

Notice to Landowners
**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN COOKE COUNTY**

To: _____
Bradley Franklin & Ronda Lynn Metzler
6030 Hwy 82
Gainesville, TX 76240

Date Notice Mailed: October 11, 2005

The Town of Lindsay has filed an application to amend CCN Nos. 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Cooke County.

The proposed utility service area is located approximately 4.6 miles north, 3.5 miles south, .6 miles east, and 4.1 miles west of downtown Lindsay, Texas, and is generally bounded on the north by CR 434; on the east by Gainesville Airport; on the south by FM 1630; and on the west by CR 415. See enclosed map of the proposed service area.

The total area being requested for water service includes approximately 18,230 acres and 371 current customers. The total area being requested for sewer service includes approximately 18,230 acres and 362 current customers.

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

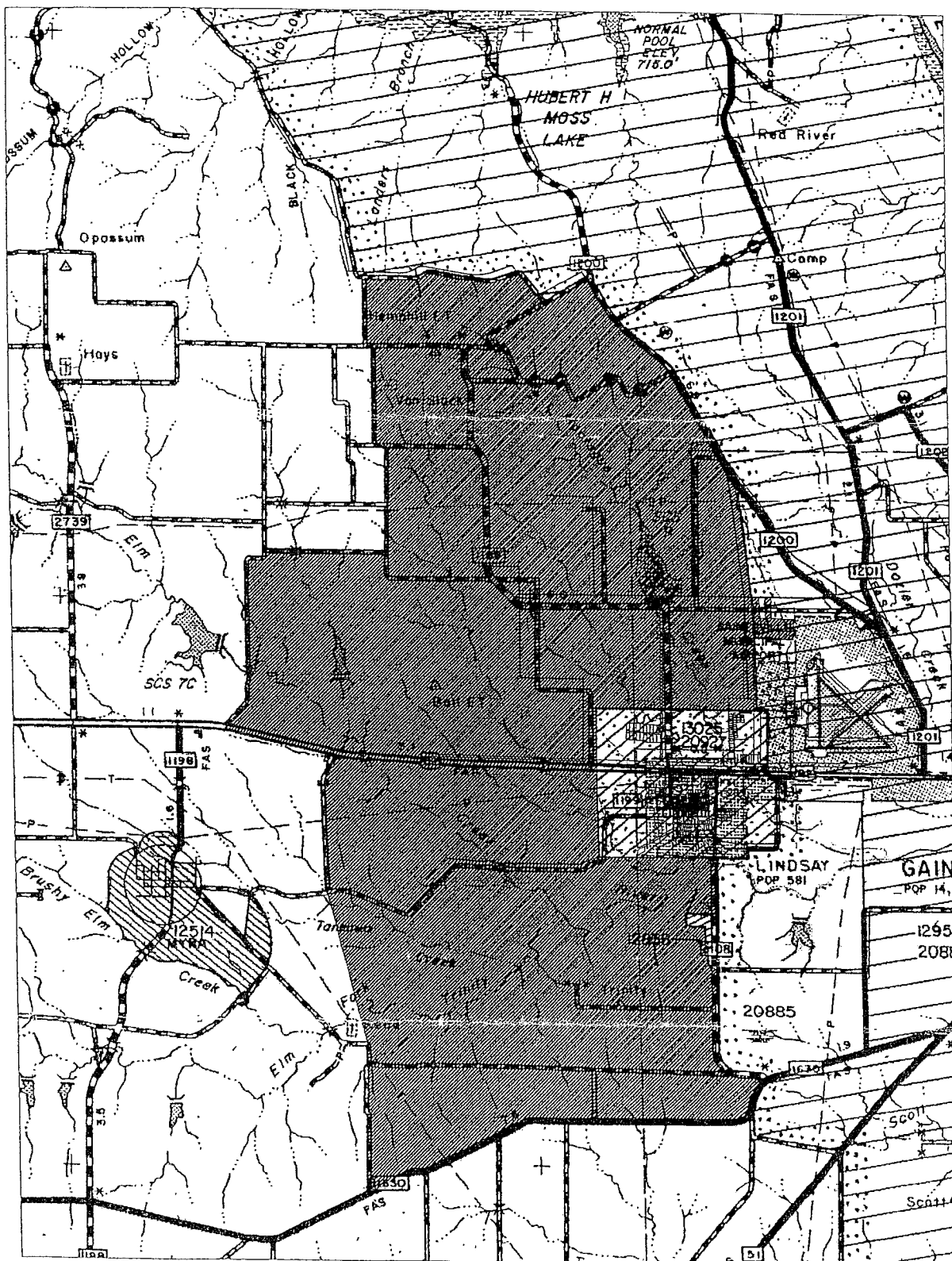
Persons who wish to intervene or comment should write the:

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

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

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Si desea informacion en Espanol, puede llamar al 1-800-687-4040.



LINDSAY PROPOSED WATER AND SEWER CEN

**LINDSAY PROPOSED CCN AREA
REQUESTS FOR SERVICE LOCATIONS**

October 31, 2005

To Whom It May Concern:

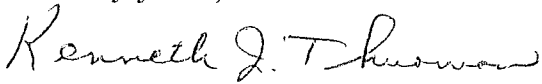
I, Kenneth J. Thurman do request for a hearing to get water & sewer utility service in Cooke County in our area.

We need the water service and sewer service in our area.

Name: Kenneth J. Thurman
1733 CR 404
Gainesville, Texas 76240

This will effect us to the fact that our property is surrounded by land that could maybe be using these services at some time including us.

Sincerely yours,


Kenneth J. Thurman

RECEIVED

NOV 02 2005

TEXAS COMMISSION

ENVIRONMENTAL QUALITY

Notice to Landowners
**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN COOKE COUNTY**

To:

Kenneth Thurman
1733 CR 404
Gainesville, TX 76240

Date Notice Mailed: October 11, 2005

COPY

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Water Supply Division
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Si desea informacion en Espanol, puede llamar al 1-800-687-4040.

35072 C

10/30/05

I Christopher W Sikes

1258 CR 352

Garosville TX, 76240

940-668-6496 evening

940 591-3237 days

RECEIVED

NOV 02 2005

TEXAS COMMISSION

ON

ENVIRONMENTAL QUALITY

I Christopher W Sikes Request a
public hearing

I do not want to be part
of the city of Lindsay for I
live in the ERH School district

I have my own well & sewer
system and can not afford to
pay for sewer & water or not

can I pay for the Extra
hook up charges nor the
Extra Tax Burden that will

Come with the water & sewer
I live on the family farm
that was settled in the 1800's

and have never needed the Lindsay
water or sewer The Town offers

Nothing that we need like Baptist
Church or Garons or Sikes we do not
Drink Beer so we have no need

for the Town of Lindsay or the City Taxes
That will come with the sewer & water

Please Consider our request to
not include us in the application
for CCN.

Sincerely

Mot + Mrs Ch Li

November 3, 2005

Texas Commission on Environmental Quality
Water Supply Division
Utilities & Districts Section, MC 153
P O Box 13087
Austin, TX 7871-3087

To Whom This Concerns

Writing this letter is Bill & Monica Laux, 3792 FM 1199, Gainesville, TX 76240
Daytime phone numbers are 940-665-8330 (home) and 940-668-4100 (work)

We are requesting a hearing, due to the Town of Lindsay filing an application to amend CCN Nos 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility services in Cooke County.

We would be adversely affected by granting the application for a CCN, in that, the Town of Lindsay has nothing to offer us that we do not already have. We have our own water supply and sewer system that has cost us a fortune several years ago. All of our utilities are up to code. Therefore, again, the Town of Lindsay can not offer us anything. We moved to the county to avoid city control, rules and regulation. My concerns would be satisfied by leaving things the way they presently are and not making any changes that would affect me and my family.

Concerned citizen,
Monica Laux
Bill & Monica Laux
3792 FM 1199
Gainesville, TX 76240

RECEIVED

NOV 14 2005

TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

25096-C

ARMBRUST & BROWN, L.L.P.

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

JOHN J. CARLTON
(512) 435-2308
jcarlton@abastin.com

November 4, 2005

***VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED
VIA FACSIMILE (512) 239-6972***

Texas Commission on Environmental Quality
Water Supply Division
ATTN: Tammy Lee Holguin-Benter
Utilities and Districts Section, MC-153
P. O. Box 13087
Austin, Texas 78711-3087

NOV 06 2005

Re: The Town of Lindsay Application to Amend CCN Nos. 13025 and 20927 to
provide Water and Sewer Service to Cooke County ("Application")

To Whom It May Concern:

I am writing on behalf of Lindsay Pure Water Company, CCN No. 12858 ("LPWC"). LPWC's service area is located adjacent to the area proposed for certification by the Town of Lindsay ("Lindsay"). LPWC provides water service to customers within its CCN area and intends to provide service to future customers within Lindsay proposed CCN area.

As a result of a previously contested CCN application filed by Lindsay, Lindsay and LPWC reached a service area settlement in 2002. That settlement addressed portions of the area requested in Lindsay's current application, and LPWC believed that all service area matters were addressed by the settlement agreement. This conflict could be resolved by removal of the area that is the subject of the settlement agreement from the Application.

Consequently, LPWC formally *requests a public hearing* regarding the above referenced Application. Finally, please add me to the mailing list as representative of LPWC for this Application and provide me with any additional information or copies of any pleadings or correspondence that are filed in this matter.

If you have any questions or need additional information, you may contact me at the address referenced above or by calling (512) 435-2308.

ARMBRUST & BROWN, L.L.P.
Page 2

Sincerely,

ARMBRUST & BROWN, L.L.P.



John J. Carlton, Attorney for Lindsay Pure
Water Company

cc: Joe O'Dell



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

TEXAS HERITAGE PLAZA • 102 WEST MORROW STREET SUITE 103
GEORGETOWN, TEXAS 78626
PHONE (512) 930-1317 • FAX (512) 930-7742

Email: arodriguez@rmrlawfirm.com

October 21, 2005

VIA HAND DELIVERY

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

Re: *Application from the Town of Lindsay to Amend Certificate of Convenience and Necessity (CCN) No. 13025 in Cooke County; Application No. 35096-C*

Application from the Town of Lindsay to Amend CCN No. 20927 in Cooke County; Application No. 35097-C

CN: 601118607; RN: 104296488 (water) and 104315569 (sewer)

Dear Ms. Blaschke,

Enclosed with this letter are the following documents, which are in compliance with the letter received by Ms. Michelle Abrams, dated September 21, 2005:

1. Four (4) copies of the *Notice to Neighboring Systems and Cities* and the map sent to each neighboring system and city of the Town of Lindsay;
2. One (1) copy of the *Notice to Landowners* sent to *each* landowner, as identified by the county appraisal district rolls for Cooke County, in the requested area and the list of all landowners who received the notice as well as one (1) copy of the map that was enclosed with each map;
3. The original plus three (3) copies of the *Affidavit of Notice to Neighboring Utilities and Affected Parties* signed by Betsy Fleitman, City Secretary for the Town of Lindsay, on October 11, 2005;
4. The original plus three (3) copies of the *Affidavit of Notice to Landowners* signed by Betsy Fleitman, City Secretary for the Town of Lindsay, on October 11, 2005; and
5. The original plus three (3) copies of the *Publisher's Affidavit* from the *Gainesville Daily Register* as well as the tear sheet from October 7, 2005, and October 14, 2005, showing the public notice was published.

RECEIVED
OCT 21 2005
TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY

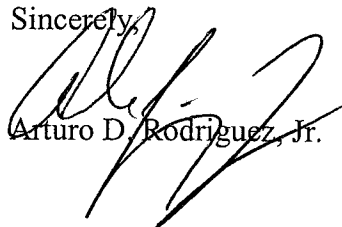
Ms. Karen Blaschke
October 21, 2005
Page 2 of 2

Regarding the other items requested by Ms. Abrams that the City address on page 2 of the September 21st letter, I will respond using the same letters contained in your letter:

- a) The City of Lindsay provides service to all residents inside of their city limits. Providing the name and address of each customer would be overly burdensome and is not a legal requirement of this application process. However, each property owner receiving service in the requested area has received notice of this application.
- b) All copies of requests for service which have been received by the City are attached to this letter.
- c) The requested map is attached.
- d) The requested information is not a legal requirement of this application process.
- e) The requirement to provide landowner consent for all proposed area located outside of the City's current ETJ is not a legal requirement of this application process.

Thank you very much for your attention to this matter.

Sincerely,



Arturo D. Rodriguez, Jr.

Attachments as stated in letter
cc: (w/out attachments)
Mr. Pat Dillon
Mr. Steven Zwinggi

Notice to Neighboring Systems and Cities
**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN COOKE COUNTY**

To: Myra Water System
P.O. Box 126
Myra, Texas 76253

Date Notice Mailed: October 11, 2005

The Town of Lindsay has filed an application to amend CCN Nos. 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Cooke County.

The proposed utility service area is located approximately 4.6 miles north, 3.5 miles south, .6 miles east, and 4.1 miles west of downtown Lindsay, Texas, and is generally bounded on the north by CR 434; on the east by Gainesville Airport; on the south by FM 1630; and on the west by CR 415. See enclosed map of the proposed service area.

The total area being requested for water service includes approximately 18,230 acres and 371 current customers. The total area being requested for sewer service includes approximately 18,230 acres and 362 current customers.

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Water Supply Division
Utilities and Districts Section, MC-153
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Austin, TX 78711-3087

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Si desea informacion en Espanol, puede llamar al 1-800-687-4040.

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Mya Water System
P.O. Box 126
Mya, Texas
76253

2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ *Kill Black* ☐ Agent
- B. Received by (Print Name) *Kill Black* ☐ Addressee
- C. Date of Delivery *10-12-05*
- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

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

4. Restricted Delivery? (Extra Fee) ☐ Yes

7003 3110 0002 4681 2828

Domestic Return Receipt

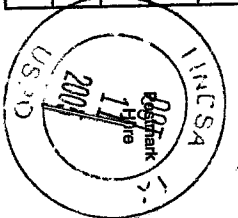
102585-02-M-1540

U.S. Postal ServiceTM RECEIPT
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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.39
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.175
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To *Mya Water System*

Street, Apt. No., or PO Box No.

City, State, Zip+4

PS Form 3800, June 2002

See Reverse for Instructions

7003 3110 0002 4681 2828



CITY OF LINDSAY

LINDSAY PROPOSED WATER AND SEWER CCN

- LINDSAY PROPOSED CCN AREA**
- REQUESTS FOR SERVICE LOCATIONS**

Notice to Neighboring Systems and Cities
**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN COOKE COUNTY**

To: City of Gainesville
200 South Rusk Street
Gainesville, Texas 76240

Date Notice Mailed: October 11, 2005

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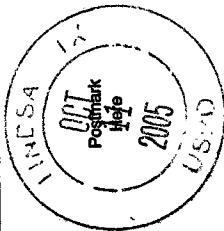
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OFFICIAL USE

Postage	\$ 1.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To City of Gainesville

Street, Apt. No.,
or PO Box No. _____

City, State, ZIP+4 _____

2005 OCT 14 17:02

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

City of Gainesville
200 South Rock Street
Gainesville, TX 76240

2. Article Number
(Transfer from service label)

7003 3110 0002 4681 2842

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee

D. Reed

B. Received by (Printed Name) D. Reed C. Date of Delivery 10/11/05

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

3. Service Type

☒ Certified Mail ☐ Express Mail

☐ Registered ☒ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

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

Notice to Neighboring Systems and Cities
**NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN COOKE COUNTY**

To: Lindsay Pure Water Company
P.O. Box 5
Lindsay, Texas 76250

Date Notice Mailed: October 11, 2005

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1. Article Addressed to:

*Liddley Fine Water Company
P.O. Box 5
Liddley, Texas 76250*

2. Article Number
(Transfer from service label)

7003 3110 0002 4681 2835

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Jane Myrick

☐ Agent
☐ Addressee

B. Received by (Printed Name)

JANE MYRICK

C. Date of Delivery

10/11/05

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

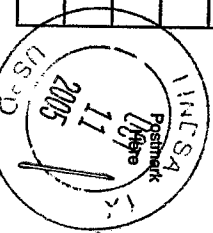
☐ Yes

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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

OFFICIAL USE

Postage	\$.39
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.95
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42



Sent To

Liddley Fine Water Co

Street, Apt. No.,
or PO Box No.

Liddley, Texas 76250

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

7003 3110 0002 4681 2835



Texas Commission on Environmental Quality

APPLICATION NOS. 35096-C And 35097-C

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF Cooke

_____ has provided individual notice to the following entities:

Myra Water System
Lindsay Pure Water Company
City of Gainesville

DATE
October 11, 2005
October 11, 2005
October 11, 2005

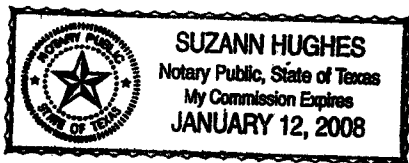
OATH

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

Betsy Fleitman
Applicant's Authorized Representative

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

Subscribed and sworn to before me this 11th day of October, 2005, to certify which witness my hand and seal of office.



Suzann Hughes
Notary Public in and for the
State of Texas

Suzann Hughes
Print or Type Name of Notary Public
Commission Expires 1/12/08



Texas Commission on Environmental Quality

APPLICATION NOS 35096-C and 35097-C

AFFIDAVIT OF NOTICE TO LANDOWNERS

STATE OF TEXAS

COUNTY OF Cooke

_____ has provided individual notice to
the following entities:

see Attached list

DATE October 11, 2005

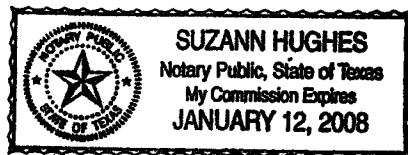
OATH

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

Betsy Fleitman
Applicant's Authorized Representative

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

Subscribed and sworn to before me this 11th day of October, 2005, to certify
which witness my hand and seal of office.



Suzann Hughes
Notary Public in and for the
State of Texas

Suzann Hughes
Print or Type Name of Notary Public
Commission Expires 1/12/08

NAME	Name 2	MAILING ADDRESS	CITY	STATE	ZIP
3108 LP		P.O. Box 863	Gainesville	TX	76240
Alam Louise Kubis Wolf		697 FM 373	Muenster	TX	76252
Alan Trammell		1341 CR 438	Lindsay	TX	76250
Albert & Kay Anger		5028 CR 306	Gainesville	TX	76240
Alcuin & Alvin Zimmerer		1661 CR 404	Gainesville	TX	76240
Alcuin Paul Kubis		1506 Roan Wood	Houston	TX	77090
Alfred Hess		1612 FM 3108	Gainesville	TX	76240
Aloys Fuhrmann		2150 CR 407	Gainesville	TX	76240
Alvin Fleitman		4372 CR 306	Gainesville	TX	76240
Alvin J. Loerwald		231 N. Willow	Lindsay	TX	76250
Andy Arendt	c/o Mary Ann Arendt Life Estate	3055 CR 306	Gainesville	TX	76240
Aric A. Griffin		P.O. Box 319	Lindsay	TX	76250
Arnold & Cecilia Fuhrmann		202 CR 453	Gainesville	TX	76240
August Felderhoff		1262 FM 373	Muenster	TX	76252
Barbara J. Morey		4217 Rustic Dr.	Grapevine	TX	76051
Ben Murray Fulton		P.O. Box 254	Lindsay	TX	76250
Bengfort Construction, Inc.		3894 FM 1200	Gainesville	TX	76240
Bernard Fleitman		12744 FM 1630	Gainesville	TX	76240
Bob Sewell		465 CR 306	Gainesville	TX	76240
Bradley Franklin & Ronda Lynn Metzler		6030 Hwy 82	Gainesville	TX	76240
Brammer Plumbing		724 N. Clements	Gainesville	TX	76240
Brandon & Stephanie Hunter		P.O. Box 411	Lindsay	TX	76240
Carl B. Sadau		1092 McReynolds Road	Sanger	TX	76250
Cason Holdings LP		901 Cason Drive	Gainesville	TX	76266
Cecil Bullard		1900 Tulane	Gainesville	TX	76240
Charles E. Arend		20 CR 306	Gainesville	TX	76240
Charles E. Fleitman ETUX		1252 CR 333	Gainesville	TX	76240
Charles Neu		2104 CR 446	Gainesville	TX	76240
Charles Stoffels		3719 FM 1199	Gainesville	TX	76240
Charlotte & William J. Winter		P.O. Box 194	Lindsay	TX	76240
Charlotte Voyles		1197 CR 404	Gainesville	TX	76250
Chris & Gina Arendt Craigie		2653 CR 306	Gainesville	TX	76240
Chris Hundt		1633 CR 407	Gainesville	TX	76240
Chris Neu		926 CR 404	Gainesville	TX	76240
Christopher E. Sikes		1258 CR 352	Gainesville	TX	76240
Chuck Schumacher		2123 CR 446	Gainesville	TX	76240

Clare Hellinger		562 CR 306	Gainesville	TX	76240
Clarence Neusch		665 CR 405	Gainesville	TX	76240
Clem Hermes		2892 FM 1199	Gainesville	TX	76240
Clement Bernard Sandmann		P.O. Box 103	Lindsay	TX	76250
Cody James & Adrienne Lee Martin		P.O. Box 350	Lindsay	TX	76250
Connie Sue Garner		3000 CR 409	Gainesville	TX	76240
Cory & Amber Schad		P.O. Box 251	Lindsay	TX	76250
Craig & Sandy Carpenter		34 CR 439	Gainesville	TX	76240
Damian & Lucy Krah		5434 FM 1199	Gainesville	TX	76240
Damond Fuhrmann		P.O. Box 97	Lindsay	TX	76250
Damond Sandmann ETUX		2366 CR 418	Gainesville	TX	76240
Danny & Robin Hess		331 CR 352	Gainesville	TX	76240
Darleen (Biffie) Huebner		2137 CR 327	Gainesville	TX	76240
Darlene Schmidkofer Williams		4339 CR 422	Gainesville	TX	76240
David & Shelli Fleitman		2256 CR 438	Lindsay	TX	76250
David Huchton		1754 CR 306	Gainesville	TX	76240
David Krah		1980 CR 418	Gainesville	TX	76240
David Lee Hermes		1987 CR 438	Lindsay	TX	76250
David Stoffels		4172 FM 1199	Gainesville	TX	76240
David W. & Donna K. Patterson		1115 Hillside	Gainesville	TX	76240
Della Rose Voth ETAL		1885 CR 409	Gainesville	TX	76240
Diane Hermes Neu ETAL		919 East JM Lindsay Blvd.	Gainesville	TX	76240
Diane Voth Gray		2923 CR 409	Gainesville	TX	76240
Don Hobbs Trustee		100 E Broadway	Gainesville	TX	76240
Donald Neu		4956 CR 446	Gainesville	TX	76240
Donald Vaughn		45 Middle Lane	Gainesville	TX	76240
Donna Arendt Reed	c/o Mary Ann Arendt Life Estate	3055 CR 306	Gainesville	TX	76240
Dorothy M. Beyer		568 CR 418	Gainesville	TX	76240
Doug Voth		1183 CR 418	Gainesville	TX	76240
Douglas & Maquita Gossett		2752 FM 1200	Gainesville	TX	76240
Douglas D. Morrison		2867 FM 1630	Gainesville	TX	76240
Dwayne Hellman ETUX		722 CR 409	Gainesville	TX	76240
Ed Schad		1093 FM 1199	Gainesville	TX	76240
Edward & Fernando Serna		P.O. Box 292	Lindsay	TX	76250
Edward Anthony & Angela Hacker		4676 FM 1199	Gainesville	TX	76240
Edward Fuhrmann, et al.		4233 FM 1199	Gainesville	TX	76240
Edward Harvey Lampkin		P.O. Box 41	Era	TX	76238

Edward Sandmann		P.O. Box 104	Lindsay	TX	76250
Elizabeth R. Hellman		1058 CR 409	Gainesville	TX	76240
Ella Mae Rohmer		302 N. Sycamore Dr.	Muenster	TX	76252
Ella Mae Rohmer Trustee		302 N. Sycamore Dr.	Muenster	TX	76252
Elroy Neu		452 CR 306	Gainesville	TX	76240
Elsie Hess		1168 CR 407	Gainesville	TX	76240
Emma N. Moster		P.O. Box 18	Lindsay	TX	76250
Eric Hess		2130 FM 1199	Gainesville	TX	76240
Erwin Fuhrmann		1375 CR 446	Gainesville	TX	76240
Fabia Fernando Gonzalez		1309 W. California	Gainesville	TX	76240
Felderhoff Brothers Farm		1262 FM 373	Muenster	TX	76252
Floyd W. Smith, Jr.	c/o August Felderhoff	P.O. Box 332	Lindsay	TX	76250
Frances Zimmerer		1376 CR 404	Gainesville	TX	76240
Frank Haverkamp		P.O. Box 156	Lindsay	TX	76250
Frank Popp		2905 FM 1199	Gainesville	TX	76240
Frank Sandmann		P.O. Box 62	Lindsay	TX	76250
Freddie Neu		1839 FM 3108	Gainesville	TX	76240
Freedom Field, Inc.		P.O. Box 160	Lindsay	TX	76250
Gary August Hess		P.O. Box 266	Lindsay	TX	76250
Gene D. Rohmer		1180 CR 418	Gainesville	TX	76240
George E. Gwyn		20 Shadowwood	Gainesville	TX	76240
Gilbert Hermes		1276 FM 1199	Gainesville	TX	76240
Gilbert Kubis		1533 CR 405	Gainesville	TX	76240
Glenn Metzler		1084 CR 405	Gainesville	TX	76240
Gloria Becker		1946 N. FM 373	Muenster	TX	76252
Greg Haverkamp		2774 CR 306	Gainesville	TX	76240
Gregory Hundt		976 CR 407	Gainesville	TX	76240
Harold Nortman		1125 East JM Lindsay Blvd.	Gainesville	TX	76240
Harold Owen		982 CR 404	Gainesville	TX	76240
Harold R. & Delores Owen		P.O. Box 76	Lindsay	TX	76250
Harold Schmitz		1510 CR 405	Gainesville	TX	76240
Henry Kuhn, Jr.	c/o Henry & Allie P. Kuhn Life Estate	1537 Burns City Road	Gainesville	TX	76240
Henry Popp		329 CR 407	Gainesville	TX	76240
Henry Voth		1887 CR 409	Gainesville	TX	76240
Henry Zimmerer		1376 CR 404	Gainesville	TX	76240
Herbert Schmidtkofer		3416 CR 409	Gainesville	TX	76240
Howard Family Trust		1780 W. Farwest Dr.	Ogden	UT	84404

Hugo Bengfort		2487 CR 409	Gainesville	TX	76240
Jack DeGarmo		3168 FM 1630	Gainesville	TX	76240
Jackie Edington Hess		P.O. Box 241	Lindsay	TX	76250
Jackie Tuft Arend		P.O. Box 245	Lindsay	TX	76250
James & Barbara Tamplin		4011 FM 1199	Gainesville	TX	76240
James Flusche		541 CR 409	Gainesville	TX	76240
James H. Fuhrmann		4536 FM 1199	Gainesville	TX	76240
James Neusch		P.O. Box 329	Lindsay	TX	76250
James Ott		1094 FM 1199	Gainesville	TX	76240
James Ray & Barbara Reinart Horner		P.O. Box 200	Lindsay	TX	76250
James W. & Barbara Tamplin		4011 FM 1199	Gainesville	TX	76240
Janet Arendt Cunningham		101 W. Elmview	Lindsay	TX	76250
Jarrell Sanders	c/o J. Lee Stansbury	111 W. Hird	Gainesville	TX	76240
Jay Anderle		1928 FM 1199	Gainesville	TX	76240
Jeanette M. Jones		P.O. Box 336	Lindsay	TX	76250
Jeff & Diane Neu		919 East JM Lindsay Blvd.	Gainesville	TX	76240
Jeff Hellman		1054 CR 409	Gainesville	TX	76240
Jeffery L. Blalock		332 CR 352	Gainesville	TX	76240
Jerrad Voth		1913 Cypress Court	Gainesville	TX	76240
Jim A. Robertson		3236 FM 1630	Gainesville	TX	76240
Jimmy & Barbara Mosman		1290 CR 418	Gainesville	TX	76240
Jimmy Fisher		779 CR 438	Lindsay	TX	76250
Joe B. Hundt		2087 FM 1199	Gainesville	TX	76240
Joe D. & Gwen A. Mullins		1018 W. Kiowa Drive	Gainesville	TX	76240
Joe Hundt		2087 FM 1199	Gainesville	TX	76240
Joe P Fuhrmann		4233 FM 1199	Gainesville	TX	76240
Joe P. Hundt		3609 Falcon Court	Corinth	TX	76210
Joe Paul Fuhrmann		4233 FM 1199	Gainesville	TX	76240
John & Teresa Sprouse		P.O. Box 53	Lindsay	TX	76250
John C. Bengfort		300 W Fourth Street	Lindsay	TX	76250
John Hermes		P.O. Box 137	Lindsay	TX	76250
John Kasperek		2485 CR 409	Gainesville	TX	76240
John V. Arend		148 CR 306	Gainesville	TX	76240
John W. Quinilian		1631 South Cheyenne	Tulsa	OK	74119
Johnnie Arendt		3057 CR 306	Gainesville	TX	76240
Johnny Tucker		319 CR 466	Gainesville	TX	76240
Joseph F. Hermes		2776 FM 1199	Gainesville	TX	76240

Joseph P. Fuhrmann			4233 FM 1199	Gainesville	TX	76240
Julia & James Whitcraft			755 CR 418	Gainesville	TX	76240
Julius Hermes, Jr.			P.O. Box 32	Lindsay	TX	76250
Julius Hermes, Sr.			1077 CR 438	Lindsay	TX	76250
Julius Hess			1168 CR 407	Gainesville	TX	76240
Julius Metzler			1781 FM 1200	Gainesville	TX	76240
Justin & America M. Campbell			4501 CR 1630	Gainesville	TX	76240
Kathleen M. Hacker			1230 CR 434	Gainesville	TX	76240
Kenneth Koelzer			269 CR 405	Gainesville	TX	76240
Kenneth Odell			2837 FM 1630	Gainesville	TX	76240
Kenneth Thurman			1733 CR 404	Gainesville	TX	76240
Kenneth W. Bennett			1801 Southridge Lane	Sherman	TX	75092
Kenny & Jessica Reiter			5862 FM 1199	Gainesville	TX	76240
Kenny Ewell & Donna M. Marchant			2125 N. Josey Lane	Carrollton	TX	75006
Kenny Krebs			299 CR 352	Gainesville	TX	76240
Kevin & Amber Fuhrmann			4462 FM 1199	Gainesville	TX	76240
Kieth D. & Kristie L. Early			P.O. Box 256	Lindsay	TX	76250
Kristopher & Marsha Dill			3888 CR 306	Gainesville	TX	76240
KWFT Partnership			1533 CR 405	Gainesville	TX	76240
Lambert J. Hess			P.O. Box 157	Lindsay	TX	76250
Larry & Joanie Wyrick			5061 CR 306	Gainesville	TX	76240
Larry Zimmerer			1164 CR 404	Gainesville	TX	76240
Lawrence Neusch			758 CR 405	Gainesville	TX	76240
Leonard Bengfort Construction, Inc.			3894 FM 1200	Gainesville	TX	76240
Leonard Hermes			P.O. Box 44	Lindsay	TX	76250
Leroy Sandmann			2712 CR 409	Gainesville	TX	76240
Leroy Schmidkofer			220 Hird	Gainesville	TX	76240
Lillian Reinart			P.O. Box 334	Muenster	TX	76252
Linda G. Tamplin			3879 CR 409	Gainesville	TX	76240
Linus Fuhrmann			FM 1199	Gainesville	TX	76240
Lloyd Reiter			199 CR 466	Gainesville	TX	76240
Loreen Neu			3591 FM 1630	Gainesville	TX	76240
Louis H. Gieb			P.O. Box 78	Lindsay	TX	76250
Louise C. Morisak			4032 Oak Park Dr.	Flower Mound	TX	75028
Lynn & Jo Ann Huchton			3289 CR 306	Gainesville	TX	76240
Madison Wayne & Merrick William Parkhill			P.O. Box 232	Lindsay	TX	76250
Marcus Fuhrmann			4228 CR 422	Gainesville	TX	76240

Margaret Fuhrmann	c/o Aloys Fuhrmann	2150 CR 407	Gainesville	TX	76240
Margaret Gruber		P.O. Box 188	Lindsay	TX	76250
Margaret Huchton		1754 CR 306	Gainesville	TX	76240
Margarete M. Alexander		2802 Compton	Wichita Falls	TX	76309
Margery Bass		7749 Fairway Road	Woodway	TX	76712
Marie Koelzer		1730 FM 1200	Gainesville	TX	76240
Marie Zimmerer		720 FM 1199	Gainesville	TX	76240
Mark & Margis Laster		790 CR 352	Gainesville	TX	76240
Mary Ann Fiddell, Sharon Luke, Doris Voth		P.O. Box 883	Gainesville	TX	76240
Mary Arendt		2651 CR 306	Gainesville	TX	76240
Mary C. Brown Estate	America Natl Bank Trust D	P.O. Box 40	Terrell	TX	75160
Mary E. Felderhoff		1437 CR 304	Gainesville	TX	76240
Mary Gwyn Estate		20 Shadowwood	Gainesville	TX	76240
Mary Jane Fleitman		P.O. Box 219	Lindsay	TX	76250
Mary K. Pearson		103 First Street	Lindsay	TX	76250
Math Lee Henscheid		P.O. Box 422	Muenster	TX	76252
Melinda Kay & Randall C. Bryant		1064 CR 352	Gainesville	TX	76240
Melvin Bayer		883 FM 1199	Gainesville	TX	76240
Melvin Voth		1183 CR 420	Gainesville	TX	76240
Merrick Stephen Cartwright		P.O. Box 724	Gainesville	TX	76240
Michael & Donna Zimmerer		1092 FM 1199	Gainesville	TX	76240
Michael & Sharon Hermes		P.O. Box 257	Lindsay	TX	76250
Michael G. Fuhrmann		6060 Hwy 82	Gainesville	TX	76240
Michael George Fuhrmann		6060 Hwy 82	Gainesville	TX	76240
Michael J. Fuhrmann		4344 Old Thomas Road	Aubrey	TX	76227
Michael R. Hermes		P.O. Box 257	Lindsay	TX	76250
Mike Kendall		365 CR 352	Gainesville	TX	76240
Mike Kendall		P.O. Box 580	Gainesville	TX	76240
Monica & Billy Laux		3792 FM 1199	Gainesville	TX	76240
Myrick Development Co.		P.O. Box 5	Lindsay	TX	76250
Oscar R. Sikes		1258 CR 352	Gainesville	TX	76240
Othel Ray Winborn		3020 FM 1630	Gainesville	TX	76240
Otto Family Trust	c/o Mike & Jane Otto	P.O. Box 2	Lindsay	TX	76250
Paul Danglmayr		14537 FM 1630	Muenster	TX	76252
Paul Fuhrmann		4233 FM 1199	Gainesville	TX	76240
Paul J. Hess		P.O. Box 85	Lindsay	TX	76250
Paul Joseph Enderby		333 Hickory Ridge	Highland Village	TX	75077

Paul Russell Porter		3404 Cloverdale Lane	Farmers Branch	TX	75234
Paul Sandmann		P.O. Box 71	Lindsay	TX	76250
Paula Lewis		2898 CR 321	Valley View	TX	76272
Pete Hellinger, Jr.		P.O. Box 28	Lindsay	TX	76250
R.K. & Marjorie Pittner		2295 FM 1630	Gainesville	TX	76240
Rachel Schmidtkofer		404 CR 260	Gainesville	TX	76240
Randy & Teresa Hess		P.O. Box 267	Lindsay	TX	76250
Randy Sikes		1119 CR 352	Gainesville	TX	76240
Ray Haverkamp		570 CR 409	Gainesville	TX	76240
Raymond J. Fuhrmann		2335 FM 1200	Gainesville	TX	76240
Raymond J. Hoenig		498 CR 352	Gainesville	TX	76240
Raymond J. Tempel		565 CR 409	Gainesville	TX	76240
Raymond Sandmann		P.O. Box 102	Lindsay	TX	76250
Reginald & Regina Klement		855 CR 438	Lindsay	TX	76250
Richard Connett		P.O. Box 162	Lindsay	TX	76250
Richard K. Pitner		2295 FM 1630	Gainesville	TX	76240
Richard Timmis Porter		P.O. Box 60	Lindsay	TX	76250
Rita Catherine Lusk		P.O. Box 204	Lindsay	TX	76250
Robert & Linda Tamplin		3879 CR 409	Gainesville	TX	76240
Robert Arend		150 CR 306	Gainesville	TX	76240
Robert J. Knauf		631 Weinzapfel	Muenster	TX	76252
Robert M. & Jolene M. Fuhrmann		405 West JM Lindsay Blvd.	Gainesville	TX	76240
Roger Luttmer		3652 CR 438	Lindsay	TX	76250
Ronald J. Fuhrmann		4580 CR 308	Gainesville	TX	76240
Ronnie Neu		980 CR 404	Gainesville	TX	76240
Rose Ann Kupper		8435 Creekside Road	Frisco	TX	75034
Rose Mary Fangman		1438 FM 1199	Gainesville	TX	76240
Roy Lee Fuhrmann		1278 FM 1201	Gainesville	TX	76240
Rudy Zimmerer		3188 CR 438	Lindsay	TX	76250
Sandmann Brothers		P.O. Box 62	Lindsay	TX	76250
Sandra Ann Massengale		75 CR 439	Lindsay	TX	76250
Scott & Melinda Fuhrmann		204 FM 1199	Gainesville	TX	76240
Scott Michael Klement		5992 South FM 373	Muenster	TX	76252
Shannon & Jennifer Moran		P.O. Box 412	Lindsay	TX	76250
Shelby Bezner		1031 Tyler	Gainesville	TX	76240
Stacie D. Johnson		1006 Oxford	Gainesville	TX	76240
Stanley & Tonya Hess		P.O. Box 49	Lindsay	TX	76250

Starkey A. Wilson		7255 Lane Park Dr.	Dallas	TX	75225
Ted Fuhrmann		1375 CR 446	Gainesville	TX	76240
Theresa Hermes Trustee		313 West JM Lindsay Blvd.	Gainesville	TX	76240
Thomas J. Schad		2961 FM 1630	Gainesville	TX	76240
Tom Hoberer		1354 CR 405	Gainesville	TX	76240
Tom Neu		2074 CR 446	Gainesville	TX	76240
Tom Zimmerer		P.O. Box 217	Lindsay	TX	76250
Tony Voith		1213 Elmwood	Gainesville	TX	76240
Veterans Land Board	c/o Ray Haverkamp	570 CR 409	Gainesville	TX	76240
Vincent Reinart		P.O. Box 334	Muenster	TX	76252
Vincent Zimmerer		3522 CR 438	Lindsay	TX	76250
Walter J. Luftmer		4362 FM 1199	Gainesville	TX	76240
Walter Schmidtkofer		3175 CR 409	Gainesville	TX	76240
Wayne & Cathy Luftmer		P.O. Box 110	Lindsay	TX	76250
Weldon Bezner		P.O. Box 43	Lindsay	TX	76250
Werner & Linda Becker		1739 CR 318	Gainesville	TX	76240
Wilfred Hess		917 CR 404	Gainesville	TX	76240
William C. Enderby		4036 FM 1630	Gainesville	TX	76240
William Gwyn Jr.		20 Shadowwood	Gainesville	TX	76240
William H. Husman		P.O. Box 59	Lindsay	TX	76250
William J. Flusche		593 CR 409	Gainesville	TX	76240
William J. Zimmerer		778 FM 1199	Gainesville	TX	76240
William Keltner		1700 Floral Drive	Gainesville	TX	76240
Zachary W. Fuhrmann		704 FM 1199	Gainesville	TX	76240
Mark Tackett		P.O. Box 404	Lindsay	TX	76250



Texas Commission on Environmental Quality

APPLICATION NO. 35096-C + 35097-C

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF Cooke

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

J Osborne

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

Editor

TITLE

of the

Gainesville Daily Register

NAME OF NEWSPAPER

; that said

newspaper is regularly published in

Cooke

County(ies) and generally circulated in

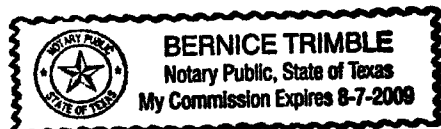
Cooke

County (Counties), Texas; and that the attached notice was published in said newspaper on the following date(s), to wit:

October 7 and October 14, 2005

A handwritten signature of the newspaper representative, appearing to read "Gump Lee Mithun".

Newspaper Representative's Signature

Subscribed and sworn to before me this 17th day of October, 2005, to certify which witness my hand and seal of office.Bernice Trimble
Notary Public in and for the State of TexasBernice Trimble
Print or Type Name of Notary PublicCommission Expires 8-7-09

5040 Houses For Rent

4 bedroom, 2 bath, central h/a. 408 Gorham. \$675.00 month. \$300 deposit. (940)736-3155.

404 N Denton, 2 bedroom, 1 bath. \$425.00, with a \$300 deposit. GHA accepted. 940-736-3155.

411 A Second, 3 bedroom, 2 bath. \$525 with a \$300 deposit. GHA accepted. 940-736-3155.

FOR RENT

HOUSES

1417 E. Garnett

2 Bedroom, 1 Bath

1805 Mill

2 Bedroom, 1 Bath

1007 S. Clement

2 Bedroom, 1 Bath

1704 Throckmorton

2 Bedroom, 1 Bath

Karl Klement

Properties, Inc.

Contact Stephanie

940-627-6362

Duplex, 2 bedroom, 601 N. Denton. Rent \$325, deposit \$300. Water paid. No pets. (903)429-6088.

For Lease: Lake Kiowa 3/2/2 brick. Membership dues paid. Available October 1st. No inside pets. Bkr. 940-612-2222, 214-782-8580, 214-673-0808.

House for lease: 4 bedroom, 2 bath, 2 acres, pipe fence, on FM 371, Callisburg School District. No inside pets. \$1000 month. \$1000 deposit. (940)736-3520. Avail. Aug. 1st.

Lake Kiowa waterfront 2/2/2 brick. \$1000/month. Fees paid. Owner/Agent. (800)375-4700.

Large 2/2 mobile home. VAV. ISD. \$450 mo. \$350 dep. (940)665-6706.

New 1300 sq. ft. 3 bedroom, 2 bath duplex, quiet and safe neighborhood. \$750 month. (903)436-1551.

Small 1 bedroom, 1028 Lawrence. \$400 month. (940)768-8292.

Two bedroom, 2 bath mobile home, partly furnished, water & trash paid. No pets. 2 1/2 miles south of Lindsay. \$500.00. (940)665-6666, 665-1630.

5050 Mobile Homes

6000 Bids Wanted

REQUEST FOR BID

Sealed bids addressed to Kent Lashley, County Auditor, will be received until 5:00 P.M. on Friday, October 21, 2005 by the Commissioners Court for furnishing and installing Corrugated Galvanized Metal Pipe to be used by Cooke County for a period of twelve (12) months beginning November 1, 2005. Price FOB Cooke County Precinct Barns. Specifications are available in the County Commissioners' Office. Bids must be in the office of the County Auditor on or before 5:00 P.M. on Friday, October 21, 2005, and the envelope should be plainly marked "Bid on Corrugated Galvanized Metal Pipe". Bids will be opened in Commissioners Court on Monday, October 24, 2005 at 10:00 A.M. Pursuant to Section 262.032, Texas Local Government Code, no performance bond is required. Cooke County reserves the right to refuse any and all bids.

Kent Lashley,
County Auditor
Cooke County, Texas

REQUEST FOR BIDS

Sealed bids addressed to Kent Lashley, County Auditor, will be received until 5:00 p.m. on Friday, October 21, 2005 by the Commissioners Court for one (1) 2005 or newer pick-up truck for Cooke County Environmental Health. Specifications are available in the County Commissioners' Office. Bids must be in the office of the County Auditor on or before 5:00 p.m. on Friday, October 21, 2005 and the envelopes should be plainly marked "Bid on Pick-Up for Environmental Health". Bids will be opened in Commissioners Court on Monday, October 24, 2005 at 10:00 a.m. Cooke County reserves the right to refuse any and all bids.

7000 Legal Notices

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

The City of Valley View has filed an application for a CCN with the Texas Commission on Environmental Quality to provide sewer utility service in Cooke County.

7000 Legal Notices

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

The Town of Lindsay has filed applications to amend CCN Nos. 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Cooke County.

The proposed utility service area is located approximately 4.6 miles north, 3.5 miles south, 6 miles east and 4.1 miles west of downtown Lindsay, Texas, and is generally bounded on the north by CR 434, on the east by Gainesville Airport, on the south by FM 1630, and on the west by CR 415.

The total area being requested for water service includes approximately 18,230 acres and 374 current customers. The total area being requested for sewer service includes approximately 18,230 acres and 362 current customers.

A copy of the proposed service area map is available at 608 Ash Street, Lindsay, Texas 76250. Phone Number 940/665-4455.

A request for a public hearing must be in writing. You must state: (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number, or another recognizable reference to this application; (3) the statement "I/we request a public hearing"; (4) a brief description of how you or the persons you represent would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

within thirty (30) days from the date of this publication or notice. A public hearing will be held only if a legally sufficient hearing request

World

Nations. Snow has begun to fall in some parts of Kashmir.

The U.S. military was preparing to send a 36-bed Mobile Army Surgical Hospital — or MASH — from Germany. A water purification detachment would also be sent, the U.S. military said.

Social Security recipients in line for biggest cost of living boost in years

WASHINGTON — The country's 48 million Social Security recipients are in line to get the biggest boost to their monthly benefit checks in more than a decade, though for many higher costs for energy and Medicare will eat up much of the gain.

Many private economists predict the increase will be at least 3.6 percent, which would be the biggest jump since 3.7 percent in 1992.

If the analysts are correct, it will mean around \$34 will be added to the average monthly benefit, which currently is \$963. Last year's increase was 2.7 percent.

The Social Security Administration was to announce the 2006 cost of living adjustment, or COLA, on Friday. Social Security recipients will see the increase reflected in their January checks.

For seniors who pay their own energy bills, the increase won't come close to offsetting expected dramatic hikes in home heating oil and natural gas costs this win-

ter.

And on Shock, the has announced Medicare doctor's visit will rise by trim the CC than one fo

It is go ter for ma will they premiums prices and bills as we chief Economy consulting

Water enters eight

FARIFIL water from Passaic River Nick Sitaro a moving and go "I'm not Sitaro said to live"

Much Northeast

straight day urge that h delayed an streams sur

At least in the regio because of four others Hampshire



Entertainment

~COM

• 10/15 - E

• 10/22 - I

10/29 - ALLEY KATZ - Great Rock

Playing for o

Halloween Pa

\$5.00 per person - Reservations recd

Prizes will be given for best cost

940-759-203

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Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 21, 2005

Mr. Arturo D. Rodriguez, JR., Attorney
Russell, Moorman & Rodriguez, LLP
102 West Morrow, Suite 103
Georgetown, Texas 78626

Re: Application from the Town of Lindsay to Amend Certificate of Convenience and Necessity (CCN)
No. 13025 in Cooke County; Application No. 35096-C

Application from the Town of Lindsay to Amend CCN No. 20927 in Cooke County; Application
No. 35097-C

CN: 601118607; RN: 104296488 (water) and 104315569 (sewer)

Dear Mr. Rodriguez:

Your CCN applications for the Town of Lindsay, received on August 31, 2005, have been assigned Application Nos. 35096-C and 35097-C, but have not been accepted for filing. Please refer to these numbers in future correspondence.

The next step towards having your applications accepted is to provide the **revised** public notices without delay. The notice to the public must be published once each week for two (2) consecutive weeks in a newspaper of general circulation in Cooke County. It is the responsibility of the applicant to provide correct notice of the applications to any utilities within two (2) miles of your proposed service area, any city with an extraterritorial jurisdiction which overlaps the proposed service area or other affected parties in your requested area. You will also be required to provide mailed notice to all landowners included in your proposed CCN area pursuant to commission order dated October 21, 2004. The landowner information may be obtained from the county appraisal district tax rolls for the county or counties in which the proposed CCN lies. Check the notices carefully before mailing or publishing.

As proof that notice was provided, you are required to send us the following:

- a) an original and three copies of a publisher's affidavit of the newspaper publication with tear sheets of the published notice attached;
- b) four copies of each individual notice and map sent to neighboring utilities and affected parties;
- c) one copy of each individual landowner notice and map sent to landowners; and
- d) an original and three copies of the signed affidavits that individual notice to neighboring utilities, affected individuals and each landowner has been given. (Copies of the Affidavit forms are enclosed with this letter.)

September 21, 2005

Include the enclosed location map delineating the proposed service area with your individual notices to neighboring utilities, other affected parties and each landowner.

In addition to the notice requirements the following information is also necessary to proceed with your applications:

- a) Provide the name(s) and physical address(es) of any customers currently receiving water and/or sewer service from the City of Lindsay in the requested area. Distinguish between water and sewer service in your response.
- b) Provide copies of service application(s) and/or written request(s) from all landowner(s), developer(s) and/or potential customer(s) seeking to obtain water and/or sewer service in the requested area. Distinguish between water and sewer service in your response.
- c) Provide a map indicating the location of any and all requests for service received. Distinguish between water and sewer service in your response.
- d) Provide a construction cost breakdown and an estimated time line to indicate the cost and time-frame to provide water and/or sewer service to any request(s) for service received by the City of Lindsay. Distinguish between water and sewer service in your response.
- e) You will also be required to provide landowners consent for all proposed area located outside the City of College Station's current extraterritorial jurisdiction.

These items must be completed and returned by **October 21, 2005**. Processing of these applications cannot proceed until the close of the 30 day public comment period which begins after all the required notices have been given. If we do not receive the requested information by this date, your applications will be returned for failure to prosecute.

If you have any questions, please contact Ms. Karen Blaschke at 512/239-6932, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,



Michelle Abrams, Team Leader
Utilities & Districts Section
Water Supply Division

MA/KLB/ac

Enclosures

cc: TCEQ, Region 4 Office

Notice for Publication

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

The Town of Lindsay has filed applications to amend CCN Nos. 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Cooke County.

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A copy of the proposed service area map is available at 608 Ash Street, Lindsay, Texas 76250, Phone Number 940/665-4455

A request for a public hearing must be in writing. You must state (1) your name, mailing address, and daytime telephone number; (2) the applicant's name, application number or another recognizable reference to this application; (3) the statement, "I/we request a public hearing"; (4) a brief description of how you or the persons you represent, would be adversely affected by the granting of the application for a CCN; and (5) your proposed adjustment to the application or CCN which would satisfy your concerns and cause you to withdraw your request for a hearing.

Persons who wish to intervene or comment should write the:

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

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

If a public hearing is requested, the Executive Director will not issue the CCN and will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If an evidentiary hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Si desea informacion en Espanol, puede llamar al 1-800-687-4040.

Notice to Neighboring Systems and Cities

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

To: _____ Date Notice Mailed: _____, 2005
(Neighboring System or City)

(Address)

(City State Zip)

The Town of Lindsay has filed applications to amend CCN Nos. 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Cooke County.

The proposed utility service area is located approximately 4.6 miles north, 3.5 miles south, .6 miles east and 4.1 miles west of downtown Lindsay, Texas, and is generally bounded on the north by CR 434; on the east by Gainesville Airport; on the south by FM 1630; and on the west by CR 415. See enclosed map of the proposed service area.

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

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

To: _____ Date Notice Mailed: _____, 2005
(Landowner)

(Address)

(City State Zip)

The Town of Lindsay has filed applications to amend CCN Nos. 13025 and 20927 with the Texas Commission on Environmental Quality to provide water & sewer utility service in Cooke County.

The proposed utility service area is located approximately 4.6 miles north, 3.5 miles south, .6 miles east and 4.1 miles west of downtown Lindsay, Texas, and is generally bounded on the north by CR 434; on the east by Gainesville Airport; on the south by FM 1630; and on the west by CR 415. See enclosed map of the proposed service area.

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Persons who wish to intervene or comment should write the:

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

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Si desea informacion en Espanol, puede llamar al 1-800-687-4040.



Texas Commission on Environmental Quality

APPLICATION NO. _____

PUBLISHER'S AFFIDAVIT

STATE OF TEXAS

COUNTY OF _____

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

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

_____ of the

TITLE

_____ ; that said

NAME OF NEWSPAPER

newspaper is regularly published in _____

County(ies) and generally circulated in _____

County (Counties), Texas; and that the attached notice was published in said newspaper on the

following date(s), to wit: _____

Newspaper Representative's Signature

Subscribed and sworn to before me this _____ day of _____, 2005, to certify which

witness my hand and seal of office.

Notary Public in and for the State of Texas

Print or Type Name of Notary Public

Commission Expires _____



Texas Commission on Environmental Quality

APPLICATION NO. _____

AFFIDAVIT OF NOTICE TO LANDOWNERS

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual notice to
the following entities:

DATE

OATH

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

Applicant's Authorized Representative

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

Subscribed and sworn to before me this _____ day of _____, 20____, to certify
which witness my hand and seal of office.

Notary Public in and for the
State of Texas

Print or Type Name of Notary Public
Commission Expires _____



Texas Commission on Environmental Quality

APPLICATION NO. _____

AFFIDAVIT OF NOTICE TO NEIGHBORING UTILITIES AND AFFECTED PARTIES

STATE OF TEXAS

COUNTY OF _____

_____ has provided individual notice to
the following entities:

DATE

OATH

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

Applicant's Authorized Representative

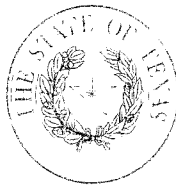
If the applicant to this form is any person other than the sole owner, partner, officer of the applicant, or its'
attorney, a properly verified Power of Attorney must be enclosed.

Subscribed and sworn to before me this _____ day of _____, 20____, to certify
which witness my hand and seal of office.

Notary Public in and for the
State of Texas

Print or Type Name of Notary Public
Commission Expires _____

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



35096-C TB
35097-C

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 1, 2005

Mr. Arturo D. Rodriguez, JR., Attorney
Russell, Moorman & Rodriguez, LLP
102 West Morrow, Suite 103
Georgetown, Texas 78626

FINAL NOTICE OF DEFICIENCY

Re: Application from the Town of Lindsay to Amend Certificate of Convenience and Necessity (CCN) No. 13025 in Cooke County; Application No. 35096-C

Application from the Town of Lindsay to Amend CCN No. 20927 in Cooke County; Application No. 35097-C

CN: 601118607; RN: 104296488 (water) and 104315569 (sewer)

Dear Mr. Rodriguez:

This letter is in response to your correspondence dated October 21, 2005. Your letter included notices, affidavit forms, current connection information, requests for service received information, maps and ETJ information. However, as of the date of this letter we have not received all of the information we requested in the letter sent to you on September 21, 2005.

We need to receive the following information to continue processing your applications:

- Indicate if expansion and/or new water system and wastewater treatment facilities will be required to provide service to the requested area. If so, please, provide a detailed cost estimate with an explanation of when service will be available to the entire service area.

The requested information must be returned by **November 18, 2005**. If we do not receive the requested information by this date, your applications will be returned for failure to prosecute.

If you have any questions, please contact Ms. Karen Blaschke at 512/239-6932, or if by correspondence, include Mail Code 153 in the letterhead address.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Abrams".

Michelle Abrams, Team Leader
Utilities & Districts Section
Water Supply Division

MA/KLB/mmg

cc: Ms. Tammy Holguin-Benter, TCEQ

RM&R

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

TEXAS HERITAGE PLAZA · 102 WEST MORROW STREET, SUITE 103
GEORGETOWN, TEXAS 78626
PHONE (512) 930-1317 · FAX (512) 930-7742
Email: arodriguez@rmrlawfirm.com

CCN 130254
20927

35096-C
d
35097-C

November 21, 2005

VIA HAND DELIVERY

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

Re: *Application from the Town of Lindsay to Amend Certificate of Convenience and Necessity (CCN) No. 13025 in Cooke County; Application No. 35096-C*

Application from the Town of Lindsay to Amend CCN No. 20927 in Cooke County; Application No. 35097-C

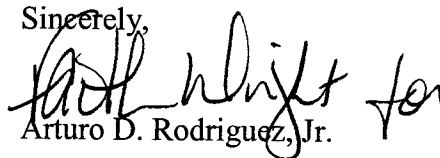
CN: 601118607; RN: 104296488 (water) and 104315569 (sewer)

Dear Ms. Blaschke,

This letter is to serve as a supplement to the above-referenced application. The City of Lindsay has received a substantial amount of additional service requests than those provided as a part of the application as well as a response to the Notice of Deficiency. Please add the enclosed service requests to the City of Lindsay's application.

Thank you very much for your attention to this matter.

Sincerely,


Arturo D. Rodriguez, Jr.

cc: Mr. Pat Dillon
Mr. Steven Zwinggi

RECEIVED

NOV 21 2005

**TEXAS COMMISSION
ON
ENVIRONMENTAL QUALITY**

October 12, 2005

I am interested in *water and sewer* service to my property located on FM 1199. I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,

William J. Zimmerer

William J. Zimmerer
778 FM 1199
Gainesville, Texas 76240
940-665-9941

October 17, 2005

I am interested in *water and sewer* service to my property located near/on FM 1199.
I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,

Michael Zimmerer
Signature

Michael Zimmerer
Name

1092 FM 1199
Address

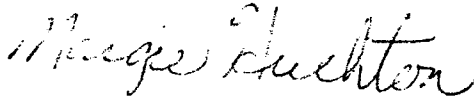
Gainesville, Tx. 76240
City, State, Zip

940-668-6210
Phone Number

September 15, 2005

I am interested in *water and sewer* service to my property located on County Road 306. I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,

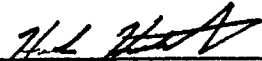
A handwritten signature in cursive script that reads "Margie Huchton".

Margie Huchton
1754 CR 306
Gainesville, Texas 76240
940-736-2335

October 17, 2005

I am interested in *water and sewer* service to my property located near/on CR 363.
I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,


Signature

HANK HIGHTON
Name

271 CR 363
Address

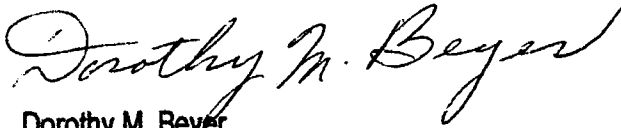
GAINESVILLE, TX, 76240
City, State, Zip

940-736-9463
Phone Number

October 12, 2005

I am interested in *water and sewer* service to my property located on CR 418. I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,

A handwritten signature in cursive script that reads "Dorothy M. Beyer". The signature is fluid and elegant, with the first name being the most prominent.

Dorothy M. Beyer
568 CR 418
Gainesville, Texas 76240
940-665-9244

10/18/2005

I am interested in *water and sewer* service to my property located near/on F.M. 1200.
I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,

Marie R. Koelzer

Signature

MARIE R. Koelzer

Name

1730 FM 1200

Address

GAINESVILLE TX 76240

City, State, Zip

940 668 - 6516

Phone Number

10/18/2005

I am interested in water and sewer service to my property located near/on CR 404.
I hope that the City of Lindsay at some point in the future will be able to provide these services to my property. For this reason I would like to be included in the CCN for the City of Lindsay.

Sincerely,

Alcuiin Zimmerer
Signature

Alcuiin Zimmerer
Name

1661 CR-404
Address

Gainesville Texas
City, State, Zip

668-8873
Phone Number