



Control Number: 44193



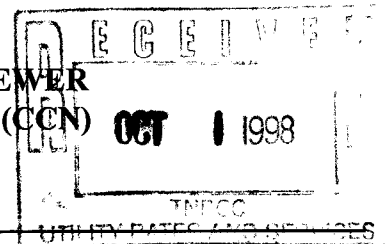
Item Number: 12

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

44193

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



1. Applicant: City of Primera

(Individual, Corporation, or Other Legal Entity)

Utility Name: Same

(If different than above)

Address: Route 1, Box 176, Primera, Texas

Telephone: (956) 423-9654

Tax Identification Number (Social Security Number for
Individuals): _____

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

☐

Individual

☐

Home or Property Owners Association

☐

Partnership; attach copy of partnership agreement

☐

Corporation; provide charter number as recorded with the Office of the Secretary of State

for Texas: _____

☐

Non-profit, member-owned, member-controlled Cooperative Corporation (Article 1434(a) Water Supply or

Sewer Service Corporation); provide charter

number: _____

☒

Other (please explain): Municipality

3. The purpose of this application is to:

☐

Obtain

☒

Water CCN

☐

Amend

☐

Water CCN No.: _____

☒

Sewer CCN

-or-

☐

Sewer CCN No.: _____

to provide utility service to: Incorporated area of the City of Primera

in: Cameron

(Subdivision or area)

(County)

4. Is any portion of the proposed service area inside an incorporated city?

☐

No. (skip the rest of this question and go to the next one)

☒

Yes. Within the City limits of: City of Primera

Provide a copy of any franchise, permit,

or consent granted by the City. If not available, please explain: Not Applicable.

5. If the applicant is an *Individual* provide the following information. If not skip to the next question.

Name: Not Applicable. Telephone: _____

Address: _____

6. If the applicant is other than an *Individual* provide the following information regarding the officers or partners of the legal entity applying for the CCN. You must complete either question 5. or question 6., whichever applies to the applicant.

•Name: See Exhibit 1 Telephone: _____

Address: _____

Position: _____ Ownership % (if applicable): _____

•Name: _____ Telephone: _____

Address: _____

Position: _____ Ownership % (if applicable): _____

•Name: _____ Telephone: _____

Address: _____

Position: _____ Ownership % (if applicable): _____

•Name: _____ Telephone: _____

Address: _____

Position: _____ Ownership % (if applicable): _____

- Attach additional sheet(s) if necessary -

Important: • If the applicant is a for-profit corporation, please provide a copy of the corporation's "Certification of Account Status" from the State Comptroller Office. This "Certification of Account Status" can be obtained from:

Comptroller of Public Accounts, Office Management
P. O. Box 13528, Capitol Station
Austin, Texas 78711
1-800-252-5555

• If the applicant is an Article 1434a water supply or sewer service corporation or other non-profit corporation, please provide a copy of the Articles of Incorporation and By-Laws.

- ALL APPLICANTS SHOULD COMPLETE THE REMAINDER OF THE APPLICATION -

7. Contact person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney or accountant.

Name: José L. Muñoz Title: President

Address: Post Office Box 2191 - Harlingen, Texas 78551 Telephone: (956) 425-3814

8. If this is a proposed utility system or a proposed amendment, please provide:
- A. An explanation of all attempts or the feasibility of obtaining service from adjacent retail public utilities:
See Exhibit 1.

- B. Date Construction is scheduled to commence: See Exhibit 1.

- C. Date service is scheduled to commence: See Exhibit 1.

- D. Method and source of financing (the applicant must be able to demonstrate the ability to fund system facilities and improvements):
See Exhibit 1.

- E. The number of requests for service that the applicant has received in the requested service area and indicate if verbal or written, and a clear explanation of the need for service in the requested area.
See Exhibit 1.

9. If this is an existing utility system, please provide:
- A. When was construction on the system completed? See Exhibit 1.

- B. What was the original cost of the system? See Exhibit 1.

- C. When did service begin? See Exhibit 1.

- D. Is the applicant the original owner of the system?
☐ Yes. (skip the rest of this item and go to question 9E.)
☒ No. Please answer the following questions to the best of your ability:
1. When was the system acquired? See Exhibit 1.

2. What was the purchase price? See Exhibit 1.

3. Who was the immediate preceeding owner?
Name: See Exhibit 1. Telephone: _____
Address: _____
4. If the applicant is not the current owner of the system, please indicate who owns the utility assets:
Name: See Exhibit 1. Telephone: _____
Address: _____
- ☞ Enclose three copies of the lease agreement or contract the applicant has with the owner allowing the applicant to operate the system.
- E. List the dates that the applicant's rates have changes since September 1, 1976. (not applicable to cities or political subdivisions of the state):
N/A

10. List the number of existing and/or proposed metered and non-metered connections (by size).

This information is valid as of:

(date of last customer count)

Water System			Sewer System		
Connection	Existing	Proposed	Connection	Existing	Proposed
Non-Metered			Residential	29	948
5/8" or 3/4" meter	911	911	Commercial		10
1" meter	46	46	Industrial		
1½" meter			Other:		
2" meter					
4" meter	1	1			
Other:					
Total Water	958	958	Total Sewer		958

11. Do you currently purchase water or sewer treatment capacity from another source?

10

No. (skip the rest of this question and go to the next one)

☒

Yes - Water

Purchased on a ()regular - ()seasonal - ()emergency basis

- | | | | |
|-----------|--------------------------|--------------------|------------|
| • Source: | <u>City of Harlingen</u> | % of total supply: | <u>100</u> |
| • Source: | | % of total supply: | |

1

Yes - Sewer treatment capacity

Purchased on a ()regular - ()seasonal - ()emergency basis

- | | | | |
|-----------|--------------------------|----------------------|------------|
| • Source: | <u>City of Harlingen</u> | % of total treatment | <u>100</u> |
|-----------|--------------------------|----------------------|------------|

☛ Provide a copy of the water or sewer treatment capacity purchase agreement or contract.

12. For the water and/or sewer system's compliance with minimum standards, please provide the following information:

- A. Water system's TNRCC Public Water System identification number: (for each system)

[illegible]

- B. Sewer system's TNRCC Discharge Permit number: (for each system)

[illegible]

- C. For each system, attach a copy of the plans specifications or plat approval letter of required from a city, county and state agency.
- D. For each system, attach a copy of the most recent inspection report letter. If necessary, also include a copy of the utility's response to that letter.
- E. For any system deficiencies, attach a brief explanation listing the actions taken or being taken by the utility to correct the listed deficiencies, including the proposed completion dates.
- F. If the system is operating and over 85% of minimum standard capacity for any facility component for the current number of customers, attach an explanation listing of actions to be taken to make system improvements including proposed completion dates.

13. Provide the following information concerning the financial status of the utility:

A. What is the amount of equity or total capital in the utility system? See Exhibit 1.

B. Provide the following information for all utility debt:

Date of issue	Date of maturity	Current outstanding principal	Interest rate	Total annual payment	Payable to whom
Total					

- Attach additional sheet(s) if necessary -

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

Name	Classs	License Number
See Exhibit 1.		

- Attach additional sheet(s) if necessary -

15. A If this application is for a water CCN, please explain how sewer service is provided:

The majority of residents are on individual septic tank systems. The 28 connections were previously served by City of Mercedes.

B: If this application is for a sewer CCN, please explain how water service is provided:

Wholesale water is purchased from City of Harlingen. City of Primera owns and operates their own water distribution system.

16. A. List all neighboring utility service providers and cities within two miles of the applicant's proposed certificate area:

North Alamo Water Supply

Valley M.U.D. No. 2

City of Combes

East Rio Hondo Water Supply Corporation

City of Harlingen

City of Santa Rosa

☒ Notice must be provided to these entities after the application is accepted for filing.

B. If the applicant is providing service to the requested area without a CCN, the applicant must also notify each of the customers in the requested service area. A notice form for providing customer notice is included in this application.

17. Attach the following maps with each copy of the application: (All maps should include applicant's name, address, telephone number and date of drawing or revision). All maps should be reduced to 8½ x 11 inches).
- A. One county map (Texas Highway Department 1" = 2 miles) showing Applicant's requested service area (and present service area if applicable). Service area boundaries should conform to verifiable landmarks such as roads, creeks, railroads, etc. County maps may be obtained locally or from the Texas Department of Transportation, Map Scales, P. O. Box 5020, Austin, Texas 78763-5020; 512/486-5014 and 486-5015.
 - B. One large scale map showing the exact proposed service area and any existing service area and if available the existing and proposed facilities. A metes and bounds description is not required, however, the facilities and service area boundaries should be shown with such exactness that they can be located on the ground. Applicant should use U.S.G.S. 7½-minute series, subdivision plat, engineer planning map, or other large scale map.

ALL APPLICABLE QUESTIONS MUST BE ANSWERED FULLY.

THE APPLICATION WILL NOT BE ACCEPTED FOR FILING WITHOUT MAPS, A TARIFF (OR RATE SCHEDULE FOR CITIES OR POLITICAL SUBDIVISIONS) AND COMPLETED NOTICES.

PLEASE NOTE THE FILING OF THIS APPLICATION DOES NOT CONSTITUTE AUTHORITY TO OPERATE A WATER/SEWER SYSTEM.

OATH

State of Texas

County of Cameron

I, Jose J. Ramirez being duly sworn, file this application as Mayor (indicate relationship to Applicant, that is, owner, member of partnership, title as officer of corporation, or other authorized representative of Applicant); that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the maps filed with this application, and have complied with all the requirements contained in this application; and, that all such statements made and matters set forth therein are true and correct. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Texas Natural Resource Conservation Commission.

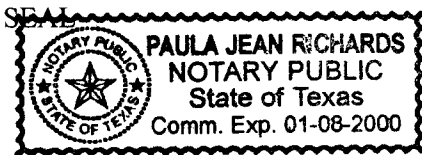
I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants for service within its certificated service area.




AFFIANT
(Applicant's Authorized Representative)

If the Affiant 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, a Notary Public in and for the State and County above-named, this
24 day of September, 19 98.





NOTARY PUBLIC

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

To: North Alamo Water Supply Corp. Date Notice Mailed: _____, 19____
(Neighboring System or City)
3/8 Mile South Doolittle Road
(Address)

(Address)
Edinburg Texas 78539
(City) (State) (Zip)

The City of Primera has filed an application for a CCN/and to decertify a portion (s) of
(Name of Applicant)
City of Harlingen with the Texas Natural Resource Conservation Commission to provide
(Decertificated Utility)
water and sewer utility service in Cameron County. The proposed utility service area is located
approximately 1 mile radius of downtown Primera, Texas and is generally bounded on the
north by SH 107 ; on the east by US Hwy 77 ; on the south by FM 2994 ; and on the west by
Tamm Road . The total area being requested includes approximately 4,160 acres and 29 current
customers.

The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing 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 request a hearing or comment should write the:

Texas Natural Resource Conservation Commission
Water Utilities Division
Utility Rates and Services Section, MC-153
P. O. Box 13087
Austin, TX 78711-3087

within thirty (30) days from the date of this publication or notice. No public hearing will be held unless a request for a hearing is received. Only those individuals who submit a written request to be notified of a hearing schedule will receive notice if a hearing is scheduled.

If one or more requests for a hearing are filed, the Executive Director will not issue the CCN and will forward the application to the State Office Administrative Hearings (SOAH) where a hearing may be held. In the event an evidentiary hearing is held, the SOAH will submit a recommendation to the Commission for final decision. If a hearing is held it will be a legal proceeding similar to civil trials in State District Court.

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

To: Valley MUD No. 2 Date Notice Mailed: _____, 19____
(Neighboring System or City)

(Address)

Post Office Box 308

(Address)

Olmito Texas 78575

(City) (State) (Zip)

The City of Primera

(Name of Applicant)

City of Harlingen

(Decertificated Utility)

has filed an application for a CCN/and to decertify a portion (s) of

with the Texas Natural Resource Conservation Commission to provide

water and sewer utility service in Cameron County. The proposed utility service area is located approximately 1 mile radius of downtown Primera, Texas and is generally bounded on the north by SH 107; on the east by US Hwy 77; on the south by FM 2994; and on the west by Tamm Road. The total area being requested includes approximately 4,160 acres and 29 current customers.

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

To: Town of Combes Date Notice Mailed: _____, 19____
(Neighboring System or City)
City Hall
(Address)
306 Templeton
(Address)
Combes Texas 78550
(City) (State) (Zip)

The City of Primera has filed an application for a CCN/and to decertify a portion (s) of
(Name of Applicant)
City of Harlingen with the Texas Natural Resource Conservation Commission to provide
(Decertificated Utility)
water and sewer utility service in Cameron County. The proposed utility service area is located
approximately 1 mile radius of downtown Primera, Texas and is generally bounded on the north
by SH 107; on the east by US Hwy 77; on the south by FM 2994; and on the west by Tamm Road. The total area being requested includes approximately 4,160 acres and 29 current
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The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing 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.

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Water Utilities Division
Utility Rates and Services 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/SEWER UTILITY SERVICE IN CAMERON COUNTY

To: City of Harlingen Date Notice Mailed: _____, 19____
(Neighboring System or City)
City Hall
(Address)
118 East Tyler
(Address)
Harlingen Texas 78550
(City) (State) (Zip)

The City of Primera has filed an application for a CCN/and to decertify a portion (s) of
(Name of Applicant)
City of Harlingen with the Texas Natural Resource Conservation Commission to provide
(Decertificated Utility)
water and sewer utility service in Cameron County. The proposed utility service area is located
approximately 1 mile radius of downtown Primera, Texas and is generally bounded on the north
by SH 107; on the east by US Hwy 77; on the south by FM 2994; and on the west by Tamm Road. The total area being requested includes approximately 4,160 acres and 29 current
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Texas Natural Resource Conservation Commission
Water Utilities Division
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NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN CAMERON COUNTY

To: City of Santa Rosa Date Notice Mailed: _____, 19____
(Neighboring System or City)
City Hall
(Address)
413 South Santa Cruz
(Address)
Santa Rosa Texas 78593
(City) (State) (Zip)

The City of Primera has filed an application for a CCN/and to decertify a portion (s) of
(Name of Applicant)
City of Harlingen with the Texas Natural Resource Conservation Commission to provide
(Decertificated Utility)
water and sewer utility service in Cameron County. The proposed utility service area is located
approximately 1 mile radius of downtown Primera, Texas and is generally bounded on the north
by SH 107 ; on the east by US Hwy 77 ;on the south by FM 2994 ; and on the west by
Tamm Road . The total area being requested includes approximately 4,160 acres and 29 current
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NOTICE OF APPLICATION FOR CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN)
TO PROVIDE WATER/SEWER UTILITY SERVICE IN CAMERON COUNTY

To: East Rio Hondo Water Supply Corp. Date Notice Mailed: _____, 19____
(Neighboring System or City)
206 Industrial Parkway
(Address)

(Address)
Rio Hondo Texas 78550
(City) (State) (Zip)

The City of Primera has filed an application for a CCN/and to decertify a portion (s) of
(Name of Applicant)
City of Harlingen with the Texas Natural Resource Conservation Commission to provide
(Decertificated Utility)
water and sewer utility service in Cameron County(ies). The proposed utility service area is located
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The Executive Director will issue this CCN unless one or more persons file written protests and/or a request for a hearing within 30 days after this notice is provided. To request a hearing 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.

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**Application for Sewer and Water CCN
for the City of Primera**

List of Exhibits

Exhibit 1 - Additional Responses to Questions

Exhibit 2 - Addendum to Application - Excerpts from the "Facility Plan"

Exhibit 3 - City of Primera Existing Rate Structure

Exhibit 4 - Water and Sewer Purchase Agreements

Exhibit 5 - City of Primera Letter of Consent

Exhibit 6 - Maps

Exhibit 1
Additional Responses to Questions

Exhibit 1
Additional Responses to Questions
City of Primera Water and Sewer CCN Application

Question No.	Additional Response
1.	No additional response required
2.	No additional response required
3.	No additional response required
4.	No additional response required
5.	No additional response required
6.	The applicant is the City of Primera acting through Mr. Jose J. Ramirez, Mayor.
7.	No additional response required
8.	<p>A. The city is requesting application for both a water and sewer CCN. The City of Primera currently purchases potable water wholesale from the City of Harlingen. The City of Primera owns and maintains its own water distribution and storage system and provides service to residents within their city limit boundary. The City of Primera does not currently have a sanitary sewer collection system. All residents within the city limits are currently served by individual on-site septic systems. The City of Primera has been awarded funding as part of TWDB's Economically Distressed Areas Program (EDAP) for the installation of a sanitary sewage collection system to provide service to residents within the Primera city limits.</p> <p>B. Construction of the sanitary sewage collection system is anticipated to commence in March of 1999.</p> <p>C. Assuming a 12 month construction period, service could begin in March of 2000.</p> <p>D. The city has been awarded funding under the joint EPA/TWDB Colonia Wastewater Treatment Assistance Program (CWTAP) which provides matching federal and state funds</p>

- E. The number of service request does not apply. The need for service has been documented in the Board approved facility plan. With the exception of the newly acquired South Fork Estates developments and the recently annexed Oasis Mobile Home Park, the City has no organized sewage collection system. Wastewater disposal is accomplished through the use of on-site septic systems. The vast majority of these systems are undersized and inadequate and pose a potential health risk to the community.

9. A. There are two (2) subdivisions which are currently serviced by a sanitary sewage collection system- South Fork Estates and Oasis Mobile Home Park. South Fork Estates was completed in 1985. Oasis Mobile Home Park was completed in May of 1998.

- B. South Fork Estates sewer system was constructed by the developer of the subdivision. The developer bore all costs and, upon completion, transferred ownership of the system to the City of Harlingen.

Oasis Mobile Home Park is a private subdivision. The sewer facilities were put in by the developer who remains as the owner and maintainer of the sewer system within the park.

- C. Service began for South Fork Estates in 1985

Service began for Oasis Mobile Home Park in May 1998

- D. The City of Primera is not the original owner of the system

1. The South Fork sewer system was acquired in June 1996
2. Ownership was transferred by the City of Harlingen at no cost to the City of Primera.
3. The City of Harlingen was the immediate preceeding owner of the South Fork Estates sewer system.

Harlingen WaterWorks
219 E. Jackson
Harlingen, Texas 78550

4. The City of Primera currently owns, maintains, and operates the South Fork Estates Sewer System

- E. Not Applicable

10. The City of Primera currently has 958 water connections and 29 sewer connections. The city currently has no immediate plans for additional water facilities. Upon completion of construction of the sewer system, The City anticipates having up to 958 connections.
11. A copy of the water service and sewer service contract between the City of Harlingen is enclosed.
12. The City purchases potable water from the City of Harlingen. The proposed sanitary sewer collection system will convey the raw sewage to a lift station owned and operated by the City of Harlingen where it will thence be transported to City of Harlingen's wastewater treatment facility.
13. Not applicable for municipalities
14. The city will maintain both the existing water distribution system and the proposed sanitary sewer collection system with certified operators. The city will either hire certified operators to operate the sanitary sewer system or provide training to existing personnel such as to allow them to obtain proper certification.
15. No additional response required
16. No additional response required
17. See Attached Maps

Exhibit 2
Addendum to Application - Excerpts from the “Facility Plan”

SECTION 2

COMBES-PRIMERA STUDY AREA

STUDY AREA VICINITY

The Combes-Primera Study Area is located just northwest of the City of Harlingen with a portion of the study area extending along State Highway 107-FM 508 north of Harlingen (See Plate 2). The most populated economically distressed areas in the study area are the incorporated towns of Primera and Combes (See Plate 3). Texas Department of Transportation (TxDot) 1993 aerial photographs, a field inspection, prior studies of colonias, and various maps were compared to identify other colonias in the study area. The Eggers subdivision was located just north of Primera on the south side of State Highway 107. Los Ranchitos is a subdivision that is located partially within and partially outside of the City Limits of Primera on Primera Road. The Lasana colonia was located on the north side of FM 508 just east of Combes. The Stardust area is located on both sides of Highway 77 near the intersection with Business Route 77 north of Combes (See Plate 3A). Further east on FM 508 are two colonias (See Plate 4). The colonia on the south side of FM 508 had previously been erroneously identified as La Tina Ranch (Rauschuber, et. al. 1991). La Tina Ranch is a well defined economically distressed area east of Rio Hondo. The Texas Water Development Board had previously identified this colonia as "26 Subdivision" (TWDB, 1992). In order to avoid confusion with other subdivisions, as well as to be clear about the location of unplatted subdivisions, this report will refer to this colonia as "Unknown FM 508." The other colonia in this sub-area is Laguna Escondido Heights, located just northeast of Unknown FM 508.

Prior studies had located the Las Palmas colonia just south of Primera and between Palm Valley Estates and Harlingen (Rauschuber, et. al. 1991). Immediately adjacent to Las Palmas is the Juarez colonia (Holz, et. al. 1989). The Cameron County Program and Development Office indicated that both Juarez and Las Palmas had water and sewer service, or that construction was scheduled to begin shortly. Accordingly, Las Palmas and Juarez were not included in this study.

An inspection was made of 1993 TxDot aerial survey photographs, and a field inspection of the area was made in an attempt to locate other economically distressed areas that might be regionally served together with the colonias of this study area. Other clusters of homes along FM 508, or elsewhere in the study area, did not fit the definition of a colonia or economically distressed area for purposes of this study.

DOCUMENTATION OF 80% OCCUPANCY IN 1989

The 1993 TxDot aeriels were compared with February 1989 National Aerial Photography Program (NAPP) aeriels in order to assess the development in the project area in and since June 1, 1989 and September 1, 1989 (See Plates 5 & 5A). The side by side comparison between the two photos, Plate 3 and 5, reveal that the Combes, Primera, Eggers, Los Ranchitos, and Lasana has virtually the same developed areas in 1989 as in 1993. A similar comparison of 1989 and 1993 aeriels of the Stardust area reach the same conclusion. In the east FM 508 sub-area, the side by side comparison of the February 1989 NAPP aeriels (Plate 6) with the 1993 TxDot aeriels (Plate 4), similarly reveals that the two colonias were in existence and substantially developed in March of 1989.

A door-to-door survey of the project area residents was made in January of 1994. A sample of residents in all colonias where asked how long they had resided in their current residences. In Combes, 35 people were surveyed. The responses ranged from 0.5 to 40 years. The average length of residence was 13.60 years with a standard deviation of 11.16. In Primera, 175 people were surveyed. The responses to the length of residency in their current address ranged from 0.03 to 87 years. The average length of residence was 13.81 years. Twelve (12) residents were surveyed in Eggers Subdivision, reflecting the lower number of homes in the subdivision. The responses ranged from 4 to 57 years. The average length of residence was 22.75 years with a standard deviation of 15.37. In Lasana, 21 residents were surveyed. The responses ranged from 0.25 to 71 years. The average length of residency was 19.25 years with a standard deviation of 19.93. In Laguna Escondido Heights, three residents were surveyed. The average length of residency was 10.33 with a standard deviation of 4.64. In the colonia designated Unknown FM 508, seven (7) residents were surveyed. The responses ranged from one (1) to 39 years. The average length of residency was 16.57 years with a standard deviation of 11.79. The relatively large number for the standard deviation in most of the areas means that there is a great variation in length of residence within those areas. The small standard deviation in responses for Laguna Escondido Heights means that most of those people moved into the area at about the same time, in this case, 1983.

TOPOGRAPHY

The land throughout this study area drains slowly to the east, to the Arroyo Colorado. The elevation at Eggers Subdivision is approximately 42 ft.; 5.9 miles east at Laguna Escondido Heights, the elevation is approximately 30 ft. (See Plate 7).

DESCRIPTION OF COLONIAS

Combes and Primera are incorporated general law towns of Texas. Eggers Subdivision was approved by the Cameron County Commissioner's Court on November 26, 1949. No plats or records of plats were found for Lasana, Laguna Escondido Heights, Stardust and Unknown FM 508. They are presumed to be unplatted subdivisions.

The number of existing houses, potential development, and other characteristics of the colonias of this study area will be discussed by sub-area. This information is summarized for the Study Area in Figure 2-1.

City of Combes

The City of Combes' corporate limits cover approximately 1,501 acres, with approximately 365 acres currently under development. The remainder of the area is either unpopulated or sparsely populated. The number of platted lots within the city limits is currently unknown. A field survey performed in conjunction with this study indicated that there are currently 556 dwellings with an average lot dimension of 50 ft by 140 ft (7,000 ft²). Thus, the areas of Combes currently under development, are only 28% built-out. Taking the City boundaries as a whole, the percent build-out is considerably less. However, areas currently not under development are ineligible for consideration as part of this study. Sewer lines in undeveloped areas could be funded through the TWDB's State Revolving Loan Fund (SRF).

The field survey also revealed that there is an average of 4.04 persons per household, which could result in a potential 1,994 lots in the area currently under development, and a 2040 population of 8,055 persons. The current average number of dwellings per acre is only 1.6; however, at full build-out, the could be as many as 5.6 dwellings per acre.

As a requirement of receiving EDAP funding, the Cameron County Commissioner's Court adopted a series of maps of the County where septic tanks could be appropriately located. The Cameron County Standard Septic System Suitability Map, or informally the Cameron County Colonia Map, and SCS soils surveys indicate that the depth-to-groundwater in the Combes area varies between 3 ft to 10 ft. Coupled with the relatively small lot size, potential population, and dwelling density, the City of Combes is not a viable candidate for on-site wastewater treatment systems. Water is supplied to Combes through a wholesale purchase agreement with the City of Harlingen. There is no organized wastewater collection and/or treatment system available to the City, except in one part of one subdivision, discussed below.

City of Primera

Located to the southwest of and contiguous to the City of Combes, the City of Primera has experienced similar development patterns. The City of Primera's corporate limits cover approximately 888 acres, with approximately 342 acres currently under development. The remainder of the area is, also, either unpopulated or sparsely populated. The number of platted lots within the city limits is currently unknown. The field survey shows that there are currently 728 dwellings with an average lot dimension of 50 ft by 140 ft (7,000 ft²). The developing areas are currently only 38% built-out. However, like Combes, there is considerable area available for future development which is ineligible for consideration in this study.

The field survey revealed that there is an average of 4.61 persons per household (14% higher than in Combes), which could result in a potential 1,915 lots in the area currently under development and a 2040 population of 8,830 persons. The current average number of dwellings per acre is only 2.1; however, at full build-out, the average could be as many as 5.6 dwellings per acre.

SCS soils surveys and the official Cameron County Colonia Map indicate that the depth-to-groundwater in the Primera area varies between 3 ft to 10 ft. Coupled with the relatively small lot size, potential population, and dwelling density, the City of Primera is not a viable candidate for on-site wastewater treatment systems.

Water is supplied to Primera through a wholesale purchase agreement with the City of Harlingen. There is no organized wastewater collection and/or treatment system available to the City.

Stardust Colonia

The Stardust Colonia is an unplatted subdivision of 8 acres. There are currently 69 platted lots in the subdivision with an average lot size of 120 ft by 310 ft (37,200 ft²). There are currently 29 dwellings in the colonia. Assuming a typical colonia lot size of 50 ft x 140 ft, there are potentially 40 lots (current 73% buildout). Due to its location near the City of Combes, Stardust will be included with Combes for population, water demand and wastewater generation projections. It will be assumed that the number of persons per household for Stardust is the same as the City of Combes, 4.04 persons.

The residents of Stardust are not provided retail water by any city or organized utility. There is no organized wastewater collection and/or treatment system available to the subdivision.

Lasana Subdivision

The Lasana Subdivision is an unplatted residential community of approximately 52 acres. The entire area is currently under sparse and uneven development. There are currently only 43 dwellings in the subdivision (0.8 dwellings/acre), but, assuming a typical colonia lot size of 60 ft by 120 ft, there are potentially 286 lots (current 15% build-out). The field survey revealed a relatively low 3.90 persons per household. Thus, there is a potential 2040 population of 1,115 persons in the subdivision.

The residents of Lasana are served water by the East Rio Hondo Water Supply Corporation. There is no organized wastewater collection and/or treatment system available to the subdivision.

Unknown FM 508 Colonia

The unnamed colonia located along FM 508 is unplatted, measures approximately 38 acres, and has 67 dwellings. Assuming a typical colonia lot size of there are potentially 286 lots, which means that the colonia is currently only 32% built-out. Thus, the 2040 potential population of the colonia is 878 persons.

The residents of the Unknown FM 508 Colonia are served water by the East Rio Hondo Water Supply Corporation. There is no organized wastewater collection and/or treatment system available to the subdivision.

Laguna Escondido Heights

Laguna Escondido Heights is a relatively small unplatted colonia (18 acres), which currently has 21 homes. The field survey revealed that there are an average 4.20 persons per household, which translates to a 2040 potential population of 416 persons. Laguna Escondido Heights is currently only 21% built-out.

The residents of Laguna Escondido Heights are served water by the East Rio Hondo Water supply Corporation. There is no organized wastewater collection and/or treatment system available to the subdivision.

Eggers Subdivision

The Eggers Subdivision is the smallest colonia in the study area, 12 acres. There are 19 platted lots in the Eggers Subdivision with an average lot size of 114 ft by 207 ft (23,598 ft²). There are

currently 30 dwellings on the 19 platted lots, which makes the Eggers Subdivision 158% built-out. Thus, for planning purposes, it is assumed that the resubdivision will continue at a typical colonia lot size of 60 ft. by 120 ft. which results in a year 2040 population of 304 persons.

The residents of Eggers are provided retail water by the City of Primera. Primera purchases wholesale water from the City of Harlingen. There is no organized wastewater collection and/or treatment system available to the subdivision.

Los Ranchitos Subdivision

The Los Ranchitos Subdivision is a platted subdivision of 59 acres. There are currently 69 platted lots in the subdivision with an average lot size of 120 ft by 310 ft (37,200 ft²). There are currently 69 dwellings on the 69 platted lots, which makes the Los Ranchitos Subdivision 100% built-out. Due to its partial inclusion within the City of Primera, Los Ranchitos will be included with Primera for population, water demand and wastewater generation projections. It will be assumed that the number of persons per household for Los Ranchitos is the same as the City of Primera, 4.61 persons.

The residents of Los Ranchitos are provided retail water by the City of Primera. Primera purchases wholesale water from the City of Harlingen. There is no organized wastewater collection and/or treatment system available to the subdivision.

Combes-Primera Study Area Summary

There are approximately 2,576 developable acres in the Combes-Primera Study Area. There are currently 885 of those acres (34%) under development, with 877 platted lots and a potential 4,678 lots. There are currently 1,543 dwellings in the study area with a current population of approximately 6,713 persons. At full build-out there may be as many as 20,078 residents in the cities, subdivisions and colonias of the study area.

EFFORTS OF LOCAL RESIDENTS AND ABILITY TO UTILIZE FUTURE WASTEWATER SYSTEMS.

The Town of Primera operates a retail water utility service. Primera purchases its water wholesale from the City of Harlingen. The Town of Combes operates a retail water utility. Combes also purchases treated water from Harlingen. The Eggers Subdivision and Los Ranchitos are provided water service by Primera. Lasana, Unknown FM 508, and Laguna Escondido Heights are all provided water service by East Rio Hondo Water Supply Corporation. Stardust is not provided water service by any organized utility. A description of the systems of all the utilities is provided in Section 6 - Water and Wastewater Service Providers. Just because

a utility provides service to an area does not mean that all homes are connected to the utility. For all the colonias in the study area aggregated, 10% of respondents reported that they relied on individual wells, purchased water from a store and hauled it to their home, or used some other means of obtaining water for domestic use.

Of all the individual entities or areas in this study area, only a portion of Combes has sanitary sewer service. Sunshine County Club Estates Unit 3 Subdivision is a subdivision that sits on the Harlingen-Combes city limits line. Wastewater from the subdivision is collected by 8 inch sanitary sewer lines and treated by City of Harlingen facilities. The majority of Combes, as well as all others portions of the study area, relies on individual wastewater disposal systems.

In the aggregate responses to the door to door survey for this study area, 64.5% reported that they used a septic system for waste disposal. Many of the homes were constructed prior to any standards or regulation of on-site wastewater systems. Consequently, the "septic tank" that the home owner thinks they have may be anything from a steel 55 gallon drum or a concrete block cesspool, to an undersized system, or a regulation septic system. Thirty three percent (33%) reported relying on a pit privy for waste disposal. This response seems anomalous considering the high number reporting complete in-door plumbing. However it is clear that all areas, except the previously mentioned subdivision in Combes, rely on some form of on-site waste disposal system. A majority, 54.8%, of respondents reported either overflow or odor problems with their wastewater system. The great majority, 89.2% of respondents, report having all necessary in-door plumbing facilities, such as hot and cold running water, bathroom and toilet facilities. 8.3% reported having at least some in-door plumbing facilities. Only 1.9% reported having no in-door plumbing facilities. A breakdown of this data by individual economically distressed area is given in Figure 2-2.

Figure 2-1
Existing Study Area And Colonia Descriptions
Combes-Primeria Study Area
Cameron County Colonia Wastewater Treatment Planning Study

Colonia Name	Existing Water Service Provider	Total Sub-division Area (acres) a/	Area Under Development (acres) b/	Number of Platted Lots c/	Typical Lot Size (ft X ft) d/	Number of Potential Lots e/	Current Number of Dwellings f/	Current Percent Buildout (%) g/	Estimated Persons Per Household h/	Estimated Current Population i/	Current Population Density (persons/acre) k/	Current Number of Dwellings Per Acre l/	Potential Number of Dwellings Per Acre m/	Depth To Ground-water (ft) n/
Combes	City of Harlingen	1,501	356	N/A o/	50 x 140	1,994	556	28	4.04	2,246	6.3	1.6	5.6	3 - > 10
Stardust p/	City of Harlingen	8	8	Unplatted	50 x 140	40	29	73	4.04	117	14.6	3.6	5.0	3 - 10
Primeria	City of Harlingen	888	342	789	50 x 140	1,915	728	38	4.61	3,356	9.8	2.1	5.6	3 - 10
Los Ranchitos Subdivision q/	City of Harlingen	59	59	69	120 x 310	69	69	100	4.61	318	5.4	1.2	1.2	3 - 10
Lasana	East Rio Hondo WSC	52	52	Unplatted	Unplatted	286	43	15	3.90	168	3.2	0.8	5.5	3 - 10
Unknown FM 508	East Rio Hondo WSC	38	38	Unplatted	Unplatted	209	67	32	4.20	281	7.4	1.8	5.5	5 - 10
Laguna Escondido Heights	East Rio Hondo WSC	18	18	Unplatted	Unplatted	99	21	21	4.20	88	4.9	1.2	5.5	3 - > 10
Eggers	City of Harlingen r/	12	12	19	114 x 207	66	30	45	4.61	138	11.5	2.5	5.5	3 - 10
Total for Study Area		2,576	885	877		4,678	1,543			6,713				

- a/ Measured from corporate boundaries for the Cities of Combes and Primeria, measured from subdivision plats or estimated from aerial photographs for other colonia areas.
- b/ Area underdevelopment reflects that portion of the colonia which shows actual development. Colonia areas which are not currently developed are not considered in the computation of maximum number of potential connections or population.
- c/ Number of lots counted from recorded subdivision plats, where available.
- d/ Typical lot size measured from recorded subdivision plats, where available.
- e/ Number of potential lots is computed differently for platted and unplatted subdivisions. For platted subdivisions, the maximum number of lots equals the product of 90% of total developed area (allowing 10% of area for roads and easements) times the typical lot size. For unplatted subdivisions, the maximum number of lots equals the product of the total developed area times 5.5 lots per acre (typical lot size of 60 ft x 120 ft).
- f/ Current number of dwellings are actual house counts from surveys performed by Hicks & Co.
- g/ Percent buildout calculated on currently developing areas and not total subdivision area.
- h/ Estimated persons per household from surveys performed by Hicks & Co.
- i/ Estimated current population is the product of the counted number of dwellings times the estimated persons per household.
- j/ Estimated potential population is the product of the total number of potential lots times the estimated persons per household.
- k/ Current population divided by the currently developing subdivision area.
- l/ Current number of dwelling divided by the currently developing subdivision area.
- m/ Potential number of dwellings per acre in currently developing subdivision area.
- n/ Depth to groundwater as shown on original Cameron County Colonia Map prepared by Michael Sullivan and Assoc., Inc., September, 1990, and U.S. Soil Conservation Service soil surveys.
- o/ City of Combes platted subdivision areas not available at this time.
- p/ Due to Location, populations, water demands and wastewater generation will be combined with City of Combes estimates.
- q/ Due to Location, populations, water demands and wastewater generation will be combined with City of Primeria estimates.
- r/ Eggers water supplied by the City of Primeria from wholesale purchases from the City of Harlingen.

Figure 2-2
Summary of Household Wastewater Systems
Combes-Primera Study Area
Colonia Wastewater Treatment Planning Study

	Septic System	Privy	Overflow or odor problem	No problems with wastewater system	All in-door plumbing facilities	Some in-door plumbing facilities	No in-door plumbing facilities
Combes	55.50%	42.60%	51.40%	48.50%	94.30%	2.90%	2.90%
Primera	66%	33%	55%	44.70%	87%	9.80%	2%
Eggers Sub.	57.10%	42.90%	25%	75%	91.70%	8.30%	-
Lasana	73.10%	19.20%	59%	31.80%	95.20%	4.80%	-
Unknown FM 508	100%	-	57%	42.80%	85.70%	14.20%	-
Laguna Escondido	100%	-	100%	-	100.00%	-	-
Aggregate Study Area	65%	33%	55%	45.00%	89.20%	8.30%	1.90%

SECTION 6

UTILITY SERVICE PROVIDERS

POTENTIAL WATER AND WASTEWATER SERVICE PROVIDERS

The cities, towns and colonias of Cameron County are provided water service by a number of public and private entities. By and large, the major cities of the County are served by municipal authorities wholly owned by the city. In addition, these cities often serve a number of small communities outside of their corporate limits and wholesale water to private water supply corporations (WSCs), which in turn serve smaller more remote communities and rural users.

There are at least 21 entities in Cameron County that provide either water or wastewater services (Figure 6-1). Some, but not all, of the providers have Certificates of Convenience and Necessity (CCNs) for their service areas. CCNs are not necessary for cities to provide water or wastewater services, but they do offer a measure of protection for providers from outside competition and interference of trade. There are only four (4) entities in Cameron County which currently offer wastewater services which could be extended to the colonias in any of the four project study areas. Those entities are: the City of San Benito, the City of Brownsville (PUB), the City of Los Fresnos, and the City of Harlingen. Other entities such as the Long Island Utility District, Military Highway WSC, Valley MUD #2, and the Brownsville Navigation District offer wastewater treatment services, but are either too small to accommodate the projected colonia wastes or are too far from the generators to economically collect and treat their wastewater.

All of the communities in the study areas currently receive water service. Service is provided, either directly or indirectly, by one of four entities: the El Jardin WSC, East Rio Hondo WSC, City of Harlingen, or the Public Utilities Board (PUB) of Brownsville. None of the colonias in the study areas currently provides organized wastewater collection and disposal services.

The eleven (11) largest water and/or wastewater providers in Cameron County are listed in Figure 6-2. Information about the capacity and known problems with each system, where applicable and available, are also shown in the figure.

The water and sewer rates for the utilities are compared in Figure 6-3, at the end of the Section.

El Jardin Water Supply Corporation

The El Jardin Water Supply Corporation (EJWSC) is the smallest water service provider in any of the proposed project study areas. With only 1,887 connections, EJWSC purchases all of its supplies treated from the PUB of Brownsville. However, a condition of the existing contract allows for PUB water purchases "in such quantities as may be required." The EJWSC service area (CCN 12328) includes much of the east and northeast sections of the City of Brownsville. Nearly all the EJWSC service area is dually certificated with the PUB (CCNs 10549 for water and 20217 for wastewater).

The EJWSC currently serves approximately 6,900 persons. The maximum daily demand on the system is approximately 1.17 MGD, with an average day at approximately 0.85 MGD. The most recent TNRCC Sanitary Survey does not cite the EJWSC for any major deficiencies. Information received from the WSC, indicates that the 5-year average distribution loss is 16%; however, included in that data are numerous system gains of up to 56%, which indicates that the data may be flawed.

The EJWSC serves twelve (12) colonias in the FM 802-511 Study Area, with an estimated current population of 2,705 persons (560 connections). At full build-out of the colonia areas currently under development, the maximum total colonia population served could be 5,996 persons (1,227 connections). However, based on the information received with the field surveys, several of the communities in this study area are expected to be totally built-out prior to the end of the planning horizon. Thus, a maximum of 520,000 gpd of additional treated water supplies are necessary to accommodate the projected growth.

The EJWSC does not own or operate any organized wastewater collection or treatment facilities.

East Rio Hondo Water Supply Corporation

East Rio Hondo Water Supply Corporation (ERHWSC) is the second smallest Cameron County water purveyor, as measured by the number of connections, but has by far the largest service area of the providers in any of the project study areas. The ERHWSC service area (CCN 11552) extends from the Laguna Madre on the East to U.S. Hwy 77 on the West, and from the Willacy County line on the North to State Hwy 100 on the South. Portions of the ERHWSC service area are dual certificated, most notably with the Cities of Harlingen and San Benito (Water CCNs 11875 and 10539). The ERHWSC supplies approximately 2,975 meters (8,880 persons) from three wells (maximum daily use is 1.01 MGD; average daily use is 0.83 MGD),

plus purchases of treated water from the City of Harlingen (maximum daily use is 0.18 MGD; average daily use is 0.14 MGD). The ERHWSC has the ability, through interconnects, to serve Olmito and Rancho Viejo customers; however, those valves are normally closed.

The ERHWSC serves the Arroyo Colorado Estates (163 connections and 791 persons) and all six (6) colonias in the Laureles Study area, with an estimated population of 3,098 persons (876 connections). At full build-out of all colonias in these study areas, the estimated population could be as high as 6,170 persons (1,475 connections). The ERHWSC also supplies water to the Town of Indian Lake (358 connections) and to 56 connections for the Military Highway Water Supply Corporation (MHWSC). Thus, a maximum of 800,000 gpd of additional treated capacity could be necessary to serve the year projected 2040 demand in the ERHWSC service area exhibited by the colonias alone.

The ERHWSC does not own or operate any organized wastewater collection or treatment facilities.

City of Harlingen Water System

The City of Harlingen Waterworks System (CHWWS) currently serves over 16,000 connections from two (2) wells. The Downtown Plant is capable of producing an average 8.47 MGD; the current maximum and average daily use from the Downtown Plant are 5.80 MGD and 1.02 MGD, respectively. The Runnion Plant is considerably larger at 20.02 MGD. The Runnion Plant currently treats a maximum of 15.30 MGD and delivers an average 8.63 MGD daily. The most recent TNRCC Sanitary Surveys indicate that neither plant has any notable deficiencies.

The CHWWS has two CCNs (Water - 11875 and Wastewater - 20756). The City is served only by the CHWWS; however, much of the remainder of the CCN areas are dually certificated with the ERHWSC (CCN 11552) and MHWSC (CCN 10551).

The City owns and operates two (2) waste water treatment plants (TNRCC Permit Nos 10490-02 and 10490-03). Plant No. 1 is an activated sludge facility discharging to the Arroyo Colorado (TNRCC Water Quality Segment 2202 - Arroyo Colorado Above Tidal). The design average daily capacity of the plant is 3.1 MGD. The maximum allowable daily or 30-day average effluent limits are 20/20/15/2 (BOD₅/TSS/NH₃-N/DO). The plant is currently loaded at an average 1.79 MGD (58% of capacity), and the most recent TNRCC Self Reporting Data do not show any exceedences of permit values.

Plant No. 2 is a trickling filter/solids contact extended aeration plant. Municipal wastewater influent feeds two (2) primary clarifiers and two (2) trickling filters. The effluent from these units feeds two (2) reverse osmosis (RO) towers. The RO water is used by local industries and returned to Plant No. 2 where it is treated in an extended aeration facility and discharged to the Arroyo Colorado. The design average daily capacity of Plant No. 2 is 3.5 MGD. The maximum allowable daily or 30-day average effluent limits are 20/20/5/2 (BOD₅/TSS/NH₃-N/DO). May 1992 through March 1993 TNRCC Self Reporting Data indicates that the plant flows have varied from 4.25 MGD to 7.10 MGD (121% to 203% of capacity). The Self Reporting Data show that there have been exceedences of the maximum allowable BOD₅, TSS and NH₃-N effluent limits. The City of Harlingen is in the process of upgrading Plant No. 2 to comply with the TNRCC discharge permit limits.

Public Utilities Board (PUB) of Brownsville

The Public Utilities Board of Brownsville (PUB) does not serve water to any of the colonias in the project study areas. The PUB serves approximately 92,300 persons in Brownsville (24,572 connections) from two (2) water treatment plants. Plant No. 1 has a design capacity of 20.23 MGD; the current maximum daily usage is 10.02 MGD; and the average daily usage is 8.89 MGD (44% of capacity). Plant No. 2 has a design capacity of 20.27 MGD; the current maximum daily usage is approximately 12.76 MGD and the average daily usage is 8.47 MGD (63% of capacity). The latest TNRCC Sanitary Survey indicates that both plants currently have adequate capacities to accommodate significant regional growth, and that neither system has any major design or operational deficiencies.

The PUB is in the process of securing additional future water supplies for the city. The city is investigating the possibility of developing local groundwater, plus the possibility of adding an additional dam to the Rio Grande at Brownsville to recapture a portion of unused flows before they reach the Gulf.

The PUB owns and operates two (2) municipal wastewater treatment and disposal plants (TNRCC Permit Nos 10397-01 and 10397-02). The South Plant is the older of the two facilities, and serves the downtown area and the south side of Brownsville. The plant is located near the Rio Grande on the south side of Brownsville and discharges directly to the Rio Grande (TNRCC Segment 2301 - Rio Grande Tidal). The average daily design flow of the plant is 7.80 MGD, at a treatment level of 20/20/15/2 (BOD₅/TSS/NH₃-N/DO). The current average daily flow to the South Plant is 6.28 MGD (81% of capacity). The South Plant has not exceeded any of its average or maximum allowable discharge levels in the last twelve months. However, it is

nearing capacity, the PUB is attempting to restrict future flows to the South Plant. At the next TNRCC/NPDES Permit renewal (1/3/98), the PUB will likely be required to upgrade the treatment levels at the South Plant to at least 10/15/3/4. This may be difficult as there is no available land for expansion of the South Plant.

The Robindale Plant is a relatively new facility and currently serves the north and west areas of Brownsville. The current average daily design capacity of the plant is 5.0 MGD; however the plant is being upgraded to 15 MGD, with operation scheduled to begin in 1996. The Robindale Plant discharges into Cameron County Drainage Ditch No. 1, which flows into San Martin Lake and eventually to the Brownsville Ship Channel (TNRCC Segment 2494). The current and proposed expansion permitted average daily discharge limits are 20/20/15/2 (BOD₅/TSS/NH₃-N/DO). The Robindale Plant is designed to absorb the majority of future growth in the Brownsville area.

There are twelve (12) colonias in the Brownsville study area; all could be served by the PUB Robindale Plant. The estimated current population of those colonias is 2,705 (560 connections). However, the potential population of those colonias is nearly 6,000 persons (1,227 connections). The total estimated full build-out wastewater load from the colonias is estimated at 480,00 gpd.

City of Primera

The City of Primera (CCN 99168) serves water to approximately 684 connections (3,356 persons). The City purchases treated water from the CHWWS and provides elevated storage and pressure pumping. The average daily use of the City is 0.20 MGD, with a maximum daily use of 0.29 MGD. At full build-out of currently developing areas, the City will serve approximately 8,830 persons. However, those areas are not expected to fully develop within the year 2040 planning horizon.

The City of Primera does not provide or receive organized wastewater treatment and disposal.

City of Combes

The City of Combes serves water to approximately 490 connections (2,246 persons). The City purchases treated water from the City of Harlingen under pressure. The average daily use of the City is 0.16 MGD, with a maximum daily use of 0.26 MGD. At full build-out of currently developing areas, the City will serve approximately 8,055 persons. However, those areas are not expected to fully develop within the year 2040 planning horizon.

The City of Combes does not provide or receive organized wastewater treatment and disposal, with the exception of one portion of one subdivision (See Section 2).

Town of Indian Lake

The Town of Indian Lakes serves water to approximately 365 connections (686 persons). The City purchases treated water under pressure from the City of Los Fresnos. The average daily use of the City is 0.03 MGD, with a maximum daily use of 0.08 MGD. At full build-out of currently developing areas, the City will serve approximately 7245 persons. The Town of Indian Lake is currently near full build-out.

The Town of Indian Lakes does not provide or receive organized wastewater treatment and disposal.

City of Los Fresnos

The City of Los Fresnos (CCN 11554) currently serves approximately 753 wholesale and retail connections. The City sells water to the Town of Indian Lake and other local out-of-city users. The City's water treatment facilities are designed for 1.0 MGD; however, the average daily usage is only 0.37 MGD, and the maximum daily usage is 0.68 MGD. The latest TNRCC Sanitary Survey does not cite the city for any violations of design or operation standards.

The City owns and operates an oxidation ditch/clarifier wastewater treatment facility (TNRCC Permit No. 10590-002) rated at 0.59 MGD which discharges to an unnamed drainage ditch; thence to the Main No. 2 of the Cameron County WCID No. 6; thence to San Martin Lake; thence to the Brownsville Ship Channel (TNRCC Segment 2492). The required interim (through March 31, 1996) treatment levels are 20/20/15/4 (BOD₅/TSS/NH₃-N/DO); final (April 1, 1996 through expiration date) treatment levels are 10/15/3/5.

City of San Benito

The City of San Benito operates a surface water treatment facility, (CCN 10539) which uses Rio Grande water, rated at 7.20 MGD with its largest unit out of service. The current average daily demand on the plant is only 3.17 MGD; however, the maximum daily demand is 5.63 MGD. Other than minor operational variations, the latest TNRCC Sanitary Survey does not indicate any major deficiencies with the facility or distribution system.

San Benito owns and operates a facultative lagoon-type pond wastewater treatment system with a current design flow of 1.7 MGD (TNRCC Permit No. 10473-002). The plant discharges to an

unnamed drainage ditch; thence to the Arroyo Colorado Above Tidal (TNRCC Segment 2202). The City is currently converting the plant to a mechanical system with a capacity of 2.16 MGD. The interim discharge limits for the facility, while undergoing renovation, are 1.5/30/90/15/2 (FLOW/BOD₅/TSS/NH₃-N/DO); final limits are 2.16/30/30/15/3.

UTILITY RATES

All utilities in Cameron County charge a variable water rate based on usage. There is considerable variety on the minimum charge for water. Most utilities have a tiered system, with the first charges associated with the first 2 to 3 thousand gallons. Brownsville PUB and El Jardin WSC have substantial minimum base rates of \$9.81 and \$12.00 respectively. The marginal water rate for most residential customers ranges from \$.97 to \$1.50. The 10,000 gal per month water bill averages \$21.64 across all utilities.

Few utilities and cities offer sewer service. Those utilities that do offer the service, fall into two different rate structures. Harlingen and Brownsville have relatively high base rates. Harlingen has a minimum \$8.25 monthly sewer bill. Brownsville PUB has a minimum \$6.90 sewer bill. The cities of Los Fresnos and Rio Hondo offer a sewer rate structure similar to their water rate structure. Los Fresnos charges \$13.00 for their first 3,000 gals, based on water usage. Rio Hondo charges \$7.50 for the first 3,000 gallons. The marginal rate for most residential customers ranges from \$1.00 to \$1.61 per 1,000 gallons. A 10,000 gallon monthly sewer bill averages \$21.31 over all sewer utilities.

Water and sewer rates for potential service providers and a comparison of 10,000 gallon monthly bills are presented in Figure 6-3.

Figure 6-1
Water Utility Certificates of Convenience and Necessity
in Cameron County, Texas a/
Cameron County Colonia Wastewater Treatment Planning Study

Water and/or Wastewater Service Providers Within Reasonable Distances to Study Areas b/	Service Provided c/	Water Supply CCN d/	Wastewater CCN e/
Olmito Water Supply Corporation	W	10537	-
City of San Benito	W/WW	10539	20211
Arroyo Water Supply Corporation	W	10545	-
Long Island Utility District	W/WW	10547	20218
City of Brownsville (PUB)	W/WW	10549	20217
Military Highway Water Supply Corporation	W/WW	10551	-
City of La Feria	W/WW	10977	20388
East Rio Hondo Water Supply Corporation	W	11552	-
City of Rio Hondo	W	11553	-
City of Los Fresnos	W	11554	-
Boca Chica Water System	W	11736	-
City of Harlingen	W/WW	11875	20756
Valley Municipal Utility District No. 2	W/WW	11947	20640
El Jardin Water Supply Corporation	W	12328	-
Frias, John	W	20714	-
City of Primera	W	99168 f/	-
Palm Valley Estates Utility District	W	-	-
Cameron County WCID No. 2	W	-	-
Cameron County WCID No. 6	W	-	-
Brownsville Navigation District	W/WW	-	-
Harlingen WCID No. 1	W	-	-

a/ Source: Water Utilities Division of the TNRCC.

b/ Not all water and/or wastewater service providers in Cameron County have CCNs.

c/ W - Water service only; WW - wastewater service only; W/WW - both water and wastewater service.

d/ All CCNs starting with the number one (1) are for water supply systems.

e/ All CCNs starting with the number two (2) are for wastewater systems.

f/ All CCNs starting with the number nine (9) are CCN applications that have been filed, but not issued.

☐ Potential wastewater service provider for one or more study area.

Figure 6-2
Existing Service Providers
Cameron County Colonia Wastewater Treatment Planning Study

Water and/or Wastewater Service Provider	Water Usage a/		Water System a/		Average Daily Wastewater Flows (MGD) b/	Wastewater System b/	
	Maximum Daily (MGD)	Average Daily (MGD)	System Capacity	Description of Known Problems		System Capacity	Description of Known Problems
El Jardin WSC (EJWSC)	1,887	0.85	Purchased under contract from Brownsville PUB "in such quantities as may be required."	5-year average 16% system loss; periodic system gain up to 57%; numerous reported large system gains (bad).	0.43	N/A	N/A
East Rio Hondo WSC (ERHWSC)	2,964	0.97	Adequate supplies available with purchases from City of Harlingen	Inadequate supplies without purchases from City of Harlingen	0.49	N/A	N/A
City of Harlingen	Plant #1 5.80 Plant #2 15.30	Plant #1 1.02 Plant #2 8.63	Plants #1 (Downtown) 8.47 MGD; Plant #2 (Runnion) 20.02 MGD	None	WWTP #1 1.79 WWTP #2 3.62	WWTP #1 3.1 MGD; WWTP #2 3.5 MGD	WWTP #2 currently being upgraded to accommodate higher flows and increased oxygen transfer efficiencies
PUB of Brownsville	Plant #1 10.12; Plant #2 12.74	Plant #1 8.89 Plant #2 8.47	Plants #1 20.23 MGD; Plant #2 20.27 MGD	Adequate average daily supplies through year 2000, may have shortages if maximum daily usage occurs simultaneously at both plants; 4-year average 24% system loss	South Plant 7.88; Robindale Plant 4.13	South Plant 7.8 MGD; Robindale Plant 5.0 MGD (present) and 10.0 MGD (1996)	Southside Plant at capacity and may need upgrade to 10/15/3/5 at next renewal
City of Primera	0.29	0.20	Treated water purchased from City of Harlingen	No certified operator, insufficient elevated storage.	N/A	N/A	N/A
City of Combes	0.26	0.16	Treated water purchased from City of Harlingen	No contract with City of Harlingen, Contract with ERHWSC for 250 gpm; storage tanks improperly inspected and maintained	N/A	N/A	N/A
Town of Indian Lake	0.08	0.03	Treated water purchased from ERHWSC	None	N/A	N/A	N/A
Omito Water Supply Corporation (OWSC)	N/A	0.32	0.75 MGD	N/A	N/A	N/A	N/A
City of Los Fresnos	0.68	0.37	1.0 MGD	None	0.29	0.59 MGD	None
City of San Benito	5.63	3.17	7.20 MGD w/o largest unit in operation	Plant not continually supervised by certified surface water treatment operator.	N/A	2.16 MGD	Pond system overloaded; application submitted to TNRCC to convert to mechanical system.
City of Rio Hondo	0.87	0.24	0.81 MGD	None	0.17	0.15 MGD	Plant currently overloaded, efforts underway to expand capacity

a/ Information obtained from TNRCC 1993 Sanitary Surveys.

b/ Average daily wastewater flows calculated from most recent 24-months of records supplied by service provider or TNRCC Self Reporting Data Base.

Figure 6-3
Comparison of Water and Sewer Rates
Cameron County
Colonia Wastewater Treatment Planning Study

	Rate		Monthly Bill 10,000 gallons		
	Water	Sewer	Water	Sewer	Total
Primera	First 2,000 gals. at \$10.00 next 3,000-5,000 at 2.00/1,000 next 6-24,000 at 1.50/1,000	None	23.50	None	\$23.50
Combes	First 3,000 gals. at \$13.50 above 3,000 at 1.50/1,000	None	24.00	None	\$24.00
Harlingen	First 3,000 gals. at \$4.00 next 2,000 at .75/1,000 next 1,000 at 3.20/1,000 next 14,000 at 1.10/1,000	Base rate at \$8.25 plus 1.60/1,000	13.10	24.25	\$37.35
East Rio Hondo WSC	n/a	n/a	n/a	n/a	n/a
San Benito	n/a	n/a	n/a	n/a	n/a
Indian Lake	First 3,000 gals. at \$6.00 additional at \$1.00/500 gals.	None	20.00	None	\$20.00
Los Fresnos	First 3,000 gals. at \$13.00 next 3 to 20,000 at 1.50/1,000	First 3,000 gals. at \$13.00 next 3 to 20,000 at 1.50/1,000	23.50	23.50	\$47.00
El Jardin WSC	Flat \$12.00 plus 1.50/1,000	None	27.00	None	\$27.00
Brownsville	Minimum \$9.81 plus .97/1,000	Minimum \$6.90 plus 1.61/1,000	19.51	23.00	\$42.51
Rio Hondo, City of	First 3,000 gals. at \$12.00 additional at 1.50/1,000	First 3,000 at \$7.50 over 3,000 at 1.00/1,000	22.50	14.50	\$37.00
Average:			\$21.64	\$21.31	

n/a - Not Available

Exhibit 3
City of Primera Existing Rate Structure

City of Princeton						
Proposed Water Conservation Rate Structure						
1,000 Gallons	Minimum Charge	Rate per 1000 gallons		Proposed Rate	Old Rate	Difference
2	\$10.00	\$0.00	\$0.00	\$10.00	\$10.00	\$0.00
3	\$10.00	\$1.80	\$0.00	\$11.80	\$12.00	(\$0.20)
4	\$10.00	\$3.60	\$0.00	\$13.60	\$14.00	(\$0.40)
5	\$10.00	\$5.40	\$0.00	\$15.40	\$16.00	(\$0.60)
6	\$10.00	\$7.20	\$0.00	\$17.20	\$17.50	(\$0.30)
7	\$10.00	\$9.00	\$0.00	\$19.00	\$19.00	\$0.00
8	\$10.00	\$10.80	\$0.00	\$20.80	\$20.50	\$0.30
9	\$10.00	\$12.60	\$0.00	\$22.60	\$22.00	\$0.60
10	\$10.00	\$14.40	\$0.00	\$24.40	\$23.50	\$0.90
11	\$10.00	\$14.40	\$2.00	\$26.40	\$25.00	\$1.40
12	\$10.00	\$14.40	\$4.00	\$28.40	\$26.50	\$1.90
13	\$10.00	\$14.40	\$6.00	\$30.40	\$28.00	\$2.40
14	\$10.00	\$14.40	\$8.00	\$32.40	\$29.50	\$2.90
15	\$10.00	\$14.40	\$10.00	\$34.40	\$31.00	\$3.40
16	\$10.00	\$14.40	\$12.00	\$36.40	\$32.50	\$3.90
17	\$10.00	\$14.40	\$14.00	\$38.40	\$34.00	\$4.40
18	\$10.00	\$14.40	\$16.00	\$40.40	\$35.50	\$4.90
19	\$10.00	\$14.40	\$18.00	\$42.40	\$37.00	\$5.40
20	\$10.00	\$14.40	\$20.00	\$44.40	\$38.50	\$5.90
21	\$10.00	\$14.40	\$22.00	\$46.40	\$40.00	\$6.40
22	\$10.00	\$14.40	\$24.00	\$48.40	\$41.50	\$6.90
23	\$10.00	\$14.40	\$26.00	\$50.40	\$43.00	\$7.40
24	\$10.00	\$14.40	\$28.00	\$52.40	\$44.50	\$7.90
25	\$10.00	\$14.40	\$30.00	\$54.40	\$45.75	\$8.65
26	\$10.00	\$14.40	\$32.00	\$56.40	\$47.00	\$9.40
27	\$10.00	\$14.40	\$34.00	\$58.40	\$48.25	\$10.15
28	\$10.00	\$14.40	\$36.00	\$60.40	\$49.50	\$10.90
29	\$10.00	\$14.40	\$38.00	\$62.40	\$50.75	\$11.65
30	\$10.00	\$14.40	\$40.00	\$64.40	\$52.00	\$12.40
31	\$10.00	\$14.40	\$42.00	\$66.40	\$53.25	\$13.15
32	\$10.00	\$14.40	\$44.00	\$68.40	\$54.50	\$13.90
33	\$10.00	\$14.40	\$46.00	\$70.40	\$55.75	\$14.65
34	\$10.00	\$14.40	\$48.00	\$72.40	\$57.00	\$15.40
35	\$10.00	\$14.40	\$50.00	\$74.40	\$58.25	\$16.15
36	\$10.00	\$14.40	\$52.00	\$76.40	\$59.50	\$16.90
37	\$10.00	\$14.40	\$54.00	\$78.40	\$60.25	\$18.15
38	\$10.00	\$14.40	\$56.00	\$80.40	\$61.50	\$18.90
39	\$10.00	\$14.40	\$58.00	\$82.40	\$62.75	\$19.65
40	\$10.00	\$14.40	\$60.00	\$84.40	\$64.00	\$20.40
41	\$10.00	\$14.40	\$62.00	\$86.40	\$65.25	\$21.15
42	\$10.00	\$14.40	\$64.00	\$88.40	\$66.50	\$21.90
43	\$10.00	\$14.40	\$66.00	\$90.40	\$67.75	\$22.65
44	\$10.00	\$14.40	\$68.00	\$92.40	\$69.00	\$23.40
45	\$10.00	\$14.40	\$70.00	\$94.40	\$70.25	\$24.15
46	\$10.00	\$14.40	\$72.00	\$96.40	\$71.50	\$24.90
47	\$10.00	\$14.40	\$74.00	\$98.40	\$72.75	\$25.65
48	\$10.00	\$14.40	\$76.00	\$100.40	\$74.00	\$26.40
49	\$10.00	\$14.40	\$78.00	\$102.40	\$75.25	\$27.15
50	\$10.00	\$14.40	\$80.00	\$104.40	\$76.50	\$27.90
Rate Calculation						
Minimum Charge		\$10.00				
1,000 gallons allowed		2				
2,000-10,000 Gallons		\$1.80	per 1000			
10,000 +		\$2.00	per 1000			

Exhibit 4
Water and Sewer Purchase Agreements

WATER PURCHASE CONTRACT

This contract for the sale and purchase of water is entered into as of the _____ day of _____, 19____, between the The Board of Trustees of the City of Harlingen Waterworks System 305 E. Jackson
Harlingen, Texas 78550
(Address)

hereinafter referred to as the "Seller" and the City of Primavera
Primavera, Texas
(Address)

hereinafter referred to as the "Purchaser",

WITNESSETH

Whereas, the Purchaser is organized and established under the provisions of _____ of the Code of _____, for the purpose of constructing and operating a water supply distribution system serving water users within the area described in plans now on file in the office of the Purchaser and to accomplish this purpose, the Purchaser will require a supply of treated water, and

Whereas, the Seller owns and operates a water supply distribution system with a capacity currently capable of serving the present customers of the Seller's system and the estimated number of water users to be served by the said Purchaser as shown in the plans of the system now on file in the office of the Purchaser, and

Whereas, by Resolution No. _____ enacted on the 9th day of August, 1976, by the Seller, the diversion, processing and delivery of water to the Purchaser in accordance with the provisions of the said Resolution was approved, and the execution of this contract carrying out the said Resolution by the Chairman of the Board of Trustees and attested by the Secretary, was duly authorized, and

Whereas, by Ordinance of the City Commission of the Purchaser, enacted on the 2nd day of DECEMBER, 1976, diversion, processing and delivery of water from the Seller in accordance with the terms set forth in the said Resolution and Ordinance and the authorization of Seller to divert Purchasers allotted water from the Rio Grande was approved, and the execution of this contract by the Mayor and attested by the Secretary was duly authorized;

Now, therefore, in consideration of the foregoing and the mutual agreements hereinafter set forth,

A. The Seller Agrees:

divert, process and deliver to

1. (Quality and Quantity) To supply the Purchaser at the point of delivery hereinafter specified, during the term of this contract or any renewal or extension thereof, potable treated water meeting applicable purity standards of the Texas Department of Public Health and the Texas Water Quality Board

in such quantity as may be required by the Purchaser not to exceed 3 Million (1977) (Est.)
5 Million (1990) (Est.)
gallons per month.

at 52-PLI in existing 10 in supply at a point located

2.5 miles East of the City of Primera

If a greater pressure than that normally available at the point of delivery is required by the Purchaser, the cost of providing such greater pressure shall be borne by the Purchaser. Emergency failures of pressure or supply due to main supply line breaks, power failure, flood, fire and use of water to fight fire, earthquake or other catastrophe shall excuse the Seller from this provision for such reasonable period of time as may be necessary to restore service.

3. (Metering Equipment) To furnish, install, operate, and maintain at its own expense at point of delivery, the necessary metering equipment, including a meter house or pit, and required devices of standard type for properly measuring the quantity of water delivered to the Purchaser and to calibrate such metering equipment whenever requested by the Purchaser but not more frequently than once every twelve (12) months. A meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous readings of any meter disclosed by test to be inaccurate

shall be corrected for the Three (3) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless Seller

(any test showing meter to be deemed as accurate shall be paid for by Purchaser) and Purchaser shall agree upon a different amount. The metering equipment shall be read on Monthly. An appropriate official of the Purchaser at all reasonable times shall have access to the meter for the purpose of verifying its readings.

4. (Billing Procedure) To furnish the Purchaser at the above address not later than the 12th. day of each month, with an itemized statement of the amount of water furnished the Purchaser during the preceding month.

B. The Purchaser Agrees:

1. (Rates and Payment Date) To pay the Seller, not later than the 25th. day of each month, for water delivered in accordance with the following schedule of rates:

- a. \$ 60.00 for the first 100,000 gallons, which amount shall also be the minimum rate per month.
- b. \$ 55 cents per 1000 gallons for water in excess of 100,000 gallons but less than 500,001 gallons.
- c. \$ 50 cents per 1000 gallons for water in excess of 500,000 gallons.

2. (Connection Fee) To pay as an agreed cost, a connection fee to connect the Seller's system with the system of the Purchaser, the sum of 5,000.00 dollars which shall cover any and all costs of the Seller for installation of the metering equipment and including the cost of the metering equipment

C. It is further mutually agreed between the Seller and the Purchaser as follows:

1. (Term of Contract) That this contract shall extend for a term of 40 years from the date of the initial delivery of any water as shown by the first bill submitted by the Seller to the Purchaser and, thereafter may be renewed or extended for such term, or terms, as may be agreed upon by the Seller and Purchaser.
2. (Delivery of Water) That 60 days prior to the estimated date of completion of construction of the Purchaser's water supply distribution system, the Purchaser will notify the Seller in writing the date for the initial delivery of water.
3. (Water for Testing) When requested by the Purchaser the Seller will make available to the contractor at the point of delivery, or other point reasonably close thereto, water sufficient for testing, flushing, and trench filling the system of the Purchaser during construction, irrespective of whether the metering equipment has been installed at that time, at a ~~percentage of~~ scheduled rate which will be paid by the contractor or, on his failure to pay, by the Purchaser.
4. (Failure to Deliver) That the Seller will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish the Purchaser with quantities of water required by the Purchaser. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to the Seller is otherwise diminished over an extended period of time, the supply of water to Purchaser's consumers shall be reduced or diminished in the same ratio or proportion as the supply to Seller's consumers is reduced or diminished.
5. (Modification of Contract) That the provisions of this contract pertaining to the schedule of rates to be paid by the Purchaser for water delivered are subject to modification ~~in accordance with~~ any ~~percentage~~ percentage. Any increase or decrease in rates shall be based on a demonstrable increase or decrease in the costs of performance hereunder, but such costs shall not include increased capitalization of the Seller's system. Other provisions of this contract may be modified or altered by mutual agreement.
6. (Regulatory Agencies) That this contract is subject to such rules, regulations, or laws as may be applicable to similar agreements in this State and the Seller and Purchaser will collaborate in obtaining such permits, certificates, or the like, as may be required to comply therewith. rates are also subject to changes in charges of Central Power & Light Co. and Water Control & Improvement District #1 to Seller as hereafter set forth.
7. (Miscellaneous) That the construction of the water supply distribution system by the Purchaser is being financed by a loan made or insured by, and/or a grant from the United States of America, acting through the Farmers Home Administration of the United States Department of Agriculture, and the provisions hereof pertaining to the undertakings of the Purchaser are conditioned upon the approval, in writing, of the State Director of the Farmers Home Administration.
8. (Successor to the Purchaser) That in the event of any occurrence rendering the Purchaser incapable of performing under this contract, any successor of the Purchaser, whether the result of legal process, assignment, or otherwise, shall succeed to the rights of the Purchaser hereunder. The rate as provided herein is based partially upon present charges made to Seller by Cameron County Water Control and Improvement District No. One for diversion and delivery of water to Seller by District and if District increases its charges to Seller, the charges by Seller to Purchaser shall be increased forthwith proportionately to cover the increase in cost to Seller for water processed and delivered by Seller to Purchaser. Also the rate herein set forth is based partially on current charges made to City by Central Power and Light Company for electrical power which Seller uses in all of its pumping and processing operations and if Central Power and Light Company increases its charges to Seller for power, the charges by Seller to Purchaser shall be increased forthwith proportionately to cover the increase in cost to Seller for processing and delivery of water by Seller to Purchaser.
10. Seller shall not be responsible in damages for failure to deliver water because of interruptions, inadequacies or reversals of the supply, unless such failure is due to its willful negligence unaccompanied by negligence or contributor, negligence of Purchaser. However, Seller shall use reasonable diligence in correcting any interruptions in the delivery of water to Purchaser.
11. In the event of any occurrence rendering Purchaser unable to perform under this contract, any successor of Purchaser, either the result of legal process, assignment or otherwise, shall succeed to the rights of the Purchaser hereunder.

12. Seller is hereby granted the right and authority to enter upon the properties and rights-of-ways of Purchaser at any time, and from time to time, for the purpose of making inspections of the potable water system of Purchaser for the purpose of determining that there are no cross connections or conditions of back flow or back siphonage on or in the portion of the system which is served by pressure from the Seller's system.

13. Seller shall be responsible for the chlorine residue at the meter point of delivery in accord with chlorine requirements as prescribed by the State Health Department and Seller shall not be responsible for the amount of chlorine residual within Purchaser's system and if additional chlorine is necessary to meet State health requirements within Purchaser's system, Purchaser shall be responsible for such re-chlorination.

14. Purchaser shall be responsible for maintenance of an air gap between Seller's system and Purchaser's system or, if such air gap is not maintained, then any additions to Purchaser's system shall be approved by Seller before construction in order to safeguard against contamination, and if contamination is discovered in Purchaser's system, Seller may, entirely at its discretion, discontinue delivery of water to Purchaser until the source of contamination is eliminated in order to safeguard Seller's water distributions system from such contamination.

15. Seller shall not be responsible for maintenance of pressure within Purchaser's system.

16. Purchaser shall be responsible for providing water rights for its total usage. If total water consumption plus ditch loss exceed Purchaser's total allotted water rights, Purchaser shall provide additional water rights to satisfy its requirements. Purchaser shall also be responsible for changes in diversion points of water rights through the State Water Rights Commission and the Water Control and Improvement Districts involved.

In witness whereof, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed in _____ counterparts, each of which shall constitute an original.

Seller: BOARD OF TRUSTEES OF

City of Harlingen Waterworks System

By *W. H. Young*

Title _____

Attest:

Shirley Anderson
Secretary

Purchaser:

City of Primera

By *F. H. Lopez*

Title Mayor

Attest:

Mrs. Leticia Garcia
Secretary

This contract is approved on behalf of the Farmers Home Administration this _____ day of _____,

19 ____.

By _____

Title _____



CITY OF HARLINGEN WATERWORKS SYSTEM

June 11, 1997

Honorable Mayor
City of Primera

Hand Delivered

Enclosed please find a signed completed copy of the Interlocal Agreement between your city and Harlingen Waterworks System for wastewater treatment services.

Sincerely,

Cloice Whitley
General Manager

STATE OF TEXAS \$
COUNTY OF CAMERON \$

W I T N E S S E T H

WHEREAS, PRIMERA is a general law city incorporated under and governed by the laws of the State of Texas and is in good standing with full power to enter into this Agreement and execute all required documents;

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Economically Distressed Areas Program ("EDAP"), to provide for sanitary sewer service within its CCN area, and plans to build a wastewater collection system to service its users;

Whereas, as a result of the proximity of the CCN service areas of the parties it will be economically feasible and mutually beneficial for the parties to share the output facilities of a single regional wastewater treatment facility;

Whereas, the Texas Water Development Board has encouraged a sharing of the output of wastewater treatment facilities as proposed herein;

Whereas HARLINGEN proposes to make available wastewater treatment facilities capacity capable of serving the needs of HARLINGEN as well as certain specified areas and the proposed collection system within the PRIMERA Area;

WHEREAS, PRIMERA requests that HARLINGEN receive and treat all wastewater collected within the PRIMERA collection system: and

WHEREAS, it is the desire of HARLINGEN and PRIMERA to provide for this interlocal governmental agreement by and through the appropriate ordinances of the respective cities setting out the agreement for sewage transportation and treatment services as provided herein;

NOW THEREFORE, for and in consideration of the above Recitals and Representations of the Parties, the mutual promises made and