly called and held for such purpose.

## Vacancy

3.03 Any vacancy occurring in the board of directors may be filled by a majority of the remaining directors though less than a quorum of the board of directors. A director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

## Time and Place of Meetings

3.04 Meetings of the board of directors, regular or special, may be held either within or without the State of Texas.

3.05 The first meeting of each newly elected board of directors shall be held at such time and place as shall be fixed by the vote of the shareholders at the annual meeting and no notice of such meeting shall be necessary to the newly elected directors in order legally to constitute the meeting, provided a quorum shall be present, or it may convene at such place and time as shall be fixed by the consent in writing of all the directors.

3.06 Regular meetings of the board of directors may be held upon such notice, or without notice, and at such time and at such place as shall from time to time be determined by the board.

## Special Meetings

3.07 Special meetings of the board of directors may be called by the chairman of the board of directors or by the president, and shall be called by the president or by the secretary on the written request of one director. Notice of special meetings of the board of directors shall be given to each director at least five (5) days before the date of the meeting.

## Waiver of Notice

3.08 Attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice of such meeting.

## Quorum

3.09 At all meetings of the board of directors, a majority of the directors shall constitute a quorum for the transaction of business, and the act of a majority of the directors present at any meeting at which there is a quorum shall be the act of the board of directors, except as otherwise provided by statute

or by the articles of incorporation. If a quorum shall not be present at any meeting, the directors present thereat may adjourn the meeting without notice other than announcement at the meeting, until a quorum shall be present.

3.10 The board of directors by the affirmative vote of a majority of the directors then in office, and irrespective of any personal interest of any of its members, shall have authority to establish reasonable compensation of all directors for services to the corporation as directors, officers or otherwise.

#### ARTICLE IV

##### NOTICES

4.01 Whenever, under the provisions of the statutes or of the articles of incorporation or of these by-laws, notice is required to be given to any director or shareholder, it shall not be construed to mean personal notice, but such notice may be given in writing, by mail, addressed to such director or shareholder, at his address as it appears on the records of the corporation, with postage thereon prepaid, and such notice shall be deemed to be given at the same time when the same shall be deposited in the United States mail. Notice to directors may also be given by telegram.

4.02 Whenever any notice is required to be given under the provisions of the statutes or of the articles of incorporation or of these by-laws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein shall be deemed equivalent to the giving of such notice.

#### ARTICLE V.

##### OFFICERS

5.01 The officers of the corporation shall be a president, a secretary, and a treasurer. Two or more offices may be held by the same person, except that the offices of president and secretary may not be held by the same person.

5.02 The board of directors shall elect the president from among the directors, and shall also elect the other officers, none of whom need be a member of the board.

5.03 The board of directors may appoint such other officers and assistant officers and agents as it shall deem necessary, who shall hold their offices for such terms and shall have such authority and exercise such powers and perform such duties as shall be determined from time to time by the board of directors by resolution not inconsistent with these by-laws.

5.04 The compensation and terms of employment, which may be for periods exceeding one year (1), of all officers and agents of the corporation shall be fixed by the board of directors.

5.05 The officers of the corporation shall hold office until their successors are chosen and qualify, or until their death or until their resignation or removal from office. Any officer elected or appointed by the board of directors may be removed at any time by the affirmative vote of a majority of the board of directors, but such removal shall be without prejudice to the contract rights, if any, of the persons so removed. Election or appointment of an officer or agent shall not of itself create contract rights. Any vacancy occurring in any office of the corporation by death, resignation, removal or otherwise shall be filled by the board of directors.

5.06 The chairman of the board, if one be elected, shall preside at all meetings of the board of directors, and shall have such other powers and duties as may from time to time be prescribed by the board of directors, upon written directions given to him pursuant to resolutions duly adopted by the board.

5.07 The president shall be the chief executive officer of the corporation, shall have general and active management of the business of the corporation and shall see that all orders and resolutions of the board of directors are carried into effect. He shall preside at all meetings of the shareholders and in the absence of the chairman of the board, at all meetings of the board of directors.

5.08 The vice-president, if any, in the order of their seniority, unless otherwise determined by the board of directors, shall, in the absence or disability of the president, perform the duties and have the authority and exercise the powers of the president. They shall perform such other duties and have such other authority and powers as the board of directors may from time to time prescribe or as the president may from time to time delegate.

5.09 The secretary shall attend all meetings of the board of directors and all meetings of the shareholders and record all of the proceedings of such meetings in a minute book to be kept for that purpose and shall perform all duties for the standing committees when required. He shall give, or cause to be given, notice of all meetings of the shareholders and special meetings of the board of directors, and shall perform such other duties as may be prescribed by the board of directors or president, under whose supervision he shall be.

5.10 The assistant secretaries, if any, in the order of their seniority, unless otherwise determined by the board of directors, shall, in the absence or disability of the secretary, perform the duties and exercise the powers of the secretary. They

shall perform such other duties and have such other powers as the board of directors may from time to time prescribe or as the president may from time to time delegate.

5.11 The treasurer shall have custody of the corporate funds and securities and shall keep full and accurate accounts and records of receipts, disbursements and other transactions in books belonging to the corporation, and shall deposit all moneys and other valuable effects in the name and to the credit of the corporation in such depositories as may be designated by the board of directors.

5.12 The treasurer shall disburse the funds of the corporation as may be ordered by the board of directors, taking proper vouchers for such disbursements, and shall render to the president and the board of directors, at its regular meetings or when the president or board of directors so requires, an account of all his transactions as treasurer and of the financial condition of the corporation.

5.13 If required by the board of directors, the treasurer shall give the corporation a bond of such type, character and amounts as the board of directors may require.

5.14 The assistant treasurers, if any, in the order of their seniority, unless otherwise determined by the board of directors, shall, in the absence or disability of the treasurer, perform the duties and exercise the powers of the treasurer. They shall perform such other duties and have such other powers as the board of directors may from time to time prescribe or the president may from time to time delegate.

5.15 Any salary payments made to an officer of the corporation that shall be disallowed in whole or in part as a deductible expense for Federal Income Tax purposes shall be reimbursed by such officer to the corporation to the full extent of the disallowance. It shall be the duty of the board of directors to enforce payment of each such amount disallowed.

5.16 Any expense paid to an officer of the corporation that shall be disallowed in whole or in part as a deductible expense for Federal Income Tax purposes shall be treated as salary paid to such officer by the corporation to the full extent of the expense disallowed.

## ARTICLE VI

### CERTIFICATES REPRESENTING SHARES

6.01 The shares of the corporation shall be represented by certificates signed by the president or a vice-president and the secretary or an assistant secretary of the corporation.

6.02 The signatures of the president or vice-president and the secretary or assistant secretary upon a certificate may be facsimiles if the certificate is countersigned by a transfer agent, or registered by a registrar, other than the corporation itself or an employee of the corporation. In case any officer who has signed or whose facsimile signature has been placed upon such certificate shall have ceased to be such officer before such certificate is issued, it may be issued by the corporation with the same effect as if he were such officer at the date of its issue.

6.03 The board of directors may direct a new certificate to be issued in place of any certificate theretofore issued by the corporation alleged to have been lost or destroyed. When authorizing such issue of a new certificate, the board of directors, in its discretion and as a condition precedent to the issuance thereof, may prescribe such terms and conditions as it deems adequate to protect the corporation from any claim that may be made against it with respect to any such certificate alleged to have been lost or destroyed.

6.04 Upon surrender to the corporation or the transfer agent of the corporation of a certificate representing shares duly endorsed or accompanied by proper evidence of succession, assignment or authority to transfer, a new certificate shall be issued to the person entitled thereto and the old certificate cancelled and the transaction recorded upon the books of the corporation.

6.05 For the purpose of determining shareholders entitled to notice of or to vote at any meeting of shareholders or any adjournment thereof or entitled to receive payment of a dividend, or in order to make a determination of shareholders for any other proper purpose, the board of directors may provide that the stock transfer books shall be closed for a stated period but not to exceed, in any case, fifty (50) days. If the stock transfer books shall be closed for the purpose of determining shareholders entitled to notice of or to vote at a meeting of shareholders, such books shall be closed for at least ten (10) days immediately preceding such meeting. In lieu of closing the stock transfer books, the board of directors may fix in advance a date as the record date for any such determination of shareholders, such date in any case to be not more than fifty (50) days, and in case of a meeting of shareholders, not less than ten (10) days prior to the date on which the particular action, requiring such determination of shareholders, is to be taken. If the stock transfer books are not closed and no record date is fixed for the determination of shareholders entitled to notice of or to vote at a meeting of shareholders, or shareholders entitled to receive payment of a dividend, the date on which notice of the meeting is mailed or the date on which the resolution of the board of directors declaring such dividend is adopted, as the case may be, shall be record date for such determination of shareholders. When a

determination of shareholders has been made as provided in this section, such determination shall be applied to any adjournment thereof except where the determination has been made through the closing of the stock transfer books and the stated period of closing has expired.

6.06 The corporation shall be entitled to recognize the exclusive right of a person registered on its books as the owner of shares to receive dividends, and to vote as such owner, and shall not be bound to recognize any equitable or other claim to or interest in such share or shares on the part of any other person, whether or not it shall have express or other notice thereof, except as otherwise provided by the laws of Texas.

6.07 The officer of agent having charge of the transfer books for shares shall make, at least ten (10) days before each meeting of shareholders, a complete list of the shareholders entitled to vote at such meeting, arranged in alphabetical order, with the address of each and the number of shares held by each, which list, for a period of ten (10) days prior to such meeting, shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original share ledger or transfer book, or a duplicate thereof shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book or to vote at any meeting of the shareholders.

## ARTICLE VII

### GENERAL PROVISIONS

#### DIVIDENDS

7.01 Subject to the provisions of the Articles of Incorporation relating thereto, if any, dividends may be declared by the board of directors, at their discretion, at any regular or special meeting, pursuant to law. Dividends may be paid in cash, in property or in the corporation's own shares, subject to any provisions of the articles of incorporation.

7.02 Before payment of any dividend, there may be set aside out of any funds of the corporation available for dividends such sum or sums as the directors may from time to time in their absolute discretion, think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing or maintaining any property of the corporation, or for such other purpose as the directors shall think conducive to the interest of the corporation, and the directors may modify or abolish any such reserve in the manner in which it was created.

## CHECKS

7.03 All checks or demands for money and notes of the corporation shall be signed by such officer or officers or such other person or persons as the board of directors may from time to time designate.

## FISCAL YEAR

7.04 The fiscal year of the corporation shall be fixed by resolution of the board of directors.

## ARTICLE VIII

### AMENDMENTS

These by-laws may be altered, amended, or repealed or new by-laws may be adopted by the affirmative vote of a majority of the board of directors or by the affirmative vote of a majority of the shareholders at any regular or special meeting of the board of directors or of the shareholders if notice of such proposed action is contained in the notice of such meeting, or if all shareholders entitled to vote shall affirmatively vote to alter, amend or repeal these by-laws or to adopt new by-laws.

***MINUTES OF ANNUAL MEETING OF THE SHAREHOLDERS  
AND DIRECTORS OF***

***CONCHO RURAL WATER CORPORATION***

The Annual Meeting of the Shareholders of **CONCHO RURAL WATER CORPORATION** was held at the offices of the Corporation at 10:00 o'clock a.m. on March 4, 2009 in the City of San Angelo, Tom Green County, Texas.

The following Shareholders were present: Jo Ann Wiese, Benjamin F. Wiese, IV, and Stephanie Ann Voss.

The above named Shareholders represent all of the holders of all of the issued and outstanding stock in the Corporation. Said Shareholders, as evidenced by their signatures below, did waive notice of the meeting and did further consent and approve of the transaction of the business conducted before said meeting.

Benjamin F. Wiese, IV, presided and acted as Chairman of the meeting, and Jo Ann Wiese acted as Secretary of the meeting.

The meeting, being held in accordance with the terms of the Bylaws of the Corporation, was called to order by the Chairman of the meeting. A quorum was present.

The Affidavit of Jo Ann Wiese pertaining to annual meetings of the Corporation for the period 1984 to September 28, 2008 was read and approved.

The Chairman then called for nominations for Directors to serve for the ensuing year and until their successors have been elected and qualified. Upon motion made and unanimously adopted, the following individuals were elected to the position of Director of the Corporation for the ensuing year and until the successor of said Director shall have been elected and qualified:



Benjamin F. Wiese, IV; and

Jo Ann Wise.

The Chairman then reported to the meeting the activities of the Corporation for the year 2008 to the present date. Upon motion duly made, seconded and unanimously carried it was:

**"RESOLVED**, that the prior acts of the Directors and Officers of this Corporation are ratified and approved in all respects."

There being no further business, the meeting of the Shareholders was adjourned.

\*\*\*\*\*

The Annual Meeting of the Board of Directors of the Corporation was held immediately following the adjournment of the Shareholders' meeting.

All Directors were present at such meeting, having waived notice of such meeting as evidenced by their signatures below.

The Directors present at such meeting were: Benjamin F. Wiese, IV and Jo Ann Wiese.

The above Directors constitute all of the authorized and duly qualified Directors of the Corporation.

Benjamin F. Wiese, IV presided as Chairman of the meeting, and Jo Ann Wiese acted as Secretary of this meeting.

The President of the Corporation reported on the business of the Corporation for the year 2008 to the present date.

Upon motion duly made, seconded and unanimously carried, it was:

**"RESOLVED**, that the actions and transactions of the officers to date, be and the same are hereby, and all things ratified, approved and confirmed."

On motion duly made, seconded and unanimously carried, the following slate of officers was approved and elected:

President: Benjamin F. Wiese, IV;


Secretary/Treasurer: Jo Ann Wiese

The President then reported that the registered agent and registered office of the Corporation should be changed to Benjamin F. Wiese, IV, 8174 Hwy. 87N, San Angelo, Texas, 76901, and that such change should be filed with the Secretary of State. Upon motion duly made, seconded, and unanimously carried, it was:

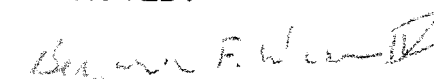
**RESOLVED**, that the registered agent and registered office of the Corporation be changed with the Secretary of State to Benjamin F. Wiese, IV, 8174 Hwy. 87N, San Angelo, Texas, 76901; and

**RESOLVED FURTHER**, that the President of the Corporation be, and is hereby authorized to do such acts and take such steps as may be necessary or convenient to carry these resolutions into effect.

There being no further business to bring before the meeting, the meeting of the Board of Directors of the Corporation was duly adjourned.

  
JO ANN WIESE, Secretary

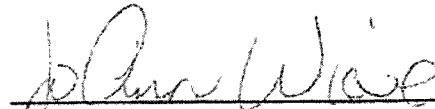
APPROVED:

  
BENJAMIN F. WIESE, IV, President

**WAIVER OF NOTICE**

We, the undersigned, being all of the Shareholders and Directors of **CONCHO RURAL WATER CORPORATION**, a Corporation organized under the laws of the State of Texas, do hereby waive all notice of the Annual Meeting of the Shareholders and Directors of the Corporation, whether provided by statute or otherwise, and consent and agree to the holding of such meeting as set out above, and we consent to the transaction of the business that came before said meeting.

DATED: March 4, 2009



**JO ANN WIESE**, Shareholder  
and Director



**BENJAMIN F. WIESE, IV**, Shareholder  
and Director



**STEPHANIE ANN VOSS**, Shareholder

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*

July 2, 2012

Mr. Benjamin F. Wiese IV  
President  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

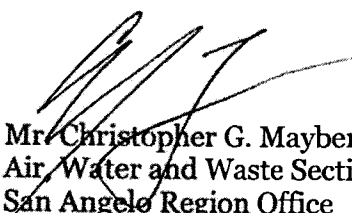
Re: Comprehensive Compliance Investigation at:  
Concho Rural Water Water Valley, Water Valley, Tom Green County, Texas  
TCEQ PWS ID 2260060; Investigation 1007490

Dear Mr. Wiese:

On May 31, 2012, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. No violations are being alleged as a result of the investigation. However, please see the Areas of Concern and the Additional Issue in the enclosed Summary of Investigation Findings.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,

  
Mr. Christopher G. Mayben, P.G.  
Air, Water and Waste Section Manager  
San Angelo Region Office

CGM/lfw

cc: The Honorable Michael D. Brown, Tom Green County Judge

Enclosures: Summary of Investigation Findings

## Summary of Investigation Findings

CONCHO RURAL WATER VALLEY

Investigation # 1007490

TOM GREEN COUNTY

Investigation Date: 05/31/2012

Additional ID(s): 2260060

## AREA OF CONCERN

Track No: 468761

30 TAC Chapter 290.42(e)(3)(D)

**Alleged Violation:**

Investigation: 1007490

Comment Date: 06/07/2012

Failure to provide facilities for determining the amount of disinfectant used. The scale for measuring the weight of the gas chlorine cylinder was rusted. Mr. Wiese pressed on the cylinder, but the dial on the scale did not move.

**Recommended Corrective Action:** Submit written and photographic documentation to the San Angelo TCEQ Region Office, demonstrating compliance.

**Resolution:** Documents were received, demonstrating compliance.

Track No: 468762

30 TAC Chapter 290.43(c)(3)

**Alleged Violation:**

Investigation: 1007490

Comment Date: 06/07/2012

Failure to provide a proper cover for the overflow on a water storage tank. The ground storage tank's overflow pipe terminates in a spring check valve.

**Recommended Corrective Action:** Provide the end of the overflow pipe with a gravity-hinged and weighted cover. Submit photographic and/or written documentation that demonstrates compliance to the San Angelo TCEQ Region Office.

**Resolution:** Documents were received, demonstrating compliance.

Track No: 468763

30 TAC Chapter 290.46(f)(2)

**Alleged Violation:**

Investigation: 1007490

Comment Date: 06/07/2012

Failure to present certain operations records during the investigation. The records of weekly well production required by 30 TAC 290.46(f)(3)(A)(i)(III) were not presented during the investigation on 05/31/2012. Mr. Wiese stated that the weekly records are maintained, but were not available during the investigation. Monthly water use records were presented.

**Recommended Corrective Action:** Ensure that the public water system's operating records are accessible for review during inspections. To demonstrate compliance, submit a copy of recent weekly records of the weekly well production to the San Angelo TCEQ Region Office.

**Resolution:** Documents were received, demonstrating compliance.

## ADDITIONAL ISSUES

Description

Additional Comments

Item 1

The Drought Contingency Plan must be reviewed and updated as appropriate at least every five years. The retail public water supplier adopted the Drought Contingency Plan on 06/10/2005. Prior to the investigation on 05/31/2012, on an unspecified date, Mr. Wiese reviewed the current revision, determined that a rate system would be appropriate, corresponded with the TCEQ Utilities & District Section, and determined that a rate application must be submitted to the TCEQ before the Drought Contingency Plan can be revised. On 06/14/2012 and 06/15/2012, Mr. Wiese submitted correspondence to the San Angelo TCEQ Region Office, demonstrating that he was updating the Drought Contingency Plan. 30 TAC 288.20(c)

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 10, 2014

Mr. Benjamin F. Wiese IV  
Manager  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

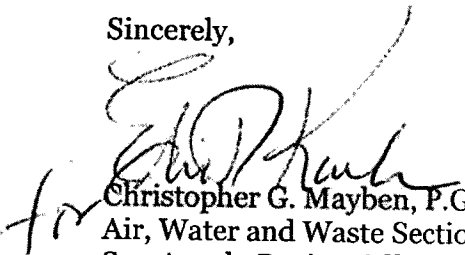
Re: Comprehensive Compliance Investigation at:  
Concho Rural Water Water Hauling, 8174 US Highway 87 N, San Angelo  
Tom Green County, Texas  
Regulated Entity RN101438745; TCEQ PWS ID 2260102; Investigation 1152402

Dear Mr. Wiese:

On March 13, 2014, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. No violations are being alleged as a result of the investigation. However, please see the Additional Issue in the enclosed Summary of Investigation Findings.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,

  
Christopher G. Mayben, P.G.  
Air, Water and Waste Section Manager  
San Angelo Region Office  
Texas Commission on Environmental Quality

CGM/lfw

Enclosure: Summary of Investigation Findings

cc: The Honorable Steve Floyd, Tom Green County Judge

CONCHO RURAL WATER WATER HAULING

Investigation # 1152402

Investigation Date: 03/13/2014

TOM GREEN COUNTY

Additional ID(s): 2260102

No Violations Associated to this Investigation

## ADDITIONAL ISSUES

DescriptionAdditional Comments

Item 1

Mr. Wiese made a statement indicating that a "fire hose" might be used at times when the water hauler cannot get close to the deliver water to the receiving tank. Make sure that only hoses that comply with National Sanitation Foundation (NSF) Standard 61 are used on the water hauler. 30 TAC 290.44(i)(2)(H)

Item 2

A Drought Contingency Plan might be required. In the past, the water hauler was not being used as a retail public utility, so a Drought Contingency Plan was not required. Recently, for a limited time the water hauler was used to provide water for a price to Barnhart WSC. The dates of delivery included 11/20/2013, 12/06/2013, 12/10/2013, 12/11/2013, and 12/12/2013. 30 TAC 288.20(a)



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*

July 2, 2012

Mr. Benjamin F. Wiese IV  
President  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

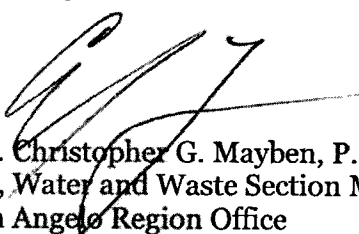
Re: Comprehensive Compliance Investigation at:  
Concho Rural Water Deer Valley, Deer Valley, Tom Green County, Texas  
TCEQ PWS ID 2260067; Investigation 1007491

Dear Mr. Wiese:

On May 31, 2012, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. No violations are being alleged as a result of the investigation. However, please see the Area of Concern and the Additional Issues in the enclosed Summary of Investigation Findings.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,



Mr. Christopher G. Mayben, P.G.  
Air, Water and Waste Section Manager  
San Angelo Region Office

CGM/lfw

cc: The Honorable Michael D. Brown, Tom Green County Judge

Enclosures: Summary of Investigation Findings

# Summary of Investigation Findings

CONCHO RURAL WATER DEER VALLEY ESTATES

Investigation # 1007491

TOM GREEN COUNTY

Investigation Date: 05/31/2012

Additional ID(s): 2260067

## AREA OF CONCERN

Track No: 468722

30 TAC Chapter 290.46(f)(2)

### Alleged Violation:

Investigation: 1007491

Comment Date: 06/06/2012

Failure to present certain operations records during the investigation. The records of weekly well production required by 30 TAC 290.46(f)(3)(A)(i)(III) were not presented during the investigation on 05/31/2012. Mr. Wiese stated that the weekly records are maintained, but were not available during the investigation. Monthly water use records were presented.

**Recommended Corrective Action:** Ensure that the public water system's operating records are accessible for review during inspections. To demonstrate compliance, submit a copy of recent weekly records of the weekly well production to the San Angelo TCEQ Region Office.

**Resolution:** Records of weekly meter checks have been submitted, demonstrating compliance.

## ADDITIONAL ISSUES

### Description

Item 1

### Additional Comments

The Drought Contingency Plan must be reviewed and updated as appropriate at least every five years. The retail public water supplier adopted the Drought Contingency Plan on 06/10/2005. Prior to the investigation on 05/31/2012, on an unspecified date, Mr. Wiese reviewed the current revision, determined that a rate system would be appropriate, corresponded with the TCEQ Utilities & District Section, and determined that a rate application must be submitted to the TCEQ before the Drought Contingency Plan can be revised. On 06/14/2012 and 06/15/2012, Mr. Wiese submitted correspondence to the San Angelo TCEQ Region Office, demonstrating that he was updating the Drought Contingency Plan. 30 TAC 288.20(c)

Item 2

A thin crack has formed in the concrete sealing block for Well G2260067B. 30 TAC 290.41(c)(3)(J)

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*  
November 20, 2014

Mr. Benjamin F. Wiese IV  
President  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

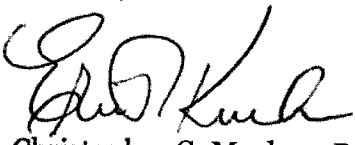
Re: Comprehensive Compliance Investigation at:  
Concho Rural Water The Oaks, Christoval (Tom Green), Texas  
TCEQ PWS ID 2260093; Investigation 1205314

Dear Mr. Wiese:

On October 27, 2014 and November 5, 2014, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. No violations are being alleged as a result of the investigation. However, please see the Additional Issue in the enclosed Summary of Investigation Findings.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,

  
for Christopher G. Mayben, P.G.  
Air, Water, and Waste Section Manager  
San Angelo Region Office

CGM/lfw

Enclosure: Summary of Investigation Findings

cc: The Honorable Steve Floyd, Tom Green County Judge

## Summary of Investigation Findings

CONCHO RURAL WATER THE OAKS

Investigation #

1205314

Investigation Date: 10/27/2014

, TOM GREEN COUNTY,

Additional ID(s): 2260093

No Violations Associated to this Investigation

### ADDITIONAL ISSUES

Description

Item 1

Additional Comments

Cracks are beginning to form in the concrete block for Well 5 (G2260093E). 30 TAC 290.41(c)(2)(J)

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 3, 2014

**CERTIFIED MAIL 7011 3500 0000 0380 2022**  
**RETURN RECEIPT REQUESTED**

Mr. Benjamin F. Wiese IV  
Manager  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water North Concho Lake Estates, San Angelo, Tom Green County, Texas  
Regulated Entity RN101217321; TCEQ ID 2260020; Investigation 1134382

Dear Mr. Wiese:

On December 19, 2013, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation was required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violation. Therefore, no further action is required.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Angelo Region Office at (325) 655-9479 or the Central Office Publications Ordering Team at (512) 239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the San Angelo Region Office *within 10 days from the date of this letter*. At that time, Mr. Christopher G. Mayben will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to

Mr. Benjamin F. Wiese IV

Page 2


February 3, 2014

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water North Concho Lake Estates, San Angelo, Tom Green County, Texas  
Regulated Entity RN 101217321; TCEQ ID 2260020; Investigation 1134382

adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,



Christopher G. Mayben, P.G.  
Air/Water and Waste Section Manager  
San Angelo Region Office  
Texas Commission on Environmental Quality

CGM/lfw

cc: The Honorable Steve Floyd, Tom Green County Judge

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

CONCHO RURAL WATER N CONCHO LAKE ESTATES

Investigation #

1134382  
Investigation Date: 12/19/2013

, TOM GREEN COUNTY,

Additional ID(s): 2260020

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

Track No: 525245

30 TAC Chapter 290.43(e)

**Alleged Violation:**

Investigation: 1134382

Comment Date: 01/22/2014

Failure to maintain a locked gate on an intruder-resistant fence enclosing a water system facility when the facility is unmanned. The southeast gate to the fence enclosing North View water storage tank was unlocked when the manager and investigator arrived on 12/19/2013. There was an old padlock on the gate, but it had broken into pieces.

**Recommended Corrective Action:** Demonstrate that the North View water storage tank is locked when the facility is unattended.

**Resolution:** During the investigation, a new padlock was installed on the gate.

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*

November 15, 2012

**CERTIFIED MAIL 7011 3500 0000 0380 0080**  
**RETURN RECEIPT REQUESTED**

Mr. Benjamin F. Wiese IV  
Manager  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water Grape Creek; Grape Creek, Tom Green County, Texas  
Regulated Entity RN101218840; TCEQ PWS ID 2260008; Investigation 1035869

Dear Mr. Wiese:

On October 16, 2012, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, some concerns were noted which were alleged noncompliances that have been resolved as Areas of Concern based on subsequent corrective action. In addition, certain alleged violations were identified for which compliance documentation was required. Based on the information you have provided, the TCEQ has adequate documentation to resolve the alleged violations. Therefore, no further action is required. However, please see the Additional Issues in the enclosed Summary of Investigation Findings.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Angelo Region Office at (325) 655-9479 or the Central Office Publications Ordering Team at (512) 239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice.



Mr. Benjamin F. Wiese IV

Page 2

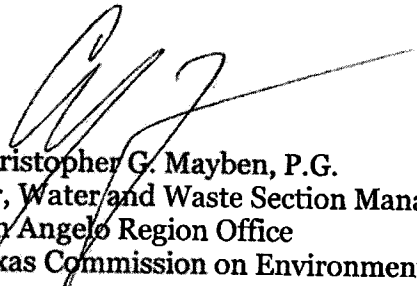
November 15, 2012

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water Grape Creek; Grape Creek, Tom Green County, Texas  
Regulated Entity RN101218840; TCEQ PWS ID 2260008; Investigation 1035869

Should you choose to do so, you must notify the San Angelo Region Office *within 10 days from the date of this letter*. At that time, Mr. Christopher Mayben will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,



Christopher G. Mayben, P.G.  
Air, Water and Waste Section Manager  
San Angelo Region Office  
Texas Commission on Environmental Quality

CGM/lfw

cc: The Honorable Michael D. Brown, Tom Green County Judge

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

CONCHO RURAL WATER GRAPE CREEK

8174 US HIGHWAY 87 N

SAN ANGELO, TOM GREEN COUNTY, TX 76901

Investigation #

1035869  
Investigation Date: 10/16/2012

Additional ID(s): 2260008

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

Track No: 482077

30 TAC Chapter 290.43(e)

**Alleged Violation:**

Investigation: 1035869

Comment Date: 11/12/2012

Failure to secure a potable water storage tank and a pressure maintenance facility. One of the gates was not locked. A padlock was in place at the gate, but did not lock.

**Recommended Corrective Action:** Gates and doors must be kept locked whenever the facility is unattended.

**Resolution:** During the investigation on 10/16/2012, Mr. Wiese lubricated the padlock and locked the gate.

Track No: 482079

30 TAC Chapter 290.46(n)(2)

**Alleged Violation:**

Investigation: 1035869

Comment Date: 11/12/2012

Failure to provide an up-to-date map of the distribution system. The map did not show how the water lines in Grape Creek connect to the new water lines in Buffalo Heights subdivision.

**Recommended Corrective Action:** Update the map. Submit photographic or written documentation to the San Angelo TCEQ Region Office, demonstrating compliance.

**Resolution:** On 11/01/2012, compliance documentation was received.

Track No: 482080

30 TAC Chapter 290.46(s)(2)(C)(I)

**Alleged Violation:**

Investigation: 1035869

Comment Date: 11/14/2012

Failure to validate calibration on chlorine residual test kit every 90 days. No records or standards were presented during the investigation. (Note: The investigator originally cited a previous revision of the Texas Administrative Code, which required the validation every 30 days. The TAC has been revised and says 90 days now.)

**Recommended Corrective Action:** Submit photographic or written documentation to the San Angelo TCEQ Region Office, demonstrating compliance.

**Resolution:** On 11/01/2012, compliance documentation was received.

### AREA OF CONCERN

Track No: 482076

30 TAC Chapter 290.42(e)(3)(D)

**Alleged Violation:**

Investigation: 1035869

Comment Date: 11/12/2012

Failure to provide facilities for determining the amount of disinfectant used. The scale under the gas chlorine cylinder at Indian Creek Pressure Station was broken.

**Recommended Corrective Action:** Submit photographic or written documentation to the San Angelo TCEQ Region Office, demonstrating compliance.

**Resolution:** On 10/29/2012, compliance documentation was received.

---

**Track No:** 482081**30 TAC Chapter 290.110(e)****Alleged Violation:**

Investigation: 1035869

Comment Date: 11/12/2012

Failure to properly complete the Disinfectant Residual Quarterly Operating Report (DLQOR). The DLQORs do not include all three chlorine residual results for days when bacteria samples are collected.

**Recommended Corrective Action:** Submit written documentation to the San Angelo TCEQ Region Office, demonstrating compliance.

**Resolution:** On 10/29/2012, compliance documentation was received.

**Description**

Item 1

**Additional Comments**

The required number of monthly microbiological samples appears to have increased from 3 to 4, based on the estimated population served by the water system. 30 TAC 290.109(c)(2)(A)(iii)

Item 2

It appears that the water system has reached 85% of its capacity for the pressure storage. By 01/14/2013, submit a report to the TCEQ. "A retail public utility that possesses a certificate of public convenience and necessity that has reached 85% of its capacity as compared to the most restrictive criteria of the commission's minimum capacity requirements in Chapter 290 of this title shall submit to the executive director a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certificated area." "If the retail public utility has reached 85% of its capacity, it must file this report no later than 90 days after the date of a commission letter detailing the results of the inspection." 30 TAC 291.93(3)

Pressure storage: 20 gallons per connection X 1172 connections = 0.2344 MG required. 0.2467 MG are provided.  $0.2344 / 0.2467 \times 100 = 95\%$

If calculated separately from the rest of the water system, the Mt. Nebo #12 N Pressure Plane appears to be within 85% of the required capacity for pressure storage.

Pressure Storage: 20 gallons per connection X 8 connections = 0.000160 MG required. 0.000172 MG are provided.  $0.000160 / 0.000172 \times 100 = 93\%$

Item 3

Capacity calculations for the water system as a whole appear to meet the minimum capacity requirements. However, calculations for individual pressure planes indicate that some of the capacity requirements, which rise as the number of connections increase, might exceed the capacity that is being provided. 30 TAC 290.45(b)(1)(C) Grape Creek Pressure Plane

Pressure Storage: 20 gallons per connection X 988 connections = 0.01976 MG required. 0.0180 MG are provided.  $0.01976 / 0.0180 \times 100 = 9.8\%$   
Service Pump: 2.0 gpm per connection X 988 connections = 1976 gpm. 1775 gpm are provided.  $1976 / 1775 \times 100 = 11\%$

Bryant W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 10, 2014

**CERTIFIED MAIL 7011 3500 0000 0380 2053**  
**RETURN RECEIPT REQUESTED**

Mr. Benjamin F. Wiese IV  
Manager  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water Pecan Creek Mobile Home Park, San Angelo, Tom Green County  
Regulated Entity RN101281590; TCEQ ID 2260057; Investigation 1134385

Dear Mr. Wiese:

On January 14, 2014, Ms. Linda White of the Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for a public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, a certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by **March 12, 2014** a written description of corrective action to be taken. A due date for submitting compliance documentation for the outstanding alleged violation concerning the sanitary control easement(s) will be determined after you provide a compliance plan for this alleged violation.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Angelo Region Office at (325) 655-9479 or the Central Office Publications Ordering Team at (512) 239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the San Angelo Region Office *within 10 days from the date of this letter*. At that time, Mr. Christopher G. Mayben will schedule a violation review meeting to be conducted within 21 days from the date of this letter.

Mr. Benjamin F. Wiese IV

Page 2

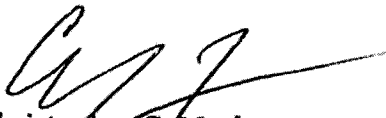
February 10, 2014

Re: Notice of Violation for the Comprehensive Compliance Investigation at:  
Concho Rural Water Pecan Creek Mobile Home Park, San Angelo, Tom Green County  
Regulated Entity RN101281590; TCEQ ID 2260057; Investigation 1134385

However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,



Christopher G. Mayben, P.G.  
Air, Water and Waste Section Manager  
San Angelo Region Office  
Texas Commission on Environmental Quality

CGM/lfw

cc: The Honorable Steve Floyd, Tom Green County Judge

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

PECAN CREEK MOBILE HOME PARK

Investigation #

1134385

Investigation Date: 01/14/2014

, TOM GREEN COUNTY,

Additional ID(s): 2260057

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

Track No: 525851

Compliance Due Date: 03/12/2014

30 TAC Chapter 290.41(c)(1)(F)

#### Alleged Violation:

Investigation: 1134385

Comment Date: 01/30/2014

Failure to establish sanitary control easement or sanitary control easements covering land within 150 feet of two wells. Both Wells G2260057B and G2260057C appear to be located less than 150 feet from a neighboring property to the west of the well field. Sanitary control easements were not presented during the investigation.

**Recommended Corrective Action:** Submit sanitary control easements to the San Angelo TCEQ Region Office. If sanitary control easements are not found, submit a Compliance Plan to the San Angelo TCEQ Region Office within 30 days of the date of this letter. The Compliance Plan should include a plan for compliance and an estimated date for when compliance will be achieved.

### ADDITIONAL ISSUES

#### Description

Item 1

#### Additional Comments

Please be advised to follow the instructions in the 12/28/2011 letter from TCEQ, granting your request to use chloramines as a disinfectant. Specifically, be certain that you are following the table on page 3 of the letter, which provides a schedule for required measuring and recording of free ammonia, monochloramines and total chlorine. Also, the letter encloses instructions ("Enclosure 2" in the letter) for what to do if the measurements are not within certain target levels. 30 TAC 290.39(l)(4)

Item 2

Remember to measure the temperature of the water when testing for monochloramines and free ammonia. The reaction time involved in the test procedure must be adjusted according to the temperature of the water. 30 TAC 290.46(s)

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 26, 2014

**CERTIFIED MAIL 7013 0600 0002 0606 8467**  
**RETURN RECEIPT REQUESTED**

Mr. Benjamin F. Wiese IV  
Manager  
Concho Rural Water Corporation  
8174 US Highway 87 N  
San Angelo, Texas 76901-7402

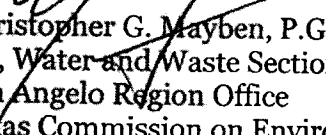
Re: Additional Compliance Documentation Needed for:  
Concho Rural Water Pecan Creek Mobile Home Park, San Angelo, Tom Green County  
RN101281590; TCEQ PWS ID 2260057; Investigation 1134385; Record Review 1156782

Dear Mr. Wiese:

The Texas Commission on Environmental Quality (TCEQ) San Angelo Region Office has received the compliance plan that you submitted March 18, 2014 for the alleged violation noted during the investigation of the above-referenced regulated entity conducted on January 14, 2014. The compliance documentation contained in your response appears to be a plan of action to correct the problem documented during the investigation. However, information is still needed for the alleged violation listed in the enclosed summary. Please submit to our office by **July 21, 2014** a written description of corrective action taken and the required compliance documentation demonstrating that the outstanding alleged violation has been resolved.

The TCEQ appreciates your assistance in this matter and your compliance efforts to protect the State's environment. We look forward to receiving your response for the outstanding alleged violation. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. If you or members of your staff have any questions, please feel free to contact Ms. Linda White in the San Angelo Region Office at (325) 655-9479.

Sincerely,

  
Christopher G. Mayben, P.G.  
Air, Water and Waste Section Manager  
San Angelo Region Office  
Texas Commission on Environmental Quality  
CGM/lfw

cc: The Honorable Steve Floyd, Tom Green County Judge

Enclosure: Summary of Investigation Findings

TCEQ Region 8 • 622 S. Oakes, Ste. K • San Angelo, Texas 76903-7035 • 325-655-9479 • Fax 325-658-5431



## Summary of Investigation Findings

PECAN CREEK MOBILE HOME PARK

Investigation #

, TOM GREEN COUNTY,

1156782  
Investigation Date: 03/14/2014

Additional ID(s): 2260057

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

Track No: 525851 Compliance Due Date: 07/21/2014

30 TAC Chapter 290.41(c)(1)(F)

#### Alleged Violation:

Investigation: 1134385

Comment Date: 01/30/2014

Failure to establish sanitary control easement or sanitary control easements covering land within 150 feet of two wells. Both Wells G2260057B and G2260057C appear to be located less than 150 feet from a neighboring property to the west of the well field. Sanitary control easements were not presented during the investigation.

Investigation: 1156782

Comment Date: 03/18/2014

On 03/18/2014, a plan for coming into compliance was received. Mr. Wiese estimated that compliance will be achieved by 07/21/2014.

**Recommended Corrective Action:** Submit documentation demonstrating that either sanitary control easements have been obtained, or that an exception to the rule has been granted, to the San Angelo TCEQ Region Office.