

Control Number: 43990



Item Number: 64

Addendum StartPage: 0

House Bill (HB) 1600 and Senate Bill (SB) 567 83rd Legislature, Regular Session, transferred the functions relating to the economic regulation of water and sewer utilities from the TCEQ to the PUC effective September 1, 2014

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Exhibit "F"

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SOAH DOCKET NO. 582-06-0425 TCEQ DOCKET NO. 2005-1516-UCR

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APPLICATION OF TAPATIO SPRINGS SERVICE COMPANY, INC., TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY NOS. 12122 AND 20698 IN KENDALL COUNTY, TEXAS **BEFORE THE STATE OFFICE**

OF

ADMINISTRATIVE HEARINGS

<u>RATEPAYERS', REPRESENTED BY MS. MARTIN,</u> <u>REQUEST FOR ADMISSIONS</u> TO APPLICANT TAPATIO SPRINGS SERVICE COMPANY, INC.

TO: TAPATIO SPRINGS SERVICE COMPANY, INC., Applicant, by and through Applicant's attorney of record, PATRICK LINDNER.

NOW COMES RATEPAYERS, in the above styled and numbered cause, and pursuant to Rule 198 of the Texas Rules of Civil Procedure, makes the following Requests for Admissions of Fact.

You are notified that RATEPAYERS demand, in accord with the Court's Order, that within 30 days after the service of these requests, Applicant, Tapatio Springs Service Company, Inc., specifically admit or deny the facts requested as set forth on Exhibit "A." A failure to specifically answer any request, or an evasive answer to any request, will be taken as an admission of truth of such request.

Respectfully submitted,

ELIZABE**TH** R. MARTIN Texas Bar No. 24027482 P.O. BOX 1764 106 W. BLANCO, STE. 206 BOERNE, TEXAS 78006 Tel. (830)816-8686 Fax. (830)816-8282 Attorney for RATEPAYERS

CERTIFICATE OF SERVICE

I certify that on February 15, 2006, a true and correct copy of Plaintiff's Request for Admissions to Tapatio Springs Service Company, Inc. was served via CERTIFIED MAIL on the following counsel.

ELIZABETH R.

PARTIES

Cert. Mail. No. 7005 1820 0002 5752 3120 RATE PAYERS

REPRESENTATIVE / ADDRESS

AL HAMILTON Attorney at Law 301 Eagle Drive Boerne, Tx 78006 (830) 537.6001 (Ph) (830) 537.6041 (Fax)

Cert. Mail. No. 7005 1820 0002 5752 3106 RANGER CREEK HOA

Cert. Mail. No. 7005 1820 0002 5752 3113 TCEQ PUBLIC INTEREST COUNCIL

ERIC SHERER

Attorney at Law 1124Wurzbach Rd. Ste. 100 San Antonio, Tx 78130 (210) 696.9730 (Ph) (210) 696.9675 (Fax)

MARY ALICE BOEHM-MCKAUGHAN Staff Attorney Texas Commission on Environmental Quality Office of Public Interest Counsel PO Box 13087 MC-175 Austin, Tx 78711-3087 (512) 239.6361 (PH) (512) 239.6377 (FAX)

Cert. Mail. No. 7005 1820 0002 5752 3137 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

KATHY H. BROWN Staff Attorney Texas Comm. on Environmental Quality Law Division PO Box 13087 MC1-173 Austin, Tx 78711-3087 (512) 239.3417 (Ph) (512) 239.0606 (Fax)





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Cert. Mail. No. 7005 1820 0002 5752 3144 TAPATIO SPRINGS SERVICE CO.

PATRICK LINDNER Attorney at Law 7550 IH-10 West, Northwest Center Suite 800 San Antonio, Tx 78229 (210) 349-6484 (Ph) (210) 349-0041 (Fax)

DEFINITIONS AND INSTRUCTIONS

1. As used herein, the terms "you" and "your" shall mean TAPATIO SPRINGS SERVICE COMPANY, INC., and all attorneys, agents, and other natural persons or business or legal entities acting or purporting to ACT FOR OR ON BEHALF of TAPATIO SPRINGS SERVICE COMPANY, INC., whether authorized to do so or not.

2. "Person": The term "person" shall include individuals, associations, partnerships, corporations, and any other type of entity or institution whether formed for business purposes or any other purposes.

3. "Settlement," as used herein, means:

(a) an oral or written, disclosed or undisclosed agreement, bargain, contract, settlement, partial settlement, limited settlement, arrangement, deal, understanding, loan arrangement, credit arrangement, contingent settlement, limitation on the amount of liability or judgment, or a promise by or between plaintiff and any defendants or between any defendants herein whereby plaintiff or defendants have in any way released or compromised, in whole or in part, directly or indirectly, or agreed to do so in the future, any of the matters in controversy in this lawsuit whether before, after or during trial or before or after any jury verdict is returned herein or a judgment is entered or rendered herein;

(b) any resolution of the differences between the plaintiff and defendants by loan to the plaintiff or any other device which is repayable in whole or in part out of any judgement the plaintiff may recover against defendants;

(c) "Mary Carter Agreements" as that term is used under Texas Law.

4. Unless a specific date or dates is set forth in any specific question herein, you are directed that each question shall be answered for the period of time from January 1, 2001, up to and including the present date.

5. "CCN," as used herein, means the Certificate of Convenience and Necessity as defined by the Texas Commission of Environmental Quality.

6. "TCEQ," is the abbreviation for the Texas Commission of Environmental Quality.





EXHIBIT "A"

REQUESTS FOR ADMISSION

1. Tapatio Springs Service Company, Inc. will not be financially responsible, or pay for or invest any money in the development of water or sewer service physically located on the 5,000 acres covered by the proposed expansion area.

ANSWER:

2. Tapatio Springs Service Company, Inc., the Applicant, has no construction cost estimate for the water service expansion as requested by the application in this matter.

ANSWER:

3. Tapatio Springs Service Company, Inc., the Applicant, has no construction cost estimate for the sewer service expansion as requested by the application in this matter.

ANSWER:

4. Tapatio Springs Service Company, Inc., the Applicant, has not applied for permits to drill the wells identified in the Water Supply Analysis submitted to the Texas Commission on Environmental Quality with the application in this matter.

ANSWER:

5. Tapatio Springs Service Company, Inc., is financially unable to develop the 5,000 acres covered by the proposed expansion area without the financial backing of CDS International Holdings, Inc., the developer, or some other third party.

ANSWER:

6. CDS International Holdings, Inc., the developer, is the entity responsible for all aspects, physical and financial, in providing the infrastructure necessary to serve the expanded CCN area including storage, water distribution, pressure maintenance, wastewater collection, and wastewater treatment facilities.

ANSWER:

7. The expanded service area, approximately 5,000 acres, will be on a stand alone system.

ANSWER:

8. According to the Non-Standard Service Agreement between CDS International Holdings, Inc., the Developer, and Tapatio Springs Service Company, Inc., the Developer's cost including the total of its including the total of its contributions in aid of construction and its direct expenditures for the portion of the Extension which is not located on the Developer's property shall not exceed a total of \$1.5 million dollars and Tapatio Springs Service Company, Inc. is responsible for all costs above this amount for the Extension not located on the Developer's property.

ANSWER:

9. Kendall County has not approved CDS International Holdings, Inc., the Developer, subdivision plat.

ANSWER:

10. According to the Non-Standard Service Agreement between CDS International Holdings, Inc., the Developer, and Tapatio Springs Service Company, Inc., the Utility may be required to pay for the development of a service road within the 5,000 acres.

ANSWER:

11. According to the Non-Standard Service Agreement between CDS International Holdings, Inc., the Developer, and Tapatio Springs Service Company, Inc., the Utility may provide service to the expansion area utilizing current groundwater supply facilities and wastewater treatment facilities.

ANSWER:

12. Tapatio Springs Development Company and/or Tapatio Springs Builders, Inc. and/or Kendall County Development Company plan to construct homes on the 5,000 acre tract for which the expanded CCN will serve.

SOAH DOCKET NO. 582-06-0425 TCEQ DOCKET NO. 2005-1516-UCR

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APPLICATION OF TAPATIO SPRINGS SERVICE COMPANY, INC., TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY NOS. 12122 AND 20698 IN KENDALL COUNTY, TEXAS **BEFORE THE STATE OFFICE**

OF

ADMINISTRATIVE HEARINGS

ORDER GRANTING MOTION TO COMPEL

On ______, the Ratepayers' Motion to Compel, filed against Applicant, Tapatio Springs Service Company, Inc., was considered by the Court. After considering the evidence and hearing the arguments of counsel, it appears to the Court that the Motion should be granted.

The Court finds that objections made by Applicant with respect to Interrogatories

Nos. 2 and 11 are **OVERRULED**.

The Court finds that objection made by Applicant with respect to Admission No.

12 is **OVERRULED**.

The Court finds that objections made with respect to the Production Requests Nos.3, 4, 5, 6, 7, 11, 13, 14, 17, and 18 are **OVERRULED**.

IT IS THEREFORE ORDERED that Applicant respond fully and completely to Interrogatories Nos. 2 and 11, Admission No. 12, and Production Requests Nos.3, 4, 5, 6,

7, 11, 13, 14, 17, and 18.

SIGNED on _____, 2006.

JUDGE PRESIDING

APPROVED AS TO FORM:

les

ELIZABETH R. MARTIN Attorney for Ratepayers 106 WEST BLANCO, STE. 206 P.O. Box 1764 BOERNE, Texas 78006 Tel: (830) 816-8686 Fax: (830) 816-8282





Law Office of Elizabeth R. Martin Dienger Building 106 West Blanco, Suite 206 P.O. Box 1764 Boerne, Texas 78006 830 816-8686 830 816-8282 fax †

-spril 24, 2006

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Yr. Patrick Lindner
Pavidson & Troilo, PC
50 IH-10 West, Northwest Center, Ste. 800
Antonio, TX 78229

La Fax to 210-349-0041

Ref: SOAH DOCKET NO. 582-06-0425; TCEQ DOCKET NO. 2005-1515-URC Ibear Mr. Lindner,

In order to schedule depositions at my office for the above referenced matter, ease provide me with multiple dates for the following individuals so I can coordinate with the other parties. I have estimated the time required for the depositions by individual in case you would like to schedule some for the same dates. I would request sou schedule only 6 hours of depositions per date.

Stan Scott - 1.5 hours Darrell W. Nichols - 2 hours Jay Parker - 1.5 hours Mike Shalit - 1.5 hours David Brock - 1.5 hours Ken Kolacy - 2 hours John-Mark Matkin - 2 hours William Milmoe - 2 hours

I will confer with the other parties on their schedules once your response has been eccived. Thanks in advance for your assistance.

Sincerely yours,

Elizabeth R Martin

rm/dw

c Mailing List Fax Numbers

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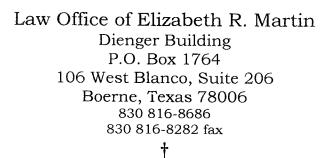
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Request for deposition dates.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION AND IS TRANSMITTED FOR THE EXECLUSIVE INFORMATION AND USE OF THE ADDRESSEE. PERSONS RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT ARE ADMONISHED THAT THIS COMMUNICATION MAY NOT BE COPIED OR DISSENINATED EXCEPT AS DIRECTED BY THE ADDRESSEE IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFTY US IMMEDIATELY BY TELEPHONE AND DESTROY THE COMMUNICATION

> 106 W BLANCO STE 206 BOERNE, TEXAS 78006



April 21, 2006

Kathy Humphreys Brown Staff Attorney Environmental Law Division, MC 173 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

Patrick W. Lindner Davidson & Troilo 7550 W. IH-10 Ste 800 San Antonio, Texas 78229-5815

Via Certified Mail.

Dear Ms. Brown and Mr. Lindner,

Please find following the RATEPAYER'S REPRESENTED BY MS. MARTIN, FIRST SUPPLEMENTAL RESPONSE TO TEXAS COMMISSION ON ENVIRONMENTAL QUALITY EXECUTIVE DIRECTOR'S REQUESTS FOR PRODUCTION ANDTAPATIO SPRINGS SERVICE COMPANY, INC.'S REQUESTS FOR PRODUCTION. Please contact my office if you have any questions.

Very truly yours,

2005 -1516-UCR

Elizabeth R. Martin

Erm/dw

cc Mailing List

SOAH DOCKET NO. 582-06-0425 TCEQ DOCKET NO. 2005-1516-UCR

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APPLICATION OF TAPATIO SPRINGS SERVICE COMPANY, INC., TO AMEND CERTIFICATES OF CONVENIENCE AND NECESSITY NOS. 12122 AND 20698 IN KENDALL COUNTY, TEXAS

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

RATEPAYER'S REPRESENTED BY MS. MARTIN, FIRST SUPPLEMENTAL RESPONSE TO TEXAS COMMISSION ON ENVIRONMENTAL QUALITY EXECUTIVE DIRECTOR'S REQUESTS FOR PRODUCTION AND TAPATIO SPRINGS SERVICE COMPANY, INC.'S REQUESTS FOR PRODUCTION

- TO: Executive Director, by and through the attorney of record, Kathy Humphreys Brown, Staff Attorney, Environmental Law Division, MC-173, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.
- TO: Tapatio Springs Service Company, Inc., by and through their attorney Patrick Lindner, 7550 West IH-10,W. Northwest Center, Suite 800, San Antonio, TX 78229.

Pursuant to Rule 196 of the TEXAS RULES OF CIV. PROC., the Ratepayers supplement the production provided to Executive Director of the Texas Commission on Environmental Quality ("TCEQ") and Tapatio Springs Service Company, Inc. as attached.

Law Office of Elizabeth R. Martin

Bv:

Elizabeth R. Martin State Bar No. 24027482 106 West Blanco, Suite 206 P.O. Box 1764 Boerne, TX 78006 (830) 816.8686 (830) 816.8282 (fax) ATTORNEY FOR RATEPAYERS

CERTIFICATE OF SERVICE

I certify that on April 21, 2006 the Ratepayers First Supplemental Response to "Executive Directors' Requests for Production" and Tapatio Springs Service Company, Inc. ("TCEQ") Requests for Production" was sent via Certified Mail to the attached mailing list.

Elizabeth R. Martin, Attorney for Ratepayers State Bar No. 24027482

MAILING LIST TAPÀTIO SPRINGS SERVICE COMPANY, INC. SOAH DOCKET NO. 582-06-0425 TCEQ DOCKET NO. 2005-1515-URC

FOR THE APPLICANT: Certified Mail No.: 7005 1820 0002 5752 3199 Patrick Lindner Attorney at Law 7550 IH-10 West, Northwest Center Suite 800 San Antonio, TX 78229 210-349-6484 210-349-0041 FAX

FOR THE EXECUTIVE DIRECTOR: Certified Mail No.: 7005 1820 0002 5752 3168

FOR THE CHIEF CLERK: Certified No. : 7005 1820 0002 5752 3151

FOR THE PUBLIC INTEREST COUNSEL:

Certified Mail No.: 7005 1820 0002 5752 3175

FOR RANGER CREEK HOA: Certified Mail No.: 7005 1820 0002 5752 3182 Kathy Humphreys Brown Staff Attorney Environmental Law Division, MC-173 Texas Commission on Environmental Quality P.O. Box 13087 Austin, TX 78711-3087 512-239-3417 512-239-0606 FAX

LaDonna Castañuela Office of the Chief Clerk, MC-105 Texas Commission on Environmental Quality P.O. Box 13087 Austin, TX 78711-3087 512-239-3300 512-239-3311 FAX

Mary Alice Boehm-McKaughan Assistant Public Interest Counsel, MC-103 Texas Commission on Environmental Quality P.O. Box 13087 Austin, TX 78711-3087 512-239-6361 512-239-6377 FAX

Eric Sherer Attorney at Law 11124 Wurzbach Road, Suite 100 San Antonio, TX 78232 210-696-9730 210-696-9675 FAX

RATEPAYER'S REPRESENTED BY MS. MARTIN, FIRST SUPPLEMENTAL RESPONSE TO TAPATIO SPRINGS SERVICE COMPANY, INC.'S_REQUESTS FOR PRODUCTION

Please provide the following:

3. Produce all documents, including, but not limited to , all diaries, notes, memoranda, letters, charts, diagrams or photographs in any form in your or your attorney's possession, custody or control which you contend support or refute any of the defenses or allegations contained in this contested case hearing, including any and all documents you intend to rely on in this contested case hearing. This request does not seek documents protected by the attorney-client or attorney work product privileges.

Response: See attached.

RATEPAYER'S REPRESENTED BY MS. MARTIN, FIRST SUPPLEMENTAL RESPONSE TO TEXAS COMMISSION ON ENVIRONMENTAL QUALITY EXECUTIVE DIRECTOR'S REQUESTS FOR PRODUCTION

<u>Production Request No. 1</u> Please provide all the documents related in answering Interrogatories 1-6.

SEE ATTACHED PRODUCTION.



COUNTY OF TRAVIS I hereby certify that this is a true and TEXAS WATER COMMISSION orrect copy of a Texas Water Commission document, the original of which is filed in the permanent records of the Commission; Given under my hand and seal of office on AUG 1 1998

THE STATE OF TEX

aren

Karen A. Phillips, Chief Clerk CERTIFICATE OF CONVENIENCE AND NECESSITY

To Brovide Water Service Under V.T.C.A., Water Code and Texas Water Commission Substantive Rules

Certificate No. 12122

I. Certificate Holder:

Tapatio Springs Service Company, Inc. Name:

Address: P. O. Box 550 Boerne, Texas, 78006

II. General Description and Location of Service Area:

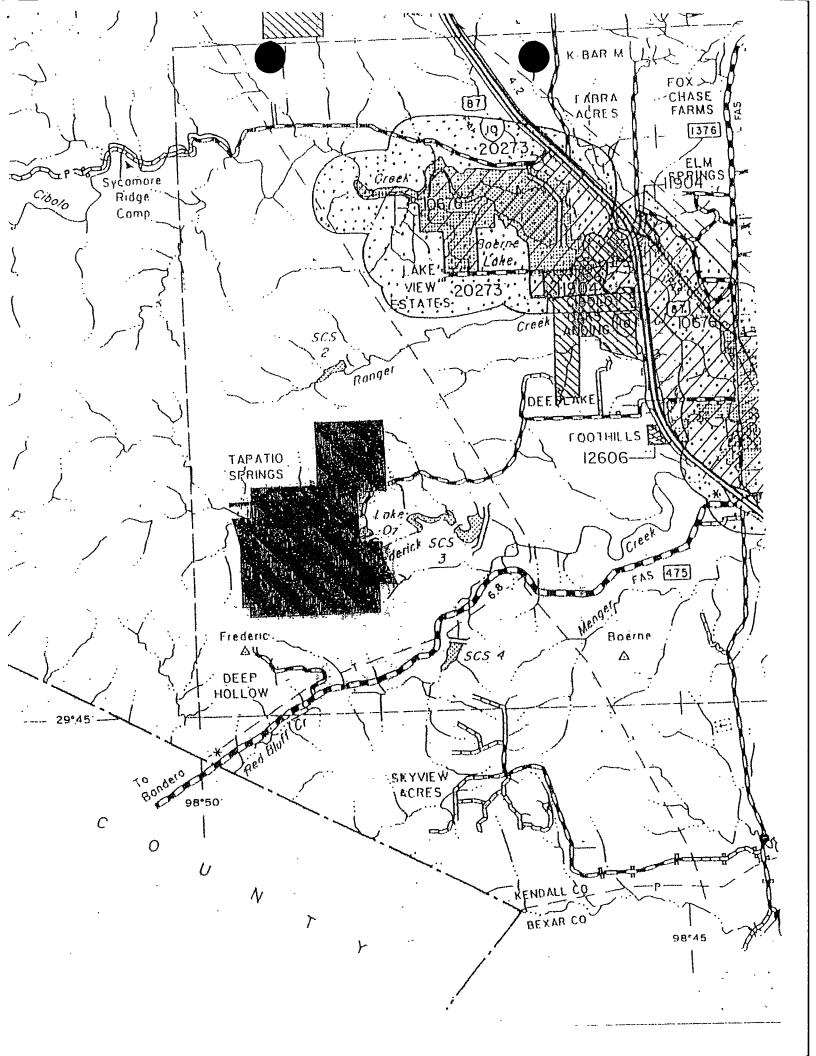
area covered by this certificate is located The approximately 4 1/2 miles west of Boerne, Texas on Johns Road and is known as the Tapatio Springs Country The service area is generally Subdivision. Club bounded on the east by Lake Oz and on the south by a line approximately one mile north of Farm to Market Road 475 in Kendall County, Texas.

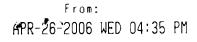
III. Certificate Maps:

The certificate holder is authorized to provide water service in the area identified on the Commission's official water service area map, WRS-131, maintained in the offices of the Texas Water Commission, 1700 North Congress, Austin, Texas with all attendant privileges and obligations.

This certificate is issued subject to the rules and orders of the Commission, the laws of the State of Texas, conditions contained and may be revoked for violations thereof. certificate is valid until amended or revoked by the Commission.

19 88 ISSUED this 12th day pf July un aul For the Commission AUG 0 8 2005





JOHN W DAVIDSON ARTHUR TROILO TERRY TOPHAM CHEREE TULL KINZIE R GAINES GRIFFIN RICHARD E HETTINGER PATRICK W LINDNER IRWIN D ZUCKER RICHARD D O'NEIL J MARK CRAUN Apr 26 2006 16:39 FAX NO.

LAW OFFICES OF DAVIDSON & TROILO

A PROFESSIONAL CORPORATION

SAN ANTONIO 7550 W IH-IO, SUITE 800, 78229-5815 210/349-6484 • FAX. 210/349-0041 LEA A REAM

P.02

FRANK J, GARZA JAMES C. WOO RICHARD L CR-2 ER R JO REBER MARIA S SANCHEZ DALBY FLEMING LISA M. GONZALLS RENEE R HOLLANDER

AUSTIN OFFICE BID CONGRESS, SULE BIO 78701 BI2/450-8008 - RAX 0/4/373-2150

April 26, 2006

Ms. Rita McBride State Office of Administrative Hearings William P Clements Building, Jr. 309 West Fifteenth Street Austin, TX 78701

> Subject Judge Mike Rogan's Order No. 4 dated April 20, 2006 SOAH Docket No. 582-06-0425 TCEQ Docket No 2005-1516-UCR

Dear Ms McBride:

I am in receipt of the above referenced Order. The applicant is opposed to the addition of parties at this time and will supplement this response at the appropriate time.

Please bring this to the Administrative Law Judge's attention if appropriate.

Sinceré

Patrick Lindner For the Firm

cc via fax to. Elizabeth Martin: (830) 816-8282 Kathy Brown (TCEQ): (512) 239-0606 Mary Alice Boehm-McKaughan (TCEQ): (512) 239-6377 LaDonna Castafiuela (TCEQ): (512) 239-3311

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F. 02/02

From: APR-26-2006 WED 04:35 PM

JOHN W DAVIDSON ARTHUR TROILO TERRY TOPHAM CHEREE TULL KINZIE R. GAINES GRIFFIN RICHARD & HETTINGER PATRICK W LINDNER IRWIN D ZUCKER RICHARD D O'NEIL

LAW OFFICES OF **DAVIDSON & TROILO** A PROFESSIONAL CORPORATION

SAN ANTONIO 7550 WEST IH 10, SUITE 800 SAN ANTONIO, TEXAS 78229-5815 210/349-6484 FAX 210/349-0041

AUSTIN 919 CONGRESS, SUITE 810, 78701 512/469-6006 FAX: 512/473-2159

J MARK CRAUN LEA A REAM JAMES C WOO RICHARD L. CROZIEK . **R JO RESER** FRANK J. GARZA MARIAS SANCHEZ* DALBY FLEMING LISA M. GONZALES

AUSTIN OFFICE

FACSIMILE TRANSMITTAL COVER

TO: Rita McBride Elizabeth Martin Kathy Brown (TCEQ) Mary Alice Boehm-McKaughan La Donna Castanuela

FAX NUMBER: (512) 475-4994 (830) 816-8282 (512) 239-0606 (512) 239-6377 (512) 239-3311

FROM: Patrick W. Lindner

DATE: April 26, 2006

CLIENT #: 4153/7

SUBJECT: SOAH Docket No. 582-06-0425; TCEQ Docket No. 2005-1516-UCR

Letter from Patrick Lindner to SOAH Re: Order No. 4

MESSAGE:

If you do not receive all 2 pages, or if any difficulty in transmission occurs, please contact Elizabeth Paul at (210) 349-6484, ext. 556.

CONFIDENTIAL INFORMATION

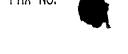
THIS FACSIMILE MESSAGE IS A PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION AND IS TRANSMITTED FOR THE EXCLUSIVE INFORMATION AND USE OF THE ADDRESSEE. PERSONS RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT ARE ADMONISHED THAT THIS COMMUNICATION MAY NOT BE COPIED OR DISSEMINATED EXCEPT AS DIRECTED BY THE ADDRESSEE. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND MAIL THE COMMUNICATION TO US AT OUR LETTERHEAD ADDRESS THANK + OU

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P.01

Apr 26 2006 16:39





From:8305376041 APR-26-2006 01:31P FROM:AL HAMILTON

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Fax:

830-537-6041

AL HAMILTON 301 Eagle Drive Boerne, TX 78006 (830) 537-6001

E-Mail: al@hamiltonmiller.com

April 25, 2006

Ms. Rita McBride State Office of Administrative Hearings William P. Clements Building, Jr. 309 West Fifteenth Street Austin, TX 78701

Subject: Judge Mike Rogan's Order No. 4 dated April 20, 2006 SOAH Docket No. 582-06-0425 TCEQ Docket No. 2005-1516-UCR

Dear Ms. McBride:

I am in receipt of the above referenced Order and wish to call the Court's attention to a misstatement of facts contained in Paragraph 2 of such Order.

There, it is stated in the second sentence, "However, Mr. Hamilton never provided the information needed to complete the designation of those represented by him as parties, ..."

Submitted with the Motion to Withdraw as an attachment was a list of ratepayers represented by Mr. Hamilton, verified from the records of the utility by its General Manager, Mr. Stan Scott.

Please bring this to the Court's attention for a correction, if appropriate.

Sincerely yours, Manutez

Al Hamilton 301 Eagle Drive Boerne, TX 78006

cc via U.S. Mail: Judge Mike Rogan cc via fax to: Elizabeth R. Martin, (830) 816-8282 Eric Sherer, (210) 696-9675 Patrick Lindner, (210) 349-0041 Kathy H. Brown (TCEQ), (512) 239-0606 Mary Alice Boehm-McKaughan (TCEQ), (512) 239-6377 From: 5124732159 APR-26-2006 WED 04:08 PM DAVIDED AND TROILO Apr 26 2006 17:14 FAX NO. 512 4222159

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P.01

JAMES C WOO

RICHARE CROZIER*

MARIA & SANCHEZ'

DALBY FORMING

SUSAN MURPHY

* AUSTIN DEFICE

GARY FULLER

LEA A BHAM

JOHN W DAVIDSON ARTHUR TROILO TERRY TOPHAM CHEREE TULL KINZIE R GAINES GRIFFIN RICHARD E HETTINGER PATRICK W LINDNER IRWIN D ZUCKER RICHARD D O'NEIL J MARK CRAUN

LAW OFFICES OF DAVIDSON & TROILO

A Professional Corporation

SAN ANTONIO 7550 WEST IH-10, SUITE 800, 78229-5815 210/349-6484 FAX. 210/349-0041

AUSTIN 919 CONGRESS, SUITE 810, 78701 Phone: 512/469-6006 FAX: 512/473-2159

TELECOPY TRANSMITTAL LETTER

830-816-8282 TO Elizabeth Martin Enc Sherer 210-696-9675 Mary Alice Boehm-McKaughan 239-6377 Kathy Brown 239-0606 Patrick Lindner 210-349-0041 La Donna Castanuela 239-3311 830-537-5756 Stan Scott 515 FROM. Maria Sanchez RE-**KCUC's Application** DATE: April 26, 2006

This transmission consists of a total of ________ pages, including this cover page. If you do not receive all pages, or if any difficulty in transmission occurs, please contact Sunny at 512-409 6006 or 800-635-7832.

ZODG-Falle-UCR

Message:

Hard copy Will 🛛 Will Not 🗌 follow.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS A CONFIDENTIAL ATTORNEY/CLIENT COMMUNICATION AND IS TRANSMITTED FOR THE EXCLUSIVE INFORMATION AND USE OF THE ADDRESSEE. PERSONS RESPONSIBLE FOR DELIVERING THIS COMMUNICATION TO THE INTENDED RECIPIENT ARE ADMONISHED THAT THIS COMMUNICATION MAY NOT BE COPIED OR DISSEMINATED EXCEPT AS DIRECTED BY THE ADDRESSEE. IF YOU RECEIVE THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND MAIL THE COMMUNICATION TO US AT OUR LETTERHEAD ADDRESS. From: 5124732159 APR-26-2006 WED 04:08 PM DAVIDEEN AND TROILO

, '

. .

Apr 26 2006 17:15 FAX NO. 512 4722159

02/33



P.02

COW CREEK GROUNDWATER CONSERVATION DISTRICT 216 Market Avenue, Suite 105 BOERNE, TEXAS 78006 (830) 816-2504 Fax (830) 816-2607

APPLICATION FOR AN OPERATING PERMIT FOR AN EXISTING WELL OR TO SUBSTANTIALLY ALTER A WELL

(Wells >25,000 gpd or use other than domestic or livestock)

A. WELL OWNER INFORMATION (any person who has the right to produce groundwater from the land, either by ownership, contract lease, easement or any other estate in the land.)

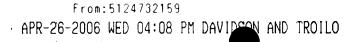
Naine	Tapatio Springs Serv	ice Co.,	Inc.	Mail Adu		Post	Office Box	1335	
City	Boerne	S	lale	тх	Zip Code	7800	6 Phone Number	(830) 537 -	5755
Alternal Phone M	rayer	Fax	(83	30) 537-	5756	Email	kcuclgvta		

B. WELL INFORMATION

Well # or Reference		Well 7
Previous or Other Names Identifying the Tract of Land		
Location of Well (911 Address)	Latitude 294710	Longtitude 984826 / Blue Heron Blvd. by our Hote
Legal Property Description of Well Location		
Describe the Use of the Well		Retail Water Utility

C. WELL REGISTRATION

District Well Number	State Well Number	R8 68 - 10 - 8A1
Attach a copy of the Well Registration/Dri	ling Permit Application	
Atlach a copy of the Well Log (if applicable	2)	
Attach a copy of a location map or proper like location of other existing wells, the loc attact watantict come and contamination	y plat drawn on a scale that adequately details ation of any existing or proposed wastewater s	the well sile, the property thes systems, and the location — any
	0010 100 000	SONTHAS DILLUUT-ON HI HOUS



Apr 26 2006 17:15 FAX NO. 512 422159

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P.03

Application for an Operation Permit or to Substantially Alter a Well Page 2 of 3

D. PURPOSE OF WELL (check all that apply)

	D. PORPOSE OF WELL (check all that apply)
	Agricultural (The use of groundwater for. (1) Cultivating the soil to produce crops for human food, animal feed or planting seed or for the production of fibers; (2) Practicing floriculture, viticulture, silviculture, and horticulture, including the sultivation of plants in containers or non-soil media, by a nursery grower; (3) Raising, feeding, or keeping animals for breading purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value; (4) Planting sover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure; (5) Engaging in wildlife management as defined in Texas `ax Code Section 23.51(7), and, (6) Raising or keeping equine animals.)
	Commercial (The use of groundwater to supply water to properties or establishments that are in business to not d supply or sell products, or provide goods, services or repairs and that use water in those processes, or to supply water to be pusiness establishment primarily for employee and customer conveniences (i.e. flushing of toilets, senitary purposes or an ited landacape watering).)
	Domestic (use of groundwater by a residence (not a business or other commercial structure) to support essential domestic activity, including but not limited to: uses inside the residence, irrigation of lawns, flower beds, shrubs, trees stading the residence, or of a garden or orchard that produces vegetables and fruit for consumption within the residence and nour protection of foundations; and non-commercial recreation associated with the residence.)
	Industrial (Use of groundwater primarily in the building, production, manufacturing, or alteration of a product or goods, or to wash, cleanse, cool, or heat such goods or products.)
	Irrigation (use of groundwater to supply water for application to plants or land in order to promote growth of plants, turf, or lines, other than for domestic use or purpose.)
	Livestock (use of groundwater to provide water to domesticated horads, cattle, gonts, sheep, awine, poultry conclus, enume, not in an intersection in the similar antimals involved in farming or ranching operations. Dogs, cats, brids, fish, reptiles, small mammals, potbellied pigs, and other animals typically kept as pets are not considered livestock to vestock- type animals kept as pets or in a pet-like environment are not considered livestock although providing water to such pets may be considered domestic use when associated with a residence (
	Public Water System (a system as defined in 30 Texas Administrative Code Chapter 290 for providing water for partian consumption to the public.)
	Retail Water Utility (as defined by Texas Water Code Section 13.002 and 30 Texas Administrative Code Section 291.3, any person, corporation, public utility, water supply corporation, municipality, political subdivision or agency operating naintaining, or controlling within the District facilities for providing poliable water service for compensation.)
[Other (If the purpose of the well is other than described above, determine use based on definitions in District Rate 2.)

E. ANNUAL PRODUCTION

Annual maximum production requested in galloris per year or acte løet per year 40

Please atlach.

F. WATER AVAILABILITY

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Attach a copy of the water availability study required by Kendall County. If any.

G. WATER CONSERVATION PLAN

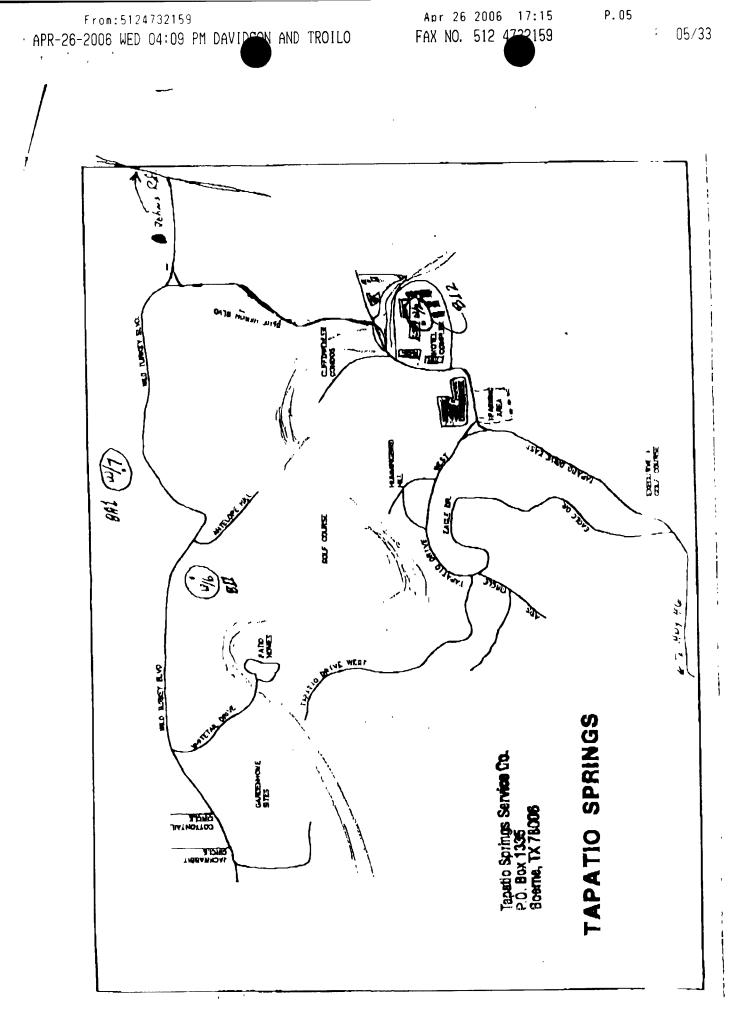
Attach a Water Conservation Plan

H. DROUGHT CONTIGENCY PLAN

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pplication for an Operation Permit or to Substantially Aller 89e 3 of 3	I AAGU	
-		
SIGNATURE certify under penalty of taw thet this document and all attachme	arils were prepared under my direction	or supervision
certify under penalty of taw thet this document and all attachmo iformation submitted is, to the best of my knowledge and belief, enalties for submitting false information. I agree to operate conservation District Rules and all permit provisions. I further	which is a sector of with the CON.	Creek Groundw
onlicant		
Signature of Well Owner or Authorized AgenL	Operations Manager	
Printed Name Stan Scott	Delle:5, 2006	
Contact Information (if different from Section A)		Slala
Address	Uny	
Ip Code		
		-th
NOTARY PUBLIC'S CERTIFICATE	, this	5 Ja
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the saidSt April 20_06_, to certify which wilness my hand an	an Scott	
April 20_06_, to certify which which is a my hard	In the Ma	0.044
DONNA RAY MOREAU	Notary Public Signature	
My Commission Expires	T Purkana	、 .
May 06, 2006	Notary Public Signature	
Notary Paulle in and for Kenney,		
Notary Faulte is and for		
My Commission Expires 5-6-06		
FOR DISTRIC	I USV: ONLY	
Attach copies of all Nutley of Da	liciencies (NOD) and responses	
Date Received Application I	Sxpiration Date (180 days after receipt)	·
Date of First NOD.	Revised Expiration Date: _	
Date of Second NOD	Revised Expiration Date:	
Date of Third NOD:	Revised Expiration Date:	
Date Administratively Complete, Deadline for setting on BOD agends (within 30 days from dat	e administralively complete).	
Deadline for setting on BOD agenda (within 30 days from dat Hearing Date (within 65 days of date administratively comple	te and no later than the next regularly s	cheduled Braid
Heating Date (within 65 days of date administratively complete the	applicant):	
meeting that would allow sufficient time for 10 day notice to A Notice to Applicant of Hoaring Date (at least 10 days before t	nearing):	
Nolice to Applicant of Hoaring Date (at least to days before t		
Decision Date (within 35 days of hearing):		

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Apr 26 2006 17:15 FAX NO. 512 4732159

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FILE COPY

P.06

COW CREEK GROUNDWATER CONSERVATION DISTRICT 216 Market Avenue, Suite 105

BOERNE, TEXAS 78006 (830) 816-2504 Fax (830) 816-2607

APPLICATION FOR AN OPERATING PERMIT FOR AN EXISTING WELL OR TO SUBSTANTIALLY ALTER A WELL

(Wells >25,000 gpd or use other than domestic or livestock)

A. WELL OWNER INFORMATION (any person who has the right to produce groundwater from the land, either by ownership, contract if ase searched, or any other estate in the land.)

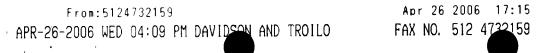
Name	Tapatio	o Springs Serv	nce Co	o., Inc		lling dress	Post	- Office Box	1335	i I
City	Boerne			State	TX	Žip Cođe	7800	26 Phone Number	(830) 537 - 🤅	755
Alternat Phone I		Pager (210) 613-7950	Fex	(83	0) 537~	5756	Email	kcuc@gvt	c.com	

B. WELL INFORMATION

Well # or Reference	Well 2
Previous or Other Names Identifying the Tract of Land	
Location of Well (911 Address)	Latitude 294637; Longtitude 984823 / Wild Turkey Blvd.
Legal Property Description of Well Location	
Describe the Use of the Well	Retail Water Utility

C. WELL REGISTRATION

District Well Number	State Well Number	RB 68 - 10 - 81 .
Attach a copy of the Well Registration/D	ing Permit Application	,
Attach a copy of the Well Log (if applicat	2)	
Attach a copy of a location map or prope	y plat drawn on a scale that adequately details	the wall site, the property lines
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Application for an Operation Permit or to Substantially After a Well Page 2 of 3

D. PURPOSE OF WELL (check all that apply)

1

	Agricultural (The use of groundwater for: (1) Cultivating the soll to produce crops for human food, animal feed or planting seed or for the production of fibers; (2) Practicing floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soll media, by a nursery grower; (3) Raising, feeding, or keeping enimals for breeding; urposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value; (4) Planting cover crops including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure; (5) Engaging in wildlife management as defined in Texas Tax Code Section 23 51(7); and, (6) Raising or keeping equine animals.)
	Commercial (The use of groundwater to supply water to properties or establishments that are in business to blaid, supply or sell products, or provide goods, services or repairs and that use water in those processes, or to supply water to the business establishment primarily for employee and customer conveniences (i.e. flushing of tollets, sanitary purposes or mited landscape watering).)
	Domestic (use of groundwater by a residence (not a business or other commercial structure) to support essential domestic activity, including but not limited to: uses inside the residence; irrigation of lawns, flower beds, strubs, trees shading the residence, or of a garden or orchard that produces vegetables and fruit for consumption within the residence and notice sale; protection of foundations; and non-commercial recreation associated with the residence.)
	Industrial (Use of groundwater primarily in the building, production, manufacturing, or alteration of a product or goods, or to wash, cleanse, cool, or heat such goods or products.)
	Irrigation (use of groundwater to supply water for application to plants or land in order to promote growth of plants turf, or trees, other then for domestic use or purpose.)
	Livestock (use of groundwater to provide water to domeaticated horses, cattle, goats, sheep, swirie, poultry, surches, emus, rheas, exolic deer and antelope, and other similar animals involved in farming or ranching operations. Dogs, cats, birds, fish, reptiles, small mammals, potbetiled pigs, and other animals typically kept as pets are not considered livestock. Evestock-type animals kept as pets or in a pet-like environment are not considered livestock although providing water to such pets may be considered domestic use when associated with a residence.)
	Public Water System (a system as defined in 30 Texas Administrative Code Chapter 290 for providing water for human consumption to the public.)
	Retail Water Utility (as defined by Texas Water Code Section 13.002 and 30 Texas Administrative Code Section 291.3 any person, corporation, public utility, water supply corporation, municipality, political subdivision or agency operating, maintaining, or controlling within the District facilities for providing potable water service for compensation.)
-	Other (If the purpose of the well is other than described above, determine use based on definitions in District Rule 2.)

E. ANNUAL PRODUCTION

	or acre feet per	
Annual maximum production requested in gallons per year		

Please atlach

F. WATER AVAILABILITY

Attach a copy of the water availability study required by Kendall County, if any.

G. WATER CONSERVATION PLAN

Attach a Water Conservation Plan

H. DROUGHT CONTIGENCY PLAN

Attach a Drought Contingency Plan

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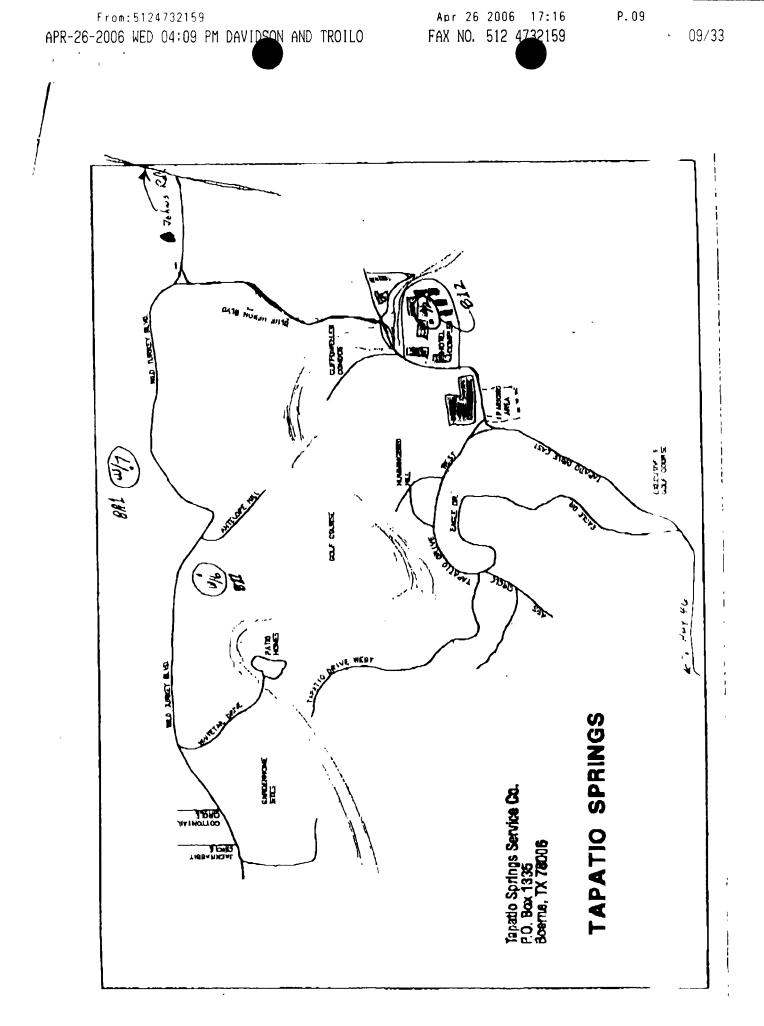
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Application for an Operation Parmit or to Substantially Altor	a Wicii	
Page 3 of 3		
I. SIGNATURE I certify under penalty of law that this document and all ettachine information submitted is, to the best of my knowledge and bellef, to penalties for submitting false information. I agree to operate Conservation District Rules and all permit provisions. I further s applicant		/ Creek Laroubdwaler I
Signature of Well Owner or Authorized Agent	Operations Manager	
Printed NameStan Scott	Dale Apr 11 5, 2006	
Contact Information (if different from Socilon A)	City	Slain'_
Address.	La Celly in the real second second second second	
Zip Code.		

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My Commission Expires	
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	Attach copies of all Notice of Deficiencies (NOD) and responses
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Deadline for setting on BO Hearing Date (within 65 da meeting that would allow s	piele:

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FILE COPY

P.10

COW CREEK GROUNDWATER CONSERVATION DISTRICT 216 MARKET AVENUE, SUITE 105 BOERNE, TEXAS 78005 (830) 816-2504 Fax (830) 816-2607

APPLICATION FOR AN OPERATING PERMIT FOR AN EXISTING WELL OR TO SUBSTANTIALLY ALTER A WELL

(Wells >25,000 gpd or use other than domestic or livestock)

A. WELL OWNER INFORMATION (any person who has the right to produce groundwater from the land, either by ownership, contract ease, easement, or any other colete in the lend)

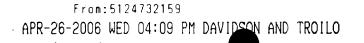
Name	Name Tapatio Springs Service Co., Inc.					ling Iress	Post Of	fice Box 1335	
City	Boerne				TX	Zip Code	78006 Phone Number (830) 537		537 - 5755
1	Alternate Pager Phone Number (210) 613-7950 Fax (830)		0) 537-5	5756	Email	kcuc@gvtc.com			

B. WELL INFORMATION

Well # or Reference	Well 6
Previous or Other Names Identifying the Tract of Land	
Location of Well (911 Address)	Latitude 294700 Longtitude 984852 / Wild Turkey Blvd.
Legal Property Description of Well Location	
Describe the Use of the Well	Retail Water Utility

C. WELL REGISTRATION

District Well Number	State Well Number	RB 68 - 10 - 81
Attach a copy of the Well Registration/Drillin	g Permit Application	
Altach a copy of the Well Log (if applicable)		+
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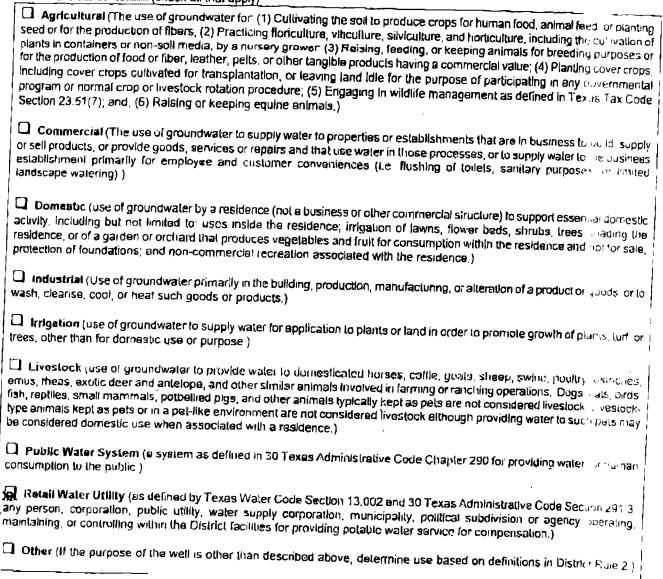
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P.11

Application for an Operation Permit or to Substantially Alter a Well Page 2 of 3

D. PURPOSE OF WELL (check all that apply)



E. ANNUAL PRODUCTION

Annual maximum production requested in gallons per year

or acia feet per year ____

49

Please allach

F. WATER AVAILABILITY

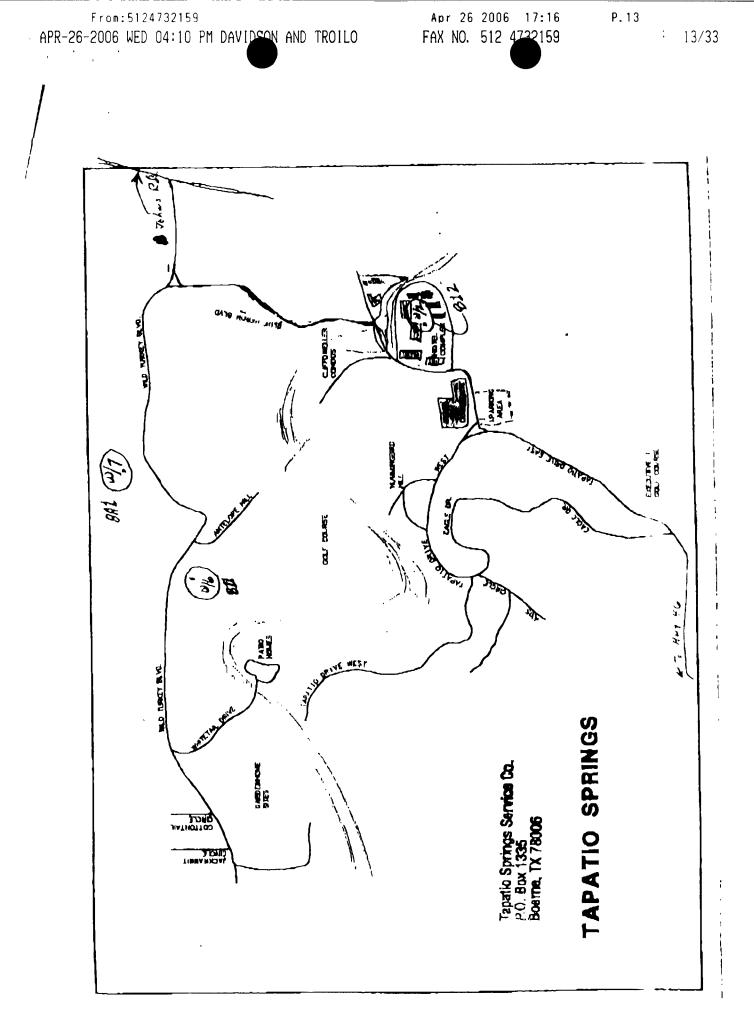
Attach a copy of the water availability study required by Kendall County, If any.

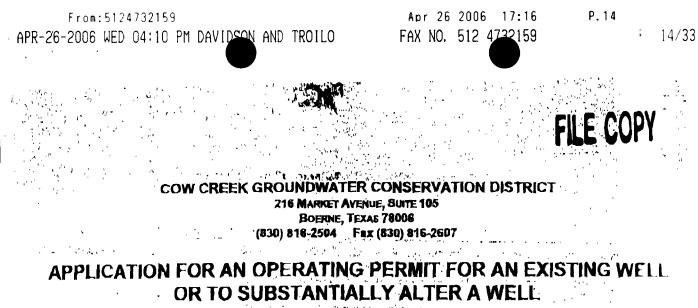
G. WATER CONSERVATION PLAN

Attach a Water Conservation Plan

H. DROUGHT CONTIGENCY PLAN

From: 5124732159 -26-2006 WED 04:10 PM DAVIDSON AND TROILO		2006 17:16 512 4722159	P.12
Application for an Operation Permit or to Substantially Alter Page 3 of 3	a Well		
SIGNATURE certify under penalty of law that this document and all attaching normation submitted is, to the best of my knowledge and belief. I benalties for submitting false information I agree to operate Conservation District Rules and all permit provisions. I further s	the well in acco	rdance will lile Cov	v Creek Groundwale
applicant.	•		
Signature of Well Owner of Authorized Agent:	n Operat	ions Manager	
Printed NameStan Scott	Dale	April 5, 2006	
Contact Information (if different from Section A).			
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l'elaphone Number			
NOTARY PUBLIC'S CERTIFICATE			Ath
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Date of Second NOD		ed Explration Date.	
Date of Third NOD.	Revi	sed Expiration Date:	
Usle Administratively Complete:			
Deadline for politing or POD apenda (within 30 days from date	administratively	complete):	
Hearing Date (within 65 days of date administratively complete	and no later the	an the next regularly (scheduled Qua d
meeting that would allow sufficient time for 10 day notice to Ap	oplicant)		
Notice to Applicant of Hearing Date (at least 10 days before he			
Notice to Applicant of Hearing Date (at least 10 days before he	anny)		





(Wells >25,000 gpd or use other than domestic or livestock)

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A. WELL OWNER INFORMATION (any parson who has the right to produce groundwaler from the land, either by ownership, contract ease, essement, or any either solate in the land.)

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Name	Kendall County Utility Co., Inc.					lling dress	Post	Office Box 1	.335	
City	Boerne			Stat	e TX	Zlp Code	. 78006	Phone Number	(830) 537-5755	
Alterna Phone	te Number	Pager (210) 613-7950	Fax	. (830) 537-	5756	Email	kcucegvtc		

B. WELL INFORMATION

Well # or Reference	Wall 2
Previous or Other Names Identifying the Tract of Land	
Location of Weil (911 Address)	111 Deer Trail
Legel Property Description of Well Location	Ranger Creek - Unit 2 - block 3 - between Lots 35 & 36
Describe the Use of the Well	Retail Water Utility
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C. WELL REGISTRATION

District Well Number	,				State Well Number	FB 68 - 10 - 620	
Attach a copy of the	e Well Regi	stration/Drill	ng Permi	t Application			~
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Attach a copy of a lo	cation may	or property	plat drav	vn on a scale th	al adequately deta	ills the well site, the property lin	e<

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Application for an Operation Permit or to Substantially Alter a Well Page 2 of 3 **`.**.

D. PURPOSE OF WELL (check all that apply)

D. PURPOSE OF WELL (Chack a		the second s	· · · · ·	
Agricultural (The use of grou seed or for the production of fibers plants in containers or non-soil me for the production of food or fiber. I including cover crops cultivated fo program or normal crop or livestor Section 23.51(7), and, (6) Raising	s, (2) Fractions indications, vin edia, by a nursery grower; (3) R leather, pelts, or other tangible or transplantation, or leaving (a ck rotation procedure; (5) Fng.	culture, silviculture, and horth laising, feeding, or keeping a products having a commerci and idle for the surgers of a	culture, including the cultur animals for breeding purp ial value; (4) Planting cove	ation d loses o ir crops
Commercial (The use of group or sell products, or provide goods, s establishment primarily for emplo landscape watering).)				
Domestic (use of groundwater activity, including but not limited to residence, or of a garden or orcherc protection of foundations, and non-	d that produces venerables and	fruit or or awns, nower b		
Industrial (Use of groundwater wash, cleanse, cool, or heat such g	primarily in the building, produ	ction, manufacturing, or alter	ation of a product or good	s, or lo
I Irrigation (use of groundwater l Irees, other than for domestic use o	to supply water for application	lo plants or land in order to p	romate growth of plants i	lurf, or
Livestock (use of groundwater emus, meas, exolic deer and antelo fish, reptiles, small mammals, potbe type animals kept as pets or in a pet- be considered domestic use when a	Hilled pigs, and other animals in Alled pigs, and other animals by Alke any ronment are not cons	Nolved in farming or ranching	g operations. Dogs, cats	birds
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Retail Water Utility (as defined any person, corporation, public util maintaining, or controlling within the		buncoppily policet -	AL 7.7	91,3, Iting,
Other (If the purpose of the well				g 2.)
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E. ANNUAL PRODUCTION		, ,		
Annual maximum production request	ied in gallons per year	or acre feet per year		
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Please attach:				
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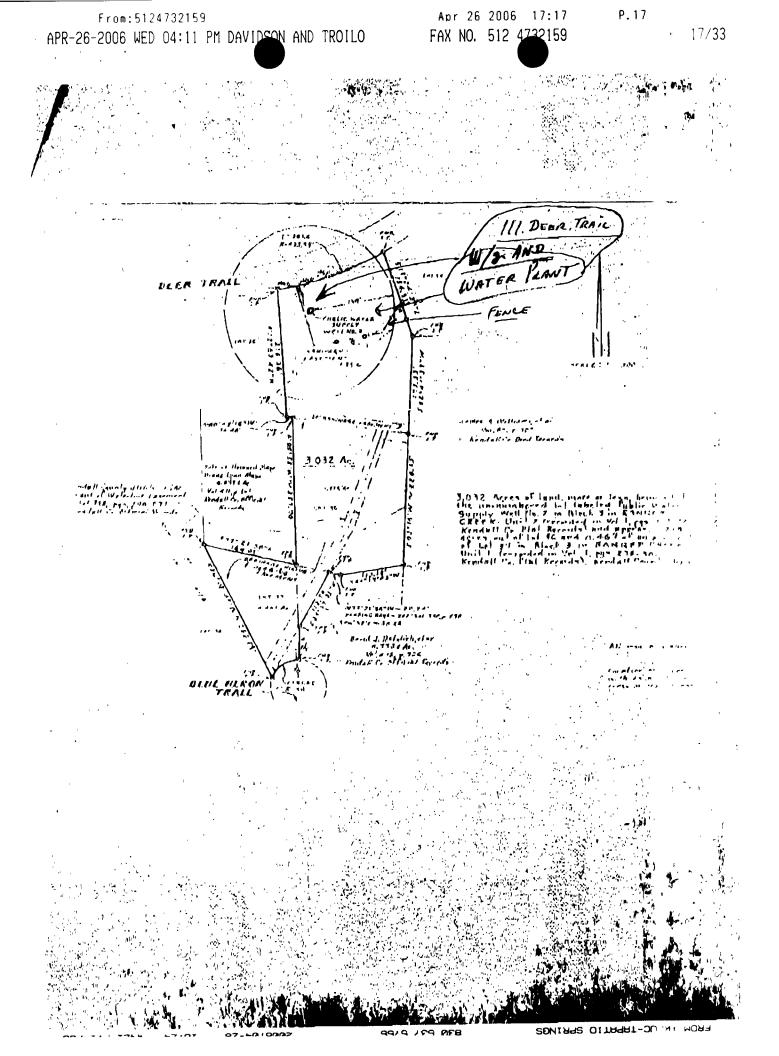
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certify under penalty of law that this document a nformation submitted is, to the best of my knowled	ige and belief, true,	accurate, and	d complete rdance wi	e. I am await In the Cow	e inere are sig Creek Groui	ndwater
nformation submitted is, to the best of my knowled benalties for submitting false information. I agr Conservation District Rules and all permit provisi	ons: further state	that I am th	e applicar	it or am aut	norized to ac	t for the
a set the set of the s			• •			
applicant Signature of Well Owner or Authorized Agent.	Abit	,	Operati	ons Mada	jer	
Signature of Well Owner of Authonized , guilt	The second secon	Deter	-	5, 2006		
Printed Name:Stan Soutt		Dale_	April	<u> </u>		
Contact Information (if different from Section A).						
Addiess.	C	aly:			_ Sløic	H
			•			
· · · · · · · · · · · · · · · · · · ·						
Telephone Number.					Jh.	
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MORE Notary Public, Store of R	as my hand and see	icott	9Kar			ر م
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MORE Noday Public, State of h My Commission Expin May 66, 1004	to my hand and see	al of office	signature A Re	HMO	<u>D</u> uay	,r
Subscribed and sworn to before me, by the said April , 20 06, to certify which withe DONNA RAY MOREA Noday Public, Stone of the My Communicon Explanation May 06, 2008 Notary Public in and for	County, Texas	al of office	signature A Re	HMO	D day	,r
Subscribed and sworn to before me, by the said April , 20 06, to certify which wiltre DONNA RAY MOREA Noday Public, State of My Commission Each	County, Texas	I of office	Signature A Ra Pulntert Na	HMO	D day	,r
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MOREA Notary Public, State of the My Commission Expires	County, Texas	at of office hary Public S	Signature Printed Na		D day	,r
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MOREA Noigy Public, State of the My Commission Expires My Commission Expires	County, Texas	e ONLY	Signature I		D day	,,
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MOREA Noigy Public, State of the My Commission Expires My Commission Expires	County, Texas	E ONLY Pictors (NOD)	Signature I			,r
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MOREA Noday Public, Stone of a My Commission Expires Allach copios of all	County, Texas	E ONLY Pictors (NOD)	Signature I			
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MOREA Notary Public, Stone of the My Commission Expires My Commission Expires Allach copios of all Date Received	County, Texas	E ONILY Harry Public S Deny Public S E ONILY Hotes (NOD) Hior Dale (1	Signature Printed Na and rosp 80 days a	onaca Milic		
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe DONNA RAY MORE Noday Public, Stone of M My Commission Expires My Commission Expires Attach copies of all Date Received Date of First NOD	County, Texas	E ONILY atlor Date (1 Revis	Signature Signature Printert Na Printert Printert Na Printert Printer	NINC NINC NINC NINC NINC NINC NINC NINC		
Subscribed and sworn to before me, by the said <u>April</u> , 20_06, to certify which withe Notary Public, State of the My Commission Expires My Commission Expires Date Received: Date of First NOD Date of Second NOD	County, Texas No County, Texas No County, Texas No No County, Texas No No No No No No No No No No No No No	E ONLY More (NOD) More Date (1 News Revis	Signature I Signature I Printert Na Printert Printert Na Printert Printert Sector	NINC NINC NINC NINC NINC NINC NINC NINC		
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Apr 26 2006 17:17 FAX NO. 512 4<u>732</u>159

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P.18

COW CREEK GROUNDWATER CONSERVATION DISTRICT

216 MARKET AVENUE, SUITE 105 BOERNE, TEXAS 78006 (830) 816-2504 Fax (830) D16-2607

APPLICATION FOR AN OPERATING PERMIT FOR AN EXISTING WELL OR TO SUBSTANTIALLY ALTER A WELL

(Wells >25,000 gpd or use other than domestic or livestock)

A. WELL OWNER INFORMATION (any person who live the right to produce groundwater from the land, either by ownership, control case, examinent, or any other ectate in the land.)

Name	Kendal	l County Util	ity Co	, Inc		iling Jress	P.	0. Box 1335		
City	Boerr	æ		State	TX	Zip Code	780	10.6 Phone Number	(830) 537	5755
Alternal Phone		Pager 210)613-7950	Fax	. (83	0) 537:	5756	Email	kcucegvt	c.com	

B. WELL INFORMATION

Well # or Reference	Well 4	
Previous or Other Names Identifying the Tract of Land		
Location of Well (911 Address)	88 Doeskin Drive	
Legal Property Description of Well Location	Unit 3-B - Lot 1	
Describe the Use of the Well	Retail Water Utility	

C. WELL REGISTRATION

District Well Number	State Well Number RB 68 - 10 - 616
Attach a copy of the Well Registration/Drilling Permit	Application
Attach a copy of the Well Log (if applicable)	
Attach a copy of a location map or property plat draw	on a scale that adequately details the well site, the property lines

From: 5124732159 APR-26-2006 WED 04:11 PM DAVIDSON AND TROILO

Apr 26 2006 17:17 FAX NO. 512 4732159

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P.19

Application for an Operation Permit or to Substantially Alter a Well Page 2 of 3

D. PURPOSE OF WELL (check all that apply)

	Der die Obe of Wheele (creation and appin)
	Agricultural (The use of groundwater for: (1) Cultivating the soil to produce crops for human food, animal feed or planting seed or for the production of fibers; (2) Practicing floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media, by a nursery grower, (3) Raising, feeding, or keeping animals for breeding purposes or for the production of flood or fiber, leather, pets, or other tangible products having a commercial value; (4) Planting cover crops, including cover crops cultivated for (ransplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure; (5) Engaging in wildlife management as defined in Texas Tax Code Section 23.51(7); and, (6) Raising or keeping equine animals.)
	Commercial (The use of groundwater to supply water to properties or establishments that are in business to build supply or sell products, or provide goods, services or repairs and that use water in those processes, or to supply water to the business establishment primarily for employee and customer conveniences (i.e. flushing of toilets, senitary purposes or limited landscape watering).)
	Domestic (use of groundwater by a residence (not a business or other commercial structure) to support essential domestic activity, including but not limited to: uses inside the residence; irrigation of lawns, flower beds, shrubs, trees shading the residence, or of a garden or orchard that produces vegetables and fruit for consumption within the residence and not for sale, protection of foundations, and non-commercial recreation associated with the residence.)
	Industrial (Use of groundwater primarily in the building, production, manufacturing, or elteration of a product or $goods$ or to wash, cleanse, cool, or heat such goods or products.)
	Irrigation (use of groundwater to supply water for application to plants or land in order to promote growth of plants (urf) or trees, other than for domestic use or purpose.)
	Livestock (use of groundwater to provide water to domesticated horses, calife, goats, sheep, swine, poulity, ostriches, erhus, meas, exotic deer end antelope, end other similar animals involved in farming or ranching operations. Dogs, cats, birds, fish, reptiles, small mammals, potbellied pigs, and other animals typically kept as pets are not considered livestock - vestock- type enimals kept as pets or in a pet-like environment are not considered livestock although providing water to such pets may be considered domestic use when associated with a residence.)
	Public Water System (a system as defined in 30 Texas Administrative Code Chapter 290 for providing water for human consumption to the public.)
ŀ	Retail Water Utility (as defined by Texas Maler Corle Section 17,002 and 20 Tever Article balls Oct. Durt

20 Retail Water Utility (as defined by Texas Water Code Section 13.002 and 30 Texas Administrative Code Section 291.3, any person, corporation, public utility, water supply corporation, municipality, pollitical subdivision or agency operating, maintaining, or controlling within the District facilities for providing potable water service for compensation.)

Other (If the purpose of the well is other than described above, determine use based on definitions in District Rule 2.)

E. ANNUAL PRODUCTION

Annual maximum production requested in gallons par year _____

or acre feel per year ____

Please attach.

F. WATER AVAILABILITY

Attach a copy of the water availability study required by Kendall County, If any.

G. WATER CONSERVATION PLAN

Attach a Water Conservation Plan

H. DROUGHT CONTIGENCY PLAN

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From:	473215					
APR-26-2006	WED	04:11	PM	DAVIDSON	and	TROILO

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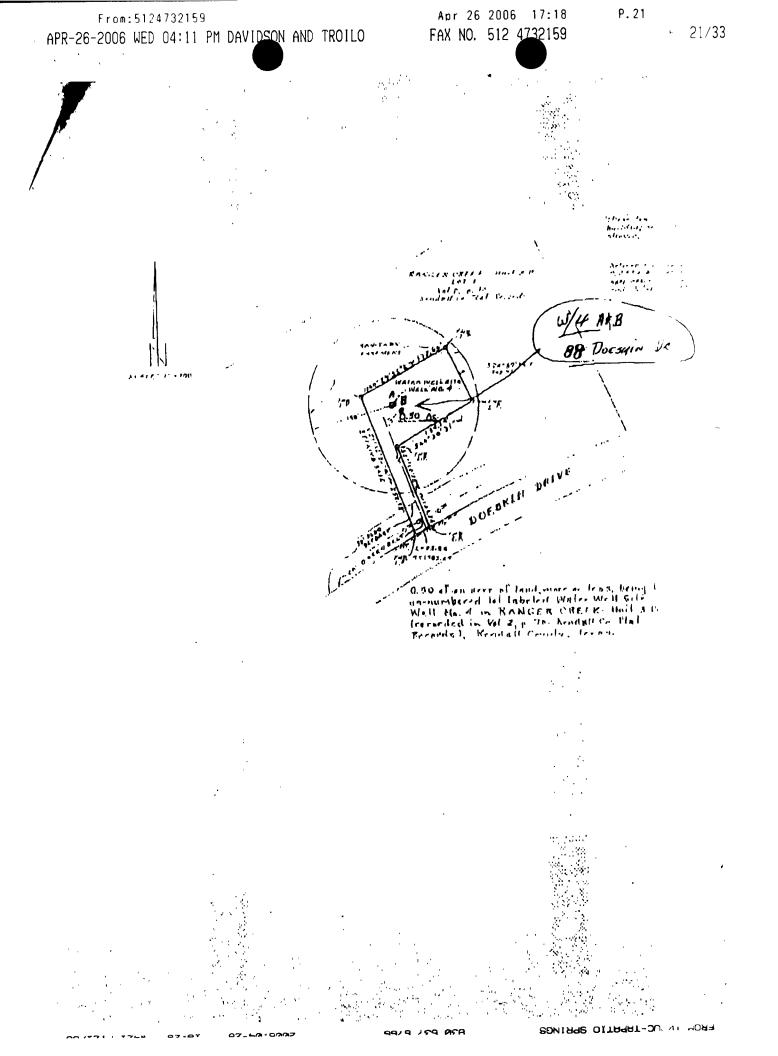
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Application for an Operation Permit or to Substantially Alter a Well Page 3 of 3

penalties for submitting	false information, 1 agree f	all allachments were prepared under my unaction of separate signific and balief, true, accurate, and complete. I am aware there are signific to operate the well in accordance with the Cow Creek Groundwa of the there state that I am the applicant or am authorized to ac for
Conservation District Ri	ules and all permit provisions	to operate the well in accordance with the cost creat the cost of the state that I am the applicant of am authorized to ac for
applicant.		
Dianature of Well Owne	er or Authorized Agent;	WACK Operations Manager
Signature of Weir Strife		Dale: <u><u>april 5, 2006</u></u>
Printed Name:	Stan Scott	DOIOALLER A
Contact Infourietion (if r	nillerent from Section A):	
		Cily Stale
Address Zip Code:	د ه ـ ـ - ۲۰ ـ ۲۰ ـ ۲۰ ویوها	
•		
Telephone Number		
NOTARY PUBLIC'S C	ERTIFICATE	Stan Scott Unis 5^{2} day of
-		
April, 20	06, to certify which witness n	ny hand and sear of once
(C		
A	Notary Public, Sigte of Terms My Commission Expires	Notary Public Signature
14	May 04, 2008	DINA RAY MORPHU
		Notary Public Populati Name
		County Texas
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	Entantla	
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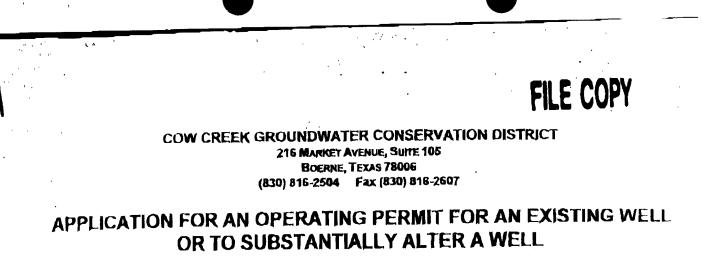
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(Wells >25,000 gpd or use other than domestic or livestock)

A. WELL OWNER INFORMATION (any person who has the right to produce groundwater from the land, either by ownership, contract lease

sammingel, or brig aller estate in the faild.) Mailing. Post Office Box 1335 Name Kendall County Utility Co., Inc. Address Phone Zip State (830) 537-5755 78006 'TX Cily Boeme Code Number Alternale Pager Emall Fax kcuc@gvtc.com (830) 537-5756 Phone Number (210)613-7950

B WELL INFORMATION

Well # or Reference	Well 5	
Previous or Other Names Identifying the Tract of Land		
Location of Well (911 Address)	126-A Doeskin Drive	
Legal Property Description of Well Location	Unit 2 - Block 1 - Between Lots 7 & 8	
Describe the Use of the Well	Petail Water Utility	

C WELL REGISTRATION

District Well Number	State Well Number	RB 68 - 10 - 61 /
Attach a copy of the Well Registration/Drilling Permit Appli	cation .	
Attach a copy of the Well Log (If applicable)	т. н. т. т. _{т.} соз	· · · ·
Attach a conv of a location man or or nonady plat drawn on r	scale that adaquately details	the well also the average it

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Application for an Operation Permit or to Substantially Alter a Well Page 2 of 3

D. PURPOSE OF WELL (check all that apply)

D. PURPOSE OF WELL (check all that apply)
Agricultural (The use of groundwater for. (1) Cultivating the soil to produce crops for human food, animal feed, or planting seed or for the production of fibers; (2) Practicing floriculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media, by a nursery grower; (3) Raising, feeding, or keeping animals for breeding purposes or for the production of floer, leather, pelts, or other tangible products having a commercial value; (4) Planting cover crops, including cover crops cultivated for transplantation, or leaving land Idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure; (5) Engaging in wildlife management as defined in Texas Tax Code Section 23.51(7), and. (6) Raising or keeping equine animals.)
Commercial (The use of groundwater to supply water to properties or establishments that are in business to build supply or sell products, or provide goods, services or repairs and that use water in those processes, or to supply water to the business establishment primerily for employee and customer' conventences (i.e. flushing of toilets, sanitary purposes or limited landscape watering).
Domestic (use of groundwater by a residence (not a business or other commercial structure) to support essential domestic activity. Including but not limited to: uses inside the residence; imgalion of lawns. flower bads, shrubs, trees shading the residence, or of a garden or orchard that produces vegetables and fruit for consumption within the residence and not for sale, protection of foundations; and non-commercial recreation associated with the residence.)
Industrial (Use of groundwater primarily in the building, production, manufacturing, or alteration of a product or goods, or to wash, cleanse, cool, or heat such goods or products.)
Irrigation (use of groundwater to supply water for application to plants or land in order to promote growth of places turf, or trees, other than for domestic use or purpose.)
Livestock (use of groundwater to provide water to domesticated horses, callie, guats, sheep, swind, poulity Ustriches, errors, rheas, exotic deer and antelope, and other similar animals involved in farming or ranching operations. Dogs, vals, birds, fish, reptiles, small mammals, potbellied pigs, and other animals typically kept as pets are not considered livestock. Creatock-type animals kept as pets or in a pet-like environment are not considered livestock although providing water to such pets may be considered domestic use when associated with a residence.)
Public Water System (a system as defined in 30 Texas Administrative Code Chapter 290 for providing water for human consumption to the public)
fix Retail Water Utility (as defined by Texas Water Code Section 13.002 and 30 Texas Administrative Code Section 291.3 any person, corporation, public utility, water supply corporation, municipality, political subdivision or agency operating, maintaining, or controlling within the District facilities for providing polable water service for compensation.)

Other (If the purpose of the well is other than described above, determine use based on definitions in Distric. Rule 2)

E. ANNUAL PRODUCTION

Annual maximum production requested in gallons per year

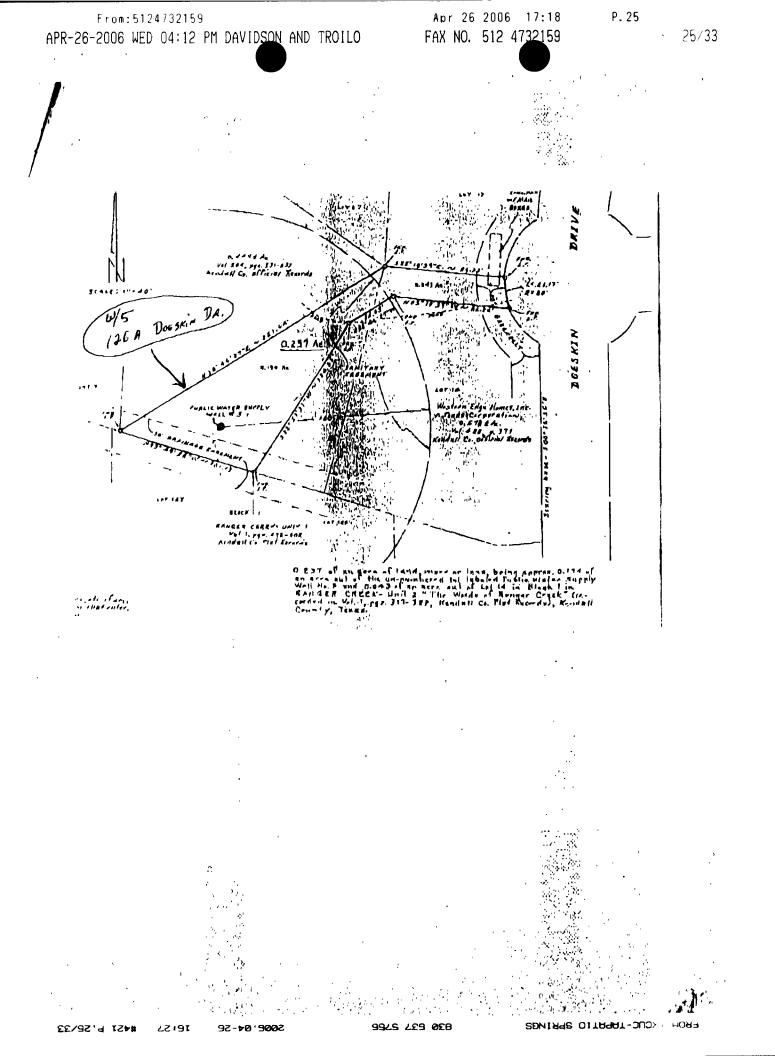
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F. WATER AVAILABILITY

Attach a copy of the water availability study required	by Kendall County, if any.]
G. WATER CONSERVATION PLAN				
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H. DROUGHT CONTIGENCY PLAN		······································		5
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Application for an Operation Permit or to Substantially age 3 of 3	
BG# 3 01 3	
SIGNATURE	the dealer of supervision T
certify under penalty of law that this document and all alta	acliments were prepared under my direction or supervision. The elief, true, accurate, and complete. I am aware there are significa- erate the well in accordance with the Cow Creek Groundwat
alongation submitted is, to the usar of my knowledge one a	the cow Creek Groundwall
Conservation District Rules and all permit provisions, inter	rate the weil in accordance with the oow orboth orbit a set ther state that I am the applicant or am authorized to act for the
applicant.	operations Manager
Signature of Well Owner or Authorized Agent.	TWO Uperacity is have get
Printed NameStan_Scott.	Dale: April 5, 2006
Contact Information (if different from Section A)	Cily: State
Address	
Zip Code	
Telephone Number	¥.
	this 5th day i
NOTARY PUBLIC'S CERTIFICATE	Stan Scott
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said Aor11 2006, to certify which witness my har	Jonatan Moreau
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said April 20 06, to certify which witness my har DONNA RAY MOREAU Notary Public, State of Texas My Commission Explore	Notary Public Signature
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said April 2006, to certify which witness my har DONNA RAY MOREAU Notory Public, Stoler of Texas	Notary Public Signature Donnia Ray Mopern
NOTARY PUBLIC'S CERTIFICA'TE Subscribed and sworn to before me, by the said Aor11 20 06, to certify which witness my har bonna Ray Moreau Notary Public, State of Taxas My Commission Explose May 00, 2005	Notary Public Signature Donna Ray Mopean Notary Public Pub
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said <u>Arct1</u> , 20, 06, to certify which witness my har DONNA RAY NOREAU Notory Public, State of Taxon May 00, 2006 Notary Public in and for Notary Public in and for Con	Notary Public Signature Donna Ray Mopean Notary Public Pub
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NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said Aor:1.1 20 06, to certify which witness my han DONNA RAY MOREAU Notory Puble, Stole of Taxas My Commission Expires FOR DIS Attacht copies of all Notice of August	Notary Public Signature Notary Public Signature Donna Any Mopean Notary Public Printert Name unly, Texria TRICT USE: ONLY of Deficiencies (NOD) and responses plion Expiration Date (130 days eiter receipt):
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NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said	Notary Public Signature Notary Public Signature Notary Public Signature Notary Public Public Public Name Notary Public Public Public Name Notary Public P



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· ·	-(1	ROUNDWATER COI 216 Market Avenue, 3 Boerne, Texas 78 830) 816-2504 Fax (83	UME 105 006 0) 816-2507			

APPLICATION FOR AN OPERATING PERMIT FOR AN EXISTING WELL OR TO SUBSTANTIALLY ALTER A WELL

(Wells >25,000 gpd or use other than domestic or livestock)

A. WELL OWNER INFORMATION (any person who has the right to produce groundwater from the land, either by ownership, contract ease essement, or any other estate in the land.)

Name	Kendal	1 County Utili	Lty Co.	, Inc	Mai Add	ling Iress	Post.	Office Box 1	335	
City	Boer		 .	State	TX	Zip Code	780	006 Phone Number	(830) 537 -	5755
Alternal Phone I		Pager (210) 613-7950	Гвх	(8	30) 5 3 7-	57 56	Email	kcuclgvtc	.com]

B. WELL INFORMATION

Weil # or Réference	We11 7	
Previous or Other Names Identifying the Tract of Land		
Location of Well (911 Address)	106-A North View Driva	anda
Legal Property Description of Well Location	Unit 3E - between Lots 5 & 6	
Describe the Use of the Well	Retail Water Utility	
	. <i>.</i>	

C. WELL REGISTRATION

District Well Number		State Well Number	RB 68 - 10 - 615
Atlach s copy of the Well Registration/Onlling Per	rmit Application	• • • • • • • • • • • • •	
Attach a copy of the Well Log (if applicable)	• • •	, ,	
Attach a conv of a location man or property plat d	rawn on a scale th:	al adenuately details	the wall sile the amount lines
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From: 5124732159 APR-26-2006 WED 04:12 PM DAVIDSON AND TROILO

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Application for an Operation Permit or to Substantially Alter a Well Page 2 of 3

D. PURPOSE OF WELL (check all that apply)

Agricultural (The use of groundwaler for. (1) Cultivating the soll to produce crops for human food, animal feed, or planting seed or for the production of fibers; (2) Practicing florculture, viticulture, silviculture, and horticulture, including the cultivation of plants in containers or non-soil media, by a nursery grower; (3) Raising, feeding, or keeping animals for breeding purposes or for the production of food or fiber, leather, pelts, or other tangible products having a commercial value; (4) Planting cover crops, including cover crops cultivated for transplantation, or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure; (5) Engaging in wildlife management as defined in Texas Tax Code Section 23.51(7); and, (6) Raising or keeping equine animals.)

Commercial (The use of groundwater to supply water to properties or establishments that are in business to tourd supply or sell products, or provide goods, services or repairs and that use water in those processes, or to supply water to the business establishment primarily for employee and customer conveniences (i.e. flushing of toilets, sanitary purposes or limited landscape watering).)

Domestic (use of groundwater by a residence (not a business or other commercial structure) to support essential domestic activity, including but not limited to: uses inside the residence, irrigation of lawns, flower beds, shrubs, trees strading the residence, or of a garden or orchard that produces vegetables and fruit for consumption within the residence and richt for sale, protection of foundations; and non-commercial recreation associated with the residence.

Industrial (Use of groundwater primarily in the building, production, manufacturing, or alteration of a product or yourds, or to wash, cleanse, cool, or heat such goods or products.)

Irrigation (use of groundwater to supply water for application to plants or land in order to promote growth of plants, turf or trees, other than for domestic use or purpose.)

Livestock (use of groundwater to provide water to domesticated horses, cattle, goats, sheep, swine, poultry ostriches errors, rheas, exotic deer and antelope, and other similar animals involved in farming or ranching operations. Dogs, cats, birds, fish, reptiles, small mammals, potbellied pigs, and other animals typically kept as pets are not considered livestock. Evestock-type animals kept as pets or in a pet-like environment are not considered livestock although providing water to such pets may be considered domestic use when associated with a residence.)

Public Water System (a system as defined in 30 Texas Administrative Code Chapter 290 for providing water for human consumption to the public)

B Retail Water Utility (as defined by Texas Water Code Section 13.002 and 30 Texas Administrative Code Section 291.3 any person, corporation, public utility, water supply corporation, municipality, political subdivision or agency operating, maintaining, or controlling within the District facilities for providing polible water service for compensation.)

Other (If the purpose of the well is other than described above, determine use based on definitions in District Rule 2.)

E. ANNUAL PRODUCTION

Annual maximum production requested in gallons per year

or acie fect per year ____

102

Please attach,

F. WATER AVAILABILITY

Atlach a copy of the water availability study required by Kendall County, if any.

G. WATER CONSERVATION PLAN

Attach a Water Conservation Plan

H. DROUGHT CONTIGENCY PLAN

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From:5124732159 -26-2006 WED 04:12 PM DAVIDSON AND TROILO	Apr 26 2006 17:19 FAX NO, 512 4 <u>732</u> 159	P.28 ⊬ 28
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age 3 of 3		
CICNATIND5		
SIGNATURE certify under penalty of law that this document and all attachme formation submitted is, to the best of my knowledge and belief, t	ents were prepared under my direction true, accurate, and complete. I am awa	re there are significarit
formation submitted is, to me best of my knowledge and on any	the well to accordance with the Cov	v Creek Groundwater
onservation District Rules and all parmit provisions. I runner	state that i am the applicant of an ac	
pplicant	The Operations Ma	nager
signature of VVell Owner or Authorized Agent:		
rinled Name <u>Stan Scott</u>	Dale <u>April 5, 2006</u>	L
Contact Information (if different from Section A).		
	City:	Slale
ul/less		
elephone Number		r th
IOTARY PUBLIC'S CERTIFICATE	Stan Scott	is 💭 day 🖉
NOTARY PUBLIC'S CERTIFICATE Subscribed and sworn to before me, by the said	d seal of office	
ADELL 2006 to certify which with each in the	To de M	
	Nolary Public Signature	
DONNA RAY MOREAU Notary Public, Stoke of Texas		
May 00, 2006	DONNA RAY MOR	EMIL
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Attach copies of all Notice of De	Expiration Date (180 days alter receip	t):
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Dale of First NOD	Revised Expiration Date	
Date of Second NOD:	Revised Expiration Date	
Date of Third NOD:		
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Netre to Applicant of Hearing Date (at Igast 10 days before t		
meeting that would allow domenant least 10 days before I Notice to Applicant of Hearing Date (at least 10 days before I Decision Date (within 35 days of hearing):	~ ~~	