

Environmental Assessment Checklist

P.5

Project Name and Identification No.

Conclusions:

1. Is project in compliance with applicable laws and regulations?

☒ Yes

☐ No

2. Is an Environmental Impact Statement Required?

☐ Yes

☒ No

3. Can a Finding of No Significant Impact (FONSI) be made?

☒ Yes

☐ No

(Project will not significantly affect the quality of the human environment.)

This Environmental Assessment was prepared by:

NAME

TITLE

Rhonda Boya for Eli Zlotnick HVT Associates

Date: *3/31/03*

Additional Notes:

Statutory Checklist

Federal Laws and Authorities listed at Sec. 58.5

Project Name and Identification No. _____

Area of Statutory or Regulatory Compliance	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation	Actions Required	Provide compliance documentation. Additional material may be attached.
Historic Properties		X			X			Coordination letter provided in Environmental Assessment
Floodplain Management								Environmental Assessment
Wetlands Protection			X					Wetlands Determination Report provided in Environmental Assessment
Coastal Zone Management	X							Environmental Assessment
Water Quality - Aquifers	X							Environmental Assessment
Endangered Species		X						Environmental Assessment
Wild and Scenic Rivers	X							Environmental Assessment
Air Quality		X						Coordination letter provided in Environmental Assessment
Farmlands Protection	X							Environmental Assessment
Manmade Hazards:								
Thermal/Explosive	X							Environmental Assessment
Noise	X							Environmental Assessment
Airport Clear Zones	X							Environmental Assessment
Toxic Sites	X							Environmental Assessment
Environmental Justice	X							Environmental Assessment

* Attach evidence that required actions have been taken.

Statutory Checklist

Federal Laws and Authorities listed at Sec. 58.6 and
Permits, Licenses, Forms of Compliance Under Other Laws - Federal, State and Local

Project Name and Identification No. _____

Other Areas of Statutory and Regulatory Compliance Applicable to Project	Not Applicable to This Project	Consultation Required*	Review Required*	Permits Required*	Determination of consistency Approvals, Permits Obtained*	Conditions and/or Mitigation Actions Required	Provide compliance documentation. Additional material may be attached.
--	--------------------------------	------------------------	------------------	-------------------	--	--	--

Federal Requirements							
Flood Insurance - 58.6(a)	X						Environmental Assessment
Coastal Barriers - 58.6(b)	X						Environmental Assessment
Airport Clear Zone Notification - 58.6(c)	X						Environmental Assessment
Water Quality	X						Environmental Assessment
Solid Waste Disposal	X						Environmental Assessment
Fish and Wildlife		X					Coordination letter provided in Environmental Assessment

State or Local Statutes (to be added by Responsible Entity)							

Prepared by: Rhonda Boyer for Eli Zetnick Title: HUT Associates
Date: 3/31/03



U.S. Department of Housing
and Urban Development
Fort Worth Office
Environmental Branch

Environmental Assessment

(HUD recommended format per
24 CFR 58.36, revised 1/99)

Project Identification:

Responsible Entity:

Month/Year:

Environmental Assessment

Responsible Entity: _____
[24 CFR 58.2(a)(7)]

Certifying Officer: _____
[24 CFR 58.2(a)(2)]

Project Name: _____

Project Location: _____

Estimated total project cost: _____

Grant Recipient: _____
[24 CFR 58.2(a)(5)]

Recipient Address: _____

Project Representative: _____

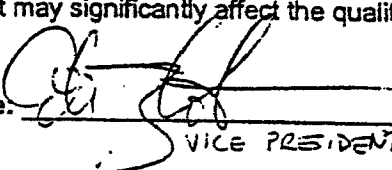
Telephone Number: _____

Conditions for Approval: (List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts or other relevant documents as requirements). [24 CFR 58.40(d), 40 CFR 1505.2(c)]

FINDING: [58.40(g)]

☒ **Finding of No Significant Impact**
(The project will not result in a significant impact on the quality of the human environment)

☐ **Finding of Significant Impact**
(The project may significantly affect the quality of the human environment)

Preparer Signature:  _____
Title/Agency: VICE PRESIDENT, HVS ASSOCIATES Date: 3/31/03

RE Approving Official Signature: _____
Title/ Agency: _____ Date: _____

Statement of Purpose and Need for the Proposal: [40 CFR 1508.9(b)]

The purpose of this project is to construct water lines and sanitary sewer lines to the community of Tamina. The Tamina community currently has no sewer system and the water system, built in the 1960s by the Rural Development Administration, is inadequate to service the community. Additionally, not all households are connected to the existing water system. The households and some businesses in the Tamina community depend on private water wells and septic systems. It is likely that the private water well are not up to drinking water standards. New waterlines would replace the existing system and be available to all residents. A sanitary sewer lift station is also planned as part of the project.

Description of the Proposal: Include all contemplated actions which logically are either geographically or functionally a composite part of the project, regardless of the source of funding. [24 CFR 58.32, 40 CFR 1508.25]

The project will involve the planning, design, and construction of about 30,000 linear feet of water lines, 30,000 linear feet of sanitary sewer lines, a lift station, connections to serve the population of the community. Currently, there are approximately 250 homes (connections) and about 1,500 people who reside in the community. The community is serviced by individual and group water wells and septic systems. The plan is to connect the services to the City of Oak Ridge North, located immediately south of the Tamina Community. The proposed lift station is planned for a location about 700 feet north of Sleepy Hollow Road along Woodson Road. The area of this study is about 500 acres and is roughly bounded by Woodson Road on the north, Rhodes Road on the south, Easley Road on the west, and a north-south line about 400 feet west of Falvey Lake on the east.

Existing Conditions and Trends: Describe the existing conditions of the project area and its surroundings, and trends likely to continue in the absence of the project. [24 CFR 58.40(a)]

The Tamina community is located in southern Montgomery County about eight (8) miles south of the City of Conroe (Plate 1 in the EA). The community lies east of I-45 directly across from The Woodlands and Shenandoah, and is bounded on the south by the city of Oak Ridge North and Chateau Woods. There is no zoning or official planning within the Tamina Community. Industrial development has taken place generally in the northern part of the community along portions of Broadway, Bihms, Simmons, and to a lesser extent, Forest Lane. There are seven churches, one cemetery, nine industrial sites, and eight facilities that have either commercial or community services.

This unincorporated community has existed since the Civil War and was populated by freed slaves that worked in several plantations located in the area. It was known formerly as "Tarniny" and it included the majority of land holdings that now define the South Montgomery County area. The community has been diminishing over the past forty (40) years, one parcel at a time. Private developers have bought the land from the original landowners and created The Woodlands, Shenandoah and Oak Ridge North.

The current Tamina water system was built in the 1960s by the Rural Development Administration and consists of 2-inch through 6-inch schedule 26 PVC waterlines. During that period, the streets were not paved and the rights-of-way widths were not accurately recorded. Repairs therefore, have been extensive and expensive because waterline locations have ended up under paved surfaces. Furthermore, there are no known engineering drawings illustrating the location and depths of the lines. Several families living on Broadway do not have water system access, as connection to the water lines was not offered to every household. These homes depend on water wells even though they are adjacent to an oil field.

Water has been provided to the community by the Chateau Woods Municipal Utility District (MUD) at an approximate cost of \$35-50 per month. There are no fire hydrants in the community and no sanitary sewers. Each residence and industrial location handles its own wastewater requirements either by septic system or by discharging directly into the environment. This results in numerous locations for possible contamination from the direct discharges or if the systems are not maintained.

A number of private wells also serve a limited number of the households. It is unknown if the water from various private water wells are in violation of the federal and/or state water quality standards.

Residents of Tamina would continue to have inadequate water and sewer services under the no build alternative. The tax base would continue to erode and growth and prosperity would suffer as a result of the lack of sufficient infrastructure. The quality of the environment, particularly the wetlands, also would continue to decline as the potential for contamination, particularly from the existing septic systems, could impact the environment.

Statutory Checklist

[24CFR §58.5]

For each listed statute, executive order or regulation, record the determinations made. Note reviews and consultations completed as well as any applicable permits or approvals obtained. Attach evidence that all required actions have been taken. Record any conditions or mitigation measures required. Then, make a determination of compliance or consistency.

Factors	Determinations and Compliance Documentation
Historic Preservation [36 CFR 800]	Consultation with Texas Historic Commission was conducted. Correspondence provided in Appendix D of the Environmental Assessment (EA).
Floodplain Management [24 CFR 55, Executive Order 11988]	According to the FEMA maps available for the area, Forest Lane in the northern part the study area is located within the 100-year floodplain. These floodplains are located adjacent a rural road setting and form the uppermost reaches of the floodplain associated with Carter's Slough. Land use within this floodplain includes vacant wooded lots, an industrial site along the south side of Forest Lane, and rural homesteads that have pastures for livestock. No other 100-year floodplains are shown on the FEMA maps. A copy of the FEMA map is included as a plate in the Wetlands Determination Report in Appendix B in the EA.
Wetlands Protection [Executive Order 11990]	Wetlands were identified along portions of Broadway, Simmons, and Bhims roads. Therefore, a preliminary wetland determination was conducted on those sections. A copy of the wetlands report was submitted to the USACE and is included within the wetlands report in Appendix B of the EA. Routine wetland determination data forms, plates that show the location of the wetlands, floodplains and soil types in the area are also included in the report. The proposed project would likely qualify for an USACE NW12 permit.
Coastal Zone Management Act [Sections 307(c),(d)]	The Tamina community is not located within or near a coastal zone as defined by the Coastal Zone Management Act of 1972, as amended, and the Coastal Zone Protection Act of 1996. The project does not lie within a county bordering the Gulf of Mexico and it is considered highly unlikely that any adverse impacts to coastal resources or the Gulf of Mexico would result from the project.
Sole Source Aquifers [40 CFR 149]	The proposed project is not located within a U.S. EPA-designated sole source aquifer watershed area.
Endangered Species Act [50 CFR 402]	Consultation with U.S. Fish and Wildlife Service was conducted. Correspondence provided in Appendix D of the EA indicates that no federally listed or proposed threatened or endangered species are likely to occur at the project site. Additionally, the project site is not located within officially designated critical habitat.
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	The proposed project location is not located within one mile of a listed Wild and Scenic River. Therefore, the project would have no effects on the natural, free flowing or scenic qualities of a river in the National Wild and Scenic Rivers system.
Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	Consultation with the Texas Commission on Environmental Quality was conducted. Correspondence provided in Appendix G of the EA concurs that no air conformity analysis is required.

Farmland Protection Policy Act [7 CFR 658]	The proposed project site does not include prime or unique farmland, or other farmland of statewide or local importance as identified by the NRCS.
Environmental Justice [Executive Order 12898]	Although Tamina is low-income and minority populated community, no disproportionately high and adverse human health or environmental effects on minority populations or low-income areas would occur as a result of this project. In fact, the proposed project will improve water and sewer service in the area.

HUD Environmental Standards

Determinations and Compliance Documentation

Noise Abatement and Control [24 CFR 51 B]	The potential noise levels during operation should be minimal due to facility design for facilities of this type. Noise levels during the construction phase would be controlled by using equipment that meets Occupational Safety and Health Administration (OSHA) standards and by scheduling construction and the use of equipment during the daylight hours. Blasting would not be part of the construction process for the proposed project.
Toxic or Hazardous Substances and Radioactive Materials [HUD Notice 79-33]	The proposed project location does not appear to be impacted by hazardous materials, contamination, toxic chemicals, gasses or radioactive substances which could affect the health or safety of residents or conflict with the intended use of the proposed project site.
Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]	An environmental records database based on ASTM E-1527-00 was reviewed in order to identify hazardous sites near the proposed project. One site was found, Bullet Concrete Materials, Inc., located at 9393 Broadway, is listed on the TNRCC's (now called the TCEQ) Petroleum Storage Tank (PST) database as having one underground storage tank that stores diesel fuel. The records show that the site appears to comply with current TNRCC rules and regulations. A copy of the records search and map is included in Appendix F of the EA.
Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]	No airport-highway clearance is necessary for this proposed project. The closest airport is George Bush Intercontinental Airport, which is more than five miles from the project area.

Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a finding of impact. Impact Codes: (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional materials as needed.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	1	As documented in the EA, there is no zoning or official planning within the Tamina Community.
Compatibility and Urban Impact	2	As documented in the EA, the Tamina community put the proposed project forth in 1998 as part of the public hearing process for the Montgomery County 5-Year Consolidated Plan. Residents have organized community partnerships since then in order to develop the project's feasibility studies and management requirements. The community is in favor of the proposed project.
Slope	1	As documented in the EA, soils in the project area range from level to nearly level with slope ranging from one to five percent. The USGS topographic map also confirms the nearly level topography of the area (see Plate 3 of the EA). The proposed project would not affect the slope of the land in the project area.
Erosion	1	As documented in the EA, the runoff from the proposed project would not result in exceeding ambient water quality criteria of affect in-stream uses. Because more than one acre would be disturbed, this project meets the criteria for the Environmental Protection Agency (EPA)'s National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activity. A Notice of Intent would have to be filed with the EPA prior to construction. The use of erosion control BMPs, as defined by the TCEQ and including limiting the time disturbed ground is exposed to rainfall and runoff water and diverting runoff from areas subjective to erosion, would be used to minimize soil erosion.
Soil Suitability	1	As stated in the EA, six soil types are found within the proposed project area. The soils are suitable for utility lines.
Hazards and Nuisances including Site Safety	1	As documented in the EA, safety precautions would be taken to control access to the facilities during construction by prompt back-filling of pipeline trenches, and by temporary barricades, warning lights and posted speed limits. Chemicals would be involved in the treatment processes of water and wastewater as a result of the proposed project. Chemicals would be stored and maintained properly and spill prevention and containment measure would be practiced to minimize spills and chemical release.

Energy Consumption	1	As documented in the EA, the proposed project is expected to utilize minimal energy consumption and chemicals during operation and treatment processes. Energy consumption during construction would include the fuel used to operate construction equipment. Routine maintenance and good operating procedures would be used to improve equipment efficiency and minimize fuel consumption.
Noise - Contribution to Community Noise Levels	1	As documented in the EA, the proposed project does not involve the development of noise sensitive uses as the water and sewer lines will be buried in the ground. Noise levels and odors during operation should be minimal due to facility design for facilities of this type. Noise created during the construction phase would be mitigated by using equipment that meets OSHA standards and by scheduling construction and the use of equipment during daylight hours.
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	1	As documented in the EA, the proposed project would have minimal effects on air quality. All construction equipment would be properly maintained to insure lowest possible emissions. All equipment would be within the EPA and OSHA requirements for vehicular emissions. The construction site would use periodic wetting during extremely dry conditions to control dust disturbance. Areas of vegetation disturbed during construction would be replanted to reduce soil erosion. A letter of concurrence by the TCEQ is provided in Appendix G of the EA.
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	As documented in the EA, the proposed project would cause minimal visual impact during construction. After construction was complete, the project would not interfere with or obstruct scenic views since the proposed infrastructure would be underground.

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	1	As documented in the EA, no impacts to the demographic profile or community cohesion would occur. No neighborhoods or populations would be split or isolated or adversely impacted because of the proposed improvement project.
Displacement	1	As documented in the EA, no displacements will take place as a result of this project.
Employment and Income Patterns	2	As documented in the EA, the overall economic impact therefore, is anticipated to be a positive one for the Tamina community primarily and the project area secondarily.

**Community Facilities
and Services**

	Code	Source or Documentation
Educational Facilities	1	No educational facilities are located within the project area.
Commercial Facilities	1	As stated in the EA, commercial facilities in the Tamina community may benefit from the proposed project because of new water and sewer services.
Health Care	2	As stated in the EA, public health in the Tamina community may benefit from the proposed project because of new water and sewer services.
Social Services	1	As stated in the EA, no impact to social services is anticipated.
Solid Waste	1	As stated in the EA, no impact to solid waste is anticipated.
Waste Water	2	As stated in the EA, the proposed project would affect the projected demand wastewater treatment needs by improving the current wastewater system.
Storm Water	1	As stated in the EA, no impact to storm water is anticipated.
Water Supply	2	As stated in the EA, the proposed project would affect the projected demand on water supply by improving the current water quality and availability.
Public Safety - Police	1	As stated in the EA, no impact to police and public safety services is anticipated.
- Fire	2	As stated in the EA, the provision of public water lines could be a benefit to public safety with respect to the supply of water for firefighting.
- Emergency Medical	1	As stated in the EA, no impact to emergency medical services is anticipated.
Open Space and Recreation - Open Space	1	As stated in the EA, no impact to open spaces is anticipated.
- Recreation	1	As stated in the EA, no impact to recreational resources is anticipated.
- Cultural Facilities	1	As stated in the EA, no impact to cultural facilities is anticipated. A letter from the Texas Historical Commission is provided in Appendix D of the EA.
Transportation	1	No impact to regional transportation is anticipated as a result of this proposed project. As stated in the EA, disruption to traffic during construction along Main, Sleepy Hollow Drive, and Tamina Road, which are main roads within the Tamina community, would be a short-term adverse impact from the project that could not be avoided.

Natural Features**Source or Documentation**

Water Resources	2	As stated in the EA, removal of existing septic systems from service that could potentially impact groundwater supplies would improve water quality.
Surface Water	2	As stated in the EA, no impact to surface water is anticipated.
Unique Natural Features and Agricultural Lands	1	As stated in the EA, no impact to natural features or prime and unique farm land is anticipated.
Vegetation and Wildlife	2	As stated in the EA, no impact to vegetation or wildlife is anticipated. Correspondence from the US Fish and Wildlife Service is provided in the EA.

Other Factors**Source or Documentation**

NOTE: The Responsible Entity must additionally document compliance with 24 CFR §58.6 in the ERR, particularly with the Flood Insurance requirements of the Flood Disaster Protection Act and the Buyer Disclosure requirements of the HUD Airport Runway Clear Zone/Clear Zone regulation at 24 CFR 51 Subpart D.

Summary of Findings and Conclusions

A finding of no significant impact (FONSI) for this project is recommended based upon the result of environmental impact analysis and in-depth alternative development and evaluation, which is described in this EA. The EA also determined that the proposed action would not incur significant impacts on the environment, therefore providing sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required.

ALTERNATIVES TO THE PROPOSED ACTION

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9]

(Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)

There are limited alternatives to the water supply problem in the Tamina Community. The alternatives that were considered were assessed based on the criteria of constructability, primary and secondary environmental impacts, and costs.

Water and Sewer Lines as Proposed. Implementation of the proposed project would improve the quality of life for the residents and provide the infrastructure that could potentially promote development and increase the tax base. No impact to existing land use would occur as a result of this alternative. No long-term or adverse impact to air quality, water quality or community cohesiveness would occur as a result of this alternative. Minor disruption to traffic during construction may occur, but this would short-term. As designed, the project could be built within existing roadways and right-of-ways and connected to nearby City of Oak Ridge North water and sewer mains. Construction methods such as tunneling would be employed where possible to minimize impacts to wetlands and floodplains and provide access to property during construction. Coordination with the USACE would be employed and permit requirements would be implemented if wetlands could not be avoided.

Creation of Separate MUD. The creation of a separate MUD to design, build and operate a water and sanitary system would not be a practical alternative for a number of reasons. Among the reasons are the costs, the lack of a public service infrastructure to manage and maintain the district, land requirements and the fact that excess capacity exists in the City of Oak Ridge North to handle the demands of the residents of Tamina.

Alternative Line Locations, Sources and Treatment. Alternative line locations, sources and treatment may not be practical as tying into the City of Oak Ridge North water and sewer lines that already has the excess capacity. Tying into the City of Shenandoah would require pipelines crossing I-45 that would be a major undertaking. Construction of alternative pipeline routes within the community would require additional land acquisition and may displace some people or businesses. Outside of land and right-of-way acquisition, the cost would be approximately the same as the proposed project.

No Action Alternative [24 CFR 58.40(e)]

(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).

No Build Alternative. Under the no build alternative, the residents of Tamina would continue to have inadequate water and sewer services. The tax base would continue to erode and growth and prosperity would suffer as a result of the lack of sufficient infrastructure. The quality of the environment, particularly the wetlands, also would continue to decline as the potential for contamination, particularly from the septic systems and illegal dumping could contaminate the environment.

Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or external factors relating to the proposal should be modified in order to eliminate or minimize adverse environmental impacts.)

All practicable measures to minimize environmental harm have been incorporated into this proposed project. These measures include:

Selecting the build Alternative and developing the project such that its design will reduce, to the extent possible, adverse impacts to the residents, businesses, and historic sites.

A review of National Wetlands Inventory (NWI) maps indicated wetlands areas along portions of Broadway, Simmons, and Bhims roads. A preliminary wetland determination was conducted on those sections. The USACE conducted a site visit on December 11, 2002. The USACE stated in correspondence dated January 21, 2002 that, based on the site visit and information submitted, the proposed utility line route would cross into jurisdictional waters of the U. S. The USACE further stated that it is possible that the project would likely qualify for a Nationwide 12 permit which authorizes the construction of utility lines through wetlands. A wetland delineation report along with detailed construction plans would be required prior to the USACE making a final determination on permit requirements. In the event construction plans could be modified to avoid wetland areas, a permit would not be needed.

Where appropriate, these temporary erosion and sedimentation-control structures would be in place before initiation of work and would be maintained throughout the project. The Contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in staging areas. All materials being removed and/or disposed of by the Contractor would be done in accordance with State and Federal laws and by approval of the Project Engineer. The use of erosion control BMPs, as defined by the TCEQ and including limiting the time disturbed ground is exposed to rainfall and runoff water and diverting runoff from areas subjective to erosion, would be used to minimize soil erosion.

Detailed explanations of these measures are in the applicable sections of the EA.

Additional Studies Performed

(Attach studies or summaries)

A preliminary wetland determination was conducted on those sections. The preliminary wetlands report provided routine wetland determination data forms along with plates that show the location of the wetlands, floodplains and soil types in the area. The wetlands report concluded that, based on the encountered wetlands and the nature of the proposed construction, the project should qualify for a Nationwide 12 (NW12) permit. A copy of the preliminary wetlands report was submitted to the U.S. Army Corps of Engineers (USACE) and is included in Appendix B.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]

References:

Beasley, E. Cultural Resources Inventory of Montgomery County (Interim Report). Houston-Galveston Area Council and Texas Historical Commission. 1981.

Galinare, Delia. Social Economic Impact, 2002.

McMahan, Craig A., Roy G. Frye, and Kirby L. Brown, Vegetation Types of Texas, Texas Parks and Wildlife Map, Texas Parks & Wildlife, 1984.

NOAA, Normal Monthly Precipitation (Inches), Table. April 2002.

NOAA. Climatic Wind Data for the United States, November, 1998.

Texas Commission of Environmental Quality, Erosion Control Best Management Practice, April 4, 2002.

Texas Historic Sites Atlas, Texas Historical Commission (<http://www.thc.state.tx.us/index.html>), 2002.

The Handbook of Texas Online (Montgomery County). The Texas State Historical Association, 1997-2001, Last Updated: July 23, 2001.

Webre, Jim. *Illegal Landfill Finally Being Cleared*. Conroe Courier, December 31, 2001.

Correspondence:

Department of the Army, Galveston District, Corps of Engineers. 2003. Written correspondence regarding Jurisdictional Determination, Tamina Water Supply & Sanitary, Tamina, Montgomery County, Texas. Galveston, Texas.

Texas Historical Commission. 2002. Written correspondence for F. Lawrence Oaks regarding historic properties. Austin, Texas.

Texas Commission on Environmental Quality – Air Division. 2003. Facsimile from Kenneth Gathright regarding air conformity for proposed Tamina project. Austin, Texas.

U. S. Fish and Wildlife Service, Clear Lake Ecological Services Field Office. 2002. Written correspondence from M. Morgan regarding threatened or endangered species. Houston, Texas.

APPENDIX H



Galleria Financial Center ■ 5075 Westheimer, Suite 1175 ■ Houston, Texas 77056-5606

April 8, 2002

Tamina Water Supply and Sewer Service Corporation
Board of Directors
Montgomery County, Texas

Re: Financial Advisory Agreement

Dear Board Members:

I know that many of you are dedicating a great deal of time working on Corporation matters; as a person who does a lot of work in your community, I want to thank you all for your efforts. Your mission is important to Tamina residents and to the people that live around the Tamina area. It would be a privilege for me to help the Corporation achieve its goals and objectives.

Per acceptance of this letter, GMS will serve as the Financial Advisor to the Corporation and work with the Corporation in order to design and implement a plan of financing that best suits the needs of the Corporation. We understand that the plan of financing will involve exploring all opportunities to avoid/minimize the issuance of debt by the Corporation. Additionally, we will work on other operational/capital financing issues that the Corporation wishes us to work on from time to time.

GMS will be paid a fee of \$100.00 per hour for financial consulting work performed. However, GMS will NOT seek payment from the Corporation until such time that the Board feels it has funds available to pay for such services.

GMS will charge additional fees for work performed that is directly related to; a bond transaction, a private placement transaction, or a loan transaction. The Corporation and GMS will agree upon the fees for such services at the outset of the transaction, based upon the amount of work involved. The payment of such transaction fees will be contingent upon the successful implementation of such transaction.

Amounts invoiced by GMS to the Corporation will be paid only if the Corporation is happy with the work performed. Invoices will specifically identify the time that was spent on each project/assignment so Board members can easily review the charges for work performed.

GMS will work exclusively in an advisory capacity to the Corporation and not be put in a position where there would be a potential conflict of interest. This means that GMS: (i) will not ask to serve as an Underwriter on negotiated transactions with the Corporation; (ii) only submit a bid for bonds sold at a public sale with the explicit permission of the Board of Directors at the time of the bond sale; and (iii) will not ask to sell investment securities to the Corporation although we may help get bids for investment securities at the request of the Corporation.

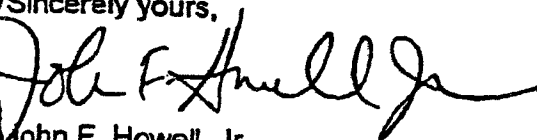
Tamina Water Supply and Sewer Service Corporation
Page 2

Either party may terminate this Agreement at any time without cause by giving the other party 7 days written notice. Upon notice of termination, GMS will complete any work underway for the Corporation, at the Corporation's request.

If this letter is acceptable to the Corporation, please let me know and we will consider this agreement executed. Because of the background study work that I have done, coupled with my experience, I am prepared to go to work for you immediately.

I have enjoyed working in your community for the past several years and I look forward to working with the Tamina Corporation on this project. I promise to do a good job for you. If I can answer any questions that you may have, please do not hesitate to call me at (713) 626-3552.

Sincerely yours,



John F. Howell, Jr.
Senior Vice President

JFH/kk
Tamina/prop.ltr



JONES & CARTER, INC.

Consulting Engineers

6335 Gulfon, Suite 200
Houston, Texas 77081-1169

713/777-5337
Fax 713/777-5976

SCHEDULE OF HOURLY RATES

Effective January 2002

Subject to Annual Revision in January 2003

ENGINEERS

Engineer I	\$ 65.00/hr
Engineer II	\$ 72.00/hr
Engineer III	\$ 78.00/hr
Engineer IV	\$ 85.00/hr
Engineer V	\$100.00/hr
Engineer VI	\$110.00/hr
Staff Engineer	\$115.00/hr
Project Engineer	\$120.00/hr
Senior Project Engineer	\$130.00/hr
Officers, Project Managers	\$140.00/hr
Officers-President	\$200.00/hr

DESIGNERS/DRAFTING PERSONNEL

CAD Operator I	\$ 40.00/hr
CAD Operator II	\$ 47.00/hr
CAD Operator III	\$ 53.00/hr
CAD Operator IV	\$ 60.00/hr
CAD Operator V	\$ 67.00/hr
CAD Manager	\$ 75.00/hr
Designer	\$ 74.00/hr
Chief Designer	\$ 90.00/hr
Computer Tech	\$ 36.00/hr
Computer Manager	\$ 85.00/hr

PROJECT REPRESENTATIVES

(includes mileage)

Project Representative I	\$ 48.00/hr
Project Representative II	\$ 53.00/hr
Project Representative III	\$ 58.00/hr
Senior Project Representative	\$ 68.00/hr
Construction Engineer I	\$ 65.00/hr
Construction Engineer II	\$ 72.00/hr
Construction Engineer III	\$ 78.00/hr
Construction Engineer IV	\$ 85.00/hr
Construction Manager	\$120.00/hr

OFFICE PERSONNEL

Clerk	\$ 25.00/hr
Engineer's Assistant	\$ 30.00/hr
Secretary I	\$ 37.00/hr
Secretary II	\$ 45.00/hr
Secretary III	\$ 51.00/hr
Bookkeeper	\$ 65.00/hr
Staff Assistant	\$ 67.00/hr
Chief Accountant	\$ 75.00/hr

SURVEYING

Four-Man Field Crew	\$125.00/hr
Three-Man Field Crew	\$115.00/hr
Two-Man Field Crew	\$100.00/hr
Technician I	\$ 63.00/hr
Technician II	\$ 70.00/hr
Technician III	\$ 76.00/hr
Registered Prof. Land Surveyor	\$100.00/hr
Survey Manager	\$110.00/hr

EQUIPMENT AND MILEAGE

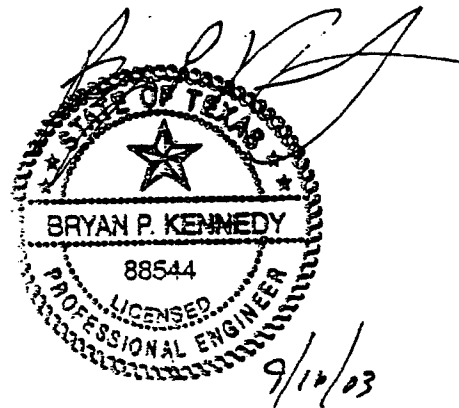
GPS System	\$ 300.00/day
Robotic Survey System	\$ 30.00/hr
Mileage	\$.36 mi
Facsimiles up to 10 pages	\$ 5.00
Each additional page over 10	\$.50/pg

CITY OF OAK RIDGE NORTH
PRELIMINARY CONSTRUCTION COST ESTIMATE
TAMINA COMMUNITY
CONSTRUCTION OF WATER AND SANITARY SEWER FACILITIES

<u>Item No.</u>	<u>Description</u>	<u>Amount</u>
1	Water Distribution & Sanitary Sewer Collection construction	\$ 2,378,000
2	Contingencies (15% of Item 1)	357,000
	Subtotal Construction	\$ 2,735,000
3	Engineering	
	Preliminary Study	\$ 15,000
	Surveying	45,000
	Preliminary Phase Engineering	34,000
	Design Phase Engineering	150,500
	Construction Phase Engineering (Including Inspection)	102,500
	Construction Staking	23,000
	Construction Testing	30,000
	As-Built Drawings	10,000
	Subtotal Engineering	\$ 410,000
	Total Project Cost	\$ 3,145,000

Revised September 15, 2003

\\Projects\5200 CLIENTS\5233\001 - Tamina Water & Sewer Project\Cost Estimates\Tamina_Cost.xls



APPLICATION FOR FEDERAL ASSISTANCE

Appendix A

Version 7/03

1. TYPE OF SUBMISSION: Application Instruction <input type="checkbox"/> Non-Construction <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED		Applicant Identifier	
3. DATE RECEIVED BY STATE		State Application Identifier			
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier			
Legal Name: Old Tamina Water Corporation				Organizational Unit: Department: Water and Sewerage	
Organizational DUNS: 623137556				Division: Public Works	
Address: Street: P.O. Box 7402 Woodland County: Montgomery State: Texas Zip Code: 77383 Country: USA				Name and telephone number of person to be contacted on matters involving this application (give area code) Prefix: Mr. First Name: James Middle Name: E. Last Name: Leveston Suffix: Sr. Email:	
EMPLOYER IDENTIFICATION NUMBER (EIN): 76-0216798				Phone Number (give area code): 281-367-5304 Fax Number (give area code):	
TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision Revision, enter appropriate letter(s) in box(es) a back of form for description of letters.) Other (specify):				7. TYPE OF APPLICANT: (See back of form for Application Types) Other (specify):	
CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: E (Name of Program):				9. NAME OF FEDERAL AGENCY: USDA	
AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Tamina Community, Montgomery County				11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Water and Sanitary Sewer System Improvements	
PROPOSED PROJECT Date: September 1, 2008 Ending Date: March 1, 2009				14. CONGRESSIONAL DISTRICTS OF: a. Applicant b. Project	
ESTIMATED FUNDING: Federal \$1,839,438.20 Applicant \$ State \$ Local \$ Other \$ Program Income \$ TOTAL \$1,839,438.20				16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. Yes <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE: b. No <input checked="" type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE APPLICANT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ASSURANCES IF THE ASSISTANCE IS AWARDED.				17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes" attach an explanation. <input checked="" type="checkbox"/> No	
Authorized Representative Mr. James Leveston First Name: James Middle Name: E. Suffix: Sr. c. Telephone Number (give area code): 281-367-5304 e. Date Signed: July 31, 2008					

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.
4.	Enter Date Received by Federal Agency Federal identifier number. If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.
7.	Select the appropriate letter in the space provided. <div style="display: flex; justify-content: space-between;"> <div> A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School District </div> <div> I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) O. Not for Profit Organization </div> </div>	17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
8.	Select the type from the following list: <ul style="list-style-type: none"> "New" means a new assistance award. "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration 	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)
9.	Name of Federal agency from which assistance is being requested with this application.		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.		

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of projects costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION

	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$.00	\$.00	\$.00
2. Land, structures, rights-of-way, appraisals, etc.	\$.00	\$.00	\$.00
3. Relocation expenses and payments	\$.00	\$.00	\$.00
4. Architectural and engineering fees	\$ 175,804.20	\$.00	\$.00
5. Other architectural and engineering fees	\$ 127,760.00	\$.00	\$.00
6. Project inspection fees	\$ 48,300.00	\$.00	\$.00
7. Site work	\$.00	\$.00	\$.00
8. Demolition and removal	\$.00	\$.00	\$.00
9. Construction	\$ 1,352,340.00	\$.00	\$.00
10. Equipment	\$.00	\$.00	\$.00
11. Miscellaneous	\$.00	\$.00	\$.00
12. SUBTOTAL (sum of lines 1-11)	\$ 1,704,204.20	\$.00	\$.00
13. Contingencies	\$ 135,234.00	\$.00	\$.00
14. SUBTOTAL	\$ 1,839,438.20	\$.00	\$.00
15. Project (program) income	\$.00	\$.00	\$.00
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 1,839,438.20	\$.00	\$.00
17. Federal assistance requested, calculated as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal Share.	FEDERAL FUNDING	\$.00	\$ 1,839,438.20

Enter eligible costs from line 16c Multiply X 100 %

1,839,438.20

Previous Edition Usable

Authorized for Local Reproduction

ASSURANCES - CONSTRUCTION PROGRAMS

OMB Approval No. 0348-0042

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL		TITLE President
ORGANIZATION Antenna Water Supply Corporation		DATE SUBMITTED July 31, 2008

U.S. DEPARTMENT OF AGRICULTURE

**Certification Regarding Debarment, Suspension, and Other
Responsibility Matters - Primary Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989 Federal Register (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency offering the proposed covered transaction.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Old Tamina Water Supply Corp.

Organization Name

Water & Sanitary Sewer Syst

PR/Award Number or Project Name

James Leverston Sr. - President

Name(s) and Title(s) of Authorized Representative(s)

Julia Leverston - Secretary/Treasurer

Signature(s)

James E. Leverston

Julia L. Leverston

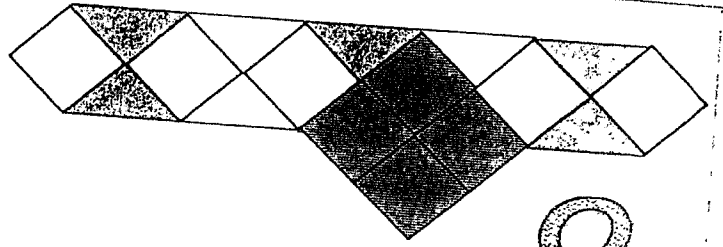
July 31, 2008

Date

Instructions for Certification

1. By signing and submitting this form, the prospective primary participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out on this form. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this form that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Appendix C



OTWSC

Old Tamina Water Supply Corp.
P. O. Box 7402
The Woodlands, TX 77387
(281) 367-5304

**AMENDMENT
ARTICLES F INCORPORATION**

July 31, 2008

TO WHOM IT MAY CONCERN

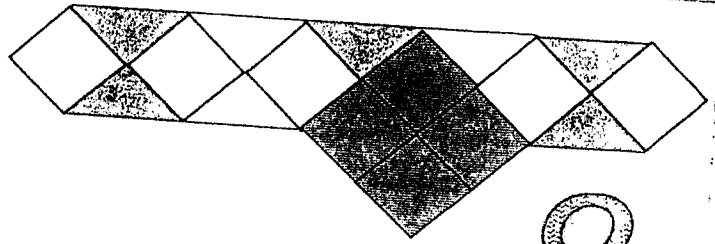
This is to certify that the only amendment to the Articles of Incorporation is the name change from Tamina Water Supply Corporation to Old Tamina Water Supply Corporation

Sincerely,

Julia Leveston

Julia Leveston, Secretary
Old Tamina Water Supply Corporation

Old Tamina Water Supply Corp.
P. O. Box 7402
The Woodlands, TX 77387
(281) 367-5304



**OTW
SC**

CERTIFICATION

July 31, 2008

TO WHOM IT MAY CONCERN

This is to certify that this a true and correct copy of the current By-Laws which have been adopted by Old Tamina Water Supply Corporation

Sincerely,

Julia Leveston

Julia Leveston, Secretary
Old Tamina Water Supply Corporation

BYLAWS Of OLD TAMINA WATER SUPPLY CORPORATION

Bylaws of Old Tamina Water Supply Corporation, having been presented to the Board of Directors of said Corporation and duly adopted as follows:

ARTICLE I

The President shall preside and vote at all Members' and Directors' meetings. The President shall perform all other duties that usually pertain to the office or are delegated by the Board of Directors.

ARTICLE II

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

ARTICLE III

The Secretary-Treasurer shall have custody of all monies, records and securities of the Corporation. The Secretary-Treasurer shall keep minutes of all meetings of the Corporation. All monies of the Corporation shall be deposited by the Secretary-Treasurer in such depository as shall be selected by the Directors. Checks must be signed by the Secretary-Treasurer or assistant or deputy secretary, and the President or a designee of that office. The Secretary-Treasurer shall have custody of the seal of the Corporation and affix it as directed by resolution passed by the Board of Directors or Members. The Board of Directors may appoint an employee as assistant or deputy secretary to assist the Secretary-Treasurer in all official duties pertaining to that office.

The position of the Secretary-Treasurer, and other Board positions and/or employees entrusted with receipt and disbursement of funds, shall be placed under a fidelity bond in an amount which shall be set from time to time, but not less than once each year, by the Board of Directors. The fidelity bond coverage amount shall approximate the total annual debt service requirements for all USDA Rural Development, Rural Utilities Service (RUS) loans and be evidenced by a position fidelity schedule bond as acceptable to USDA Rural Development, RUS, or its successor agencies and assigns.

1
ARTICLE IV

Section 1. The Board of Directors shall consist of (9) nine Directors, a majority of whom shall constitute a quorum. Upon issuance of the Charter and annual thereafter on the 3rd Thursday of March ¹, the Board of Directors shall elect a President, a Vice-President and a Secretary-Treasurer. The Directors shall be elected by the Members at the Members' meetings provided for in Article VI of the Bylaws. The Directors shall be divided into three (3) classes, each class to be as near as equal in number as possible. The terms of the Directors of the first class shall expire at the first annual meeting of the Members after their election; the terms of the Directors of the second class shall expire at the second annual meeting after their election; and the terms of the Directors of the third class shall expire at the third annual meeting after their election. At each annual meeting after such classification, the number of Directors equal to the number of the class whose term expires at the time of such meeting shall be elected to hold office until the third succeeding annual meeting. Directors, as such, shall not receive any stated salary for their services, except as provided for by state law.

Upon the death or resignation of a Director, a successor shall be appointed by a majority of the existing Directors to serve until the next regular or special Membership meeting, at which time the general Membership shall elect a successor for the remaining balance of the previously vacated term.

Section 2. Officers and Directors may be removed from office in the following manner, except as otherwise provided in Article V: Any Member, Officer, or Director may present charges against a Director or Officer by filing such charges in writing with the Secretary-Treasurer of the Corporation. If presented by Member, the charges must be accompanied by a petition signed by at least ten (10) percent of the Members of the Corporation. Such removal shall be voted on at the next regular or special meeting of the Membership and shall be effective if approved by a vote of 2/3 majority of those voting if a quorum is present. The Director(s) or Officer(s) against whom such charges have been presented shall be informed in writing of such charges at least twenty (20) days prior to the meeting, and shall have the opportunity at such meeting to be heard in person or by counsel and to present witnesses; and the person or persons presenting such charges shall have the same opportunity. If the removal of a Director(s) is approved, such action shall also vacate any other office(s) held by the removed Director(s) in the Corporation. A vacancy in the Board thus created shall immediately be filled by a qualified person other than the removed Director upon a vote of a majority of the Members present and voting at such meeting, in accordance with the written annual or special meetings procedures as adopted by the Board. A vacancy in any office thus created shall be filled by the Board of Directors from among their number so constituted after the vacancy in the Board has been

¹ This election shall be held between January 1 and May 1, but after the Members' annual meeting. Insert day of week, week of month, and month of year (i.e., second Tuesday of April)

filled.

Section 3. The President of the Board, or Vice-President, shall preside at any meeting of the Members convened to consider removal of an Officer or Director as provided under Section 2, unless the President is the subject of charges, in which event the Vice-President shall preside. In the event both the President and the Vice-President are the subject of charges, those Directors who are not the subject of any charges shall appoint one of their number to preside over the meeting. Any meeting convened to consider the removal of an Officer or Director shall be conducted in accordance with the procedures prescribed by the Board. The fact that the President, Vice-President, or any other Officer or Director has been made the subject of charges does not otherwise prevent such individual from continuing to act in the capacity as an Officer or Director of the Corporation. Any Director that has been removed under the provisions of this Article shall not be precluded from subsequent election to a position on the Board of Directors.

Section 4. The Board of Directors may, upon lawful notice to the public, meet in executive session when permitted, in the manner and for such limited purposes as provided for in the Texas Open Meetings Act, as amended, and for no other reason. All proceedings of any meeting at which a quorum of Directors is present to discuss the business of the Corporation shall be recorded in the manner required by the Texas Open Meetings Act.

Section 5. In conducting their duties as members of the Board, Directors: (1) shall be entitled to rely, in good faith and with ordinary care, on information, opinions, reports, or statements, including financial statements and other financial data, concerning the Corporation or the Corporation's affairs that have been prepared or presented by one or more officers or employees of the Corporation, or by legal counsel, public accountants, or other persons retained by the Corporation for the development of professional advice and information falling within such person's professional or expert competence; (2) may believe, in good faith and with ordinary care, that the assets of the Corporation are at least that of their book value; and (3) in determining whether the Corporation has made adequate provision for the discharge of its liabilities and obligations, may rely in good faith and with ordinary care, on the financial statements of, or other information concerning, any person or entity obligated to pay, satisfy or discharge some or all of the Corporation's liabilities or obligations; and may rely in good faith on information, opinions, reports, or statements, including financial statements and other financial data, prepared or presented by one or more Officers or employees of the Corporation, legal counsel, public accountants, or other persons provided the Directors reasonably believes such matters to fall within such person's professional or expert competence. Nevertheless, Directors must disclose any knowledge they may have concerning a matter in question that makes reliance otherwise provided herein to be unwarranted.

3
ARTICLE VI

Section 1. There shall be a regular meeting of the Members annually, on the 3rd Thursday of March,² to transact all business that may be properly brought before it. The Secretary-Treasurer shall give at least fifteen (15) days written notice of such annual meeting to the Membership indicating the time, place and purpose of such meeting, and shall address and mail the notice to each Member at the address last known to the Corporation. Failure to hold or call an annual or special meeting in accordance with these Bylaws shall give each Member rights to compel the Board of Directors to properly hold an annual or special meeting of Membership. Voting by proxy shall be permitted. Members holding ten percent (10%) of the votes entitled to be cast, represented in person or by proxy, shall constitute a quorum for the transaction of business.

Section 2. The Board of Directors shall adopt, and from time to time may revise, written procedures for conducting annual or special Membership meetings, including the proxy and/or ballot form which shall be the official proxy and/or ballot for such meetings; procedures for proper notification of the Membership; procedures to determine, qualify and register the eligible voters for such meetings; and procedures for canvassing all votes and recording the results of all elections at such meetings of the Membership.

Section 3. The Board of Directors shall establish a standing Credentials Committee of three (3) Members, of which the Secretary-Treasurer shall be the chairperson. This committee shall at no time have sufficient board members appointed to constitute a quorum of the Board of Directors. This committee, in accordance with procedures adopted by the Board under Section 2, shall notify the Membership of annual or special Membership meetings and deliver the Corporation's official proxy and/or ballot forms to the Membership; determine, qualify, and register the eligible voters for such meeting; validate proxies, determine presence of quorum for conducting the meeting, canvas all votes, and record the results of such elections. Should the individual holding the office of Secretary-Treasurer be running for re-election, the president shall appoint an officer not currently running for re-election to serve as chairperson of this committee.

Section 4. After fixing a date for the notice of a meeting, the Board of Directors shall prepare an alphabetical list of names of all voting members who are entitled to vote as of the record date of the meeting. The list must show the address of each voting member. No later than two (2) business days after the date notice is given of the meeting, and continuing through the meeting, the list of voting members must be available for inspection by any member entitled to vote at the meeting for the purpose of

² This meeting shall be held between January 1 and May 1. Insert the day of week, week of month and month of year.

communication with other members concerning the meeting at the Corporation's principal office or at a reasonable place identified in the meeting notice in the city where the meeting will be held. Any voting Member, or voting Member's agent or attorney, shall be allowed, on written demand, to inspect and, at a reasonable time and at their expense, copy the list. Further, the Board shall make the list of voting Members available at the meeting, and shall allow inspection of such list by any voting Member or voting Member's agent or attorney at any time during the meeting, including any adjournments thereof.

ARTICLE VII

A special meeting of the Members or Directors may be called by the President, or by demand by a majority of the board members or one-third (1/3) of the Members. Such special meetings shall be held upon giving notice as required by the Texas Open Meetings Act.

Prior to convening any special meeting of the Members, the president shall request in writing that the Secretary-Treasurer give at least ten (10) days prior notice to the Members, and that such special meeting is otherwise noticed, as required under Article 1396-2.11, Texas Revised Civil Statute, and as provided under article V of these Bylaws. Such notice shall specify the time, place and purpose of the meeting, and shall be addressed and mailed to each of the Members at their address last known to the Corporation, personally delivered to each Member, or sent by facsimile to each Member.

Emergency meetings of the Directors may be held on rare occasions and only when clearly authorized by the Texas Open Meetings Act. Notice of such emergency meeting shall be provided under Article V of the Bylaws and the Texas Open Meetings Act, at least two hours before the meeting is convened. It shall be the responsibility of the President, or a designee of that office, to ensure that proper notice is posted and Directors are properly notified. In no event shall any emergency meeting of the Directors be convened where the business of such meeting could be considered at a regular or special meeting of the Directors receiving at least seventy-two (72) hours notice as provided under Article V of these Bylaws.

ARTICLE VIII

The Corporation shall conduct its business on a non-profit basis, and no dividends shall ever be paid upon the Memberships of such Corporation. All profits arising from the operation of such business shall be annually paid out to the persons who have, during the past year, transacted business with the Corporation, in direct proportion to the amount of business transacted, provided that no such dividends shall ever be paid while any indebtedness of the Corporation remains unpaid and, provided also, that the Directors of

the Corporation may allocate to sinking fund(s) and reserve accounts such amount of profits as they deem necessary for maintenance, operation, capital improvements, expansions and replacements of all facility components, as provided by Section 67.008(d) of the Texas Water code. Funds allocated by the Board to a sinking fund for replacement, amortization of debts, and the payment of interest that are not required to be spent in the year in which deposited shall be invested in accordance with the provisions of Section 67.014(b) of the Texas Water Code.

ARTICLE IX

The Directors of the Corporation shall establish and maintain, so long as the Corporation is indebted to the Government, in an institution insured by the State or Federal Government, or invested in readily marketable securities backed by the full faith and credit of the United States of America, a reserve account separate and apart from other fund accounts of the Corporation. Securities so purchased shall be deemed at all times to be part of the reserve fund account. There shall be deposited in such fund the sum as required by a total of all loan resolutions executed by the Corporation. Such deposits shall be made monthly and shall continue until the total amount deposited equals the sum as required by the executed loan resolutions provided, however, that after any withdrawals, such deposits shall be resumed until the amount accumulated in the fund is restored to the sum as required by the executed loan resolutions.

Withdrawals may be made from this fund only for emergency repairs, obsolescence of equipment, improvements to facility, and for making up any deficiencies in revenue for loan payments.

ARTICLE X

Section 1. The Corporation shall have Members as defined by the Texas Water Code. All customers of the Corporation must hold a Membership or obtain their service through a Membership. A person or entity that holds an interest in property solely as security for the performance of an obligation or that only builds on or develops the property for sale to others is not required to hold a Membership as a condition to receive service on a limited basis. Every person (which includes any legal entity) owing or having a legal right to the control, possession have the right to become a Member of the Corporation upon payment of the Membership fee hereinafter provided and upon compliance with the Corporation's conditions of water and/or sewer service as provided for in its published charges, rates and conditions of service. Membership shall not be denied because of the applicant's race, color, religion, sex, age, marital status, familial status, handicap, income from Public Assistance, disability or national origin. It is the intent of the Corporation to provide service on a nondiscriminatory basis.

Section 2. The Membership fee shall be as determined by the Board of Directors. Payment of membership fee or transfer of Membership shall entitle an applicant to further qualify for one (1) connection to the system or shall entitle a transferee of Membership to continue to qualify for service to an existing connection to the system by meeting the conditions for water and/or sewer as provided in the Corporation's published rates, charges, and conditions of service. A person may own more than one Membership, but each Member shall be entitled to only one vote regardless of the number of Memberships owned. Membership certificates shall be in such form as shall be determined by the Board of Directors. Membership certificates shall be in such form as shall be determined by the Board of Directors.

Section 3. The Membership fee may be revised by the Board of Directors as the Board may determine to be appropriate. In determining the amount of the Membership fee, however, the Board shall ensure that the fee is sufficient to establish the potential Member as being legitimately interested in securing water and/or sewer service from the Corporation for such potential Members' own needs. Furthermore, the Board shall determine and administer such fee in a manner or in an amount which does not unreasonably deny service to financially deprived potential Members. In no event, however, shall the Membership fee exceed an amount equal to the sum of twelve (12) charges of the Corporation's minimum monthly water and/or sewer rate unless previously approved by USDA Rural Development, RUS. Membership fees will be refundable.

ARTICLE XI

Where necessary for determining those Members entitled to notice of, or those Members entitled to vote at any meeting or any adjournment thereof, or where necessary to make a determination of Members for any other proper purpose, ownership of Memberships shall be deemed to be vested in those persons who are the record owners of Memberships as evidenced by the Membership transfer book on the 15th day of the month preceding the month of the date upon which the action requiring such determination is to be taken. Nothing herein shall preclude the holder of a membership from mortgaging such Membership or, upon notification of the Corporation, preclude the holder of such mortgages from exercising legal rights pursuant to such mortgages upon proper notice to the Corporation.

ARTICLE XII

Section 1. In order to ensure that business done by the Corporation shall continue within the capacity of its facilities and to prevent undue financial burden on the members of the Corporation, Membership in the corporation shall be transferred in accordance with the following:

(a) Except as herein provided, Membership in the Corporation shall be deemed personal estate and a person or entity that owns any stock of, is a Member of, or has some other right of participation in the Corporation may not sell or transfer that stock, Membership, or other right of participation to another person or entity except: (1) by will to a transferee who is a person related to the testator within the second degree by consanguinity; (2) by transfer without compensation to a transferee who is a person related to the owner of the stock or other interest within the second degree by consanguinity; or (3) by transfer without compensation or by sale to the Corporation.

(b) Subsection (a) of this section does not apply to a person or entity that transfers the Membership or other right of participation to another person or entity as part of the conveyance of real estate from which the Membership or other right of participation arose.

(c) The transfer of stock, Membership, or another right of participation under this section does not entitle the transferee to water and/or sewer service unless each condition for water and/or sewer service is met as provided in the Corporation's published rates, charges, and conditions of service. Water and/or sewer service provided by the Corporation as a result of stock, Membership, or other right of participation may be conditioned on ownership of the real estate designated to receive service and from which the Membership or other right of participation arose.

(d) The Corporation may cancel a persons or other entity's stock, Membership, or other right of participation if the person or other entity fails to meet the conditions for water and/or sewer service prescribed by the Corporation's published rates, charges, and conditions of service, or fails to comply with any other condition placed on the receipt of water and/or sewer service under the stock, Membership. Or other right of participation authorized under Subsection (c) of this section. The Corporation may, consistent with the limitations prescribed by Subsection (a) of this section and as provided in the Corporation's tariff, reassign canceled stock, or a cancelled Membership, or other right of participation to any person or entity that has legal title to the real estate from which the canceled Membership or other right of participation arose and for which water and/or sewer service is requested, subject to compliance with the conditions for water and/or sewer service prescribed by the Corporation's published rates, charges, and conditions of service.

Section 2. Notwithstanding anything to the contrary here-in-above provided, the consideration for the transfer of any Membership in the Corporation from the original Members, their transferees, pledges, administrators or executors, or other persons, shall never exceed the amount of the original costs of such Membership. No gain or profit shall ever be realized from the sale or transfer of a Membership.

ARTICLE XIII

APPROVED: 9/12/2006

OTWSC

The Board may employ a manager to handle the business of the Corporation under the direction of the Board. The Board shall set the salary for the manager.

ARTICLE XIV

Notwithstanding the ownership of a Membership certificate, all Members shall be billed, disconnected, or reconnected, and otherwise shall receive service in accordance with the written policies of the Corporation, including the tariff of the Corporation. In the event a member should surrender the Membership certificate properly endorsed to the Secretary-Treasurer of the Corporation, the water and/or sewer service shall be discontinued and the obligation to pay for water and/or sewer service shall terminate except as for the minimum charge for the current month and the charge for water and/or sewer used during the current month, and except as for any prior unpaid amounts due the Corporation. Any remaining balance from the membership fee will be refunded to the former member. In the event Membership is terminated, cancelled, withdrawn, or surrendered, whether voluntarily or involuntarily, the former Member's rights and interest in the assets of the Corporation will not be forfeited.

ARTICLE XV

Upon the discontinuance of the Corporation by dissolution or otherwise, all assets of the Corporation shall be distributed among the members and former Members in direct proportion to the amount of their patronage with the Corporation insofar as practicable. Any indebtedness due the corporation by a Member for water and/or sewer service or otherwise shall be deducted from such Member's share prior to final distribution. By application for and acceptance of Membership in the Corporation, each Member agrees that upon the discontinuance of the Corporation by dissolution or otherwise, all assets of the Corporation transferred to that Member shall be in turn immediately transferred by the individual Member to an entity that provides a water supply or wastewater service, or both, that is exempt from ad valorem taxation. By application for and acceptance of membership in the corporation, each Member grants the Corporation's Board of Directors that member's permission to execute all instruments and documents necessary to effectuate such transfers in order to preserve the Corporation's statutory rights to exemption from income and ad valorem taxation.

ARTICLE XVI

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

APPROVED: 9/12/2006

OTWSC

9

ARTICLE XVII

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

ARTICLE XVIII

Section 1. If at the end of the fiscal year, or in the event of emergency repairs, the Board of Directors determines the total amount derived from the collection of water and/or sewer charges to be insufficient for the payment of all costs incident to the operation of the Corporation's system during the year in which such charges are collected, the Board shall make and levy an assessment against each Member of the Corporation as the Board may determine or as may be required by USDA Rural Development, RUS, so that the sum of such assessments and the amount collected from water and/or sewer and other charges is sufficient to fully pay all cost of operation, maintenance, replacement and repayment on indebtedness for the year's operations, but this provision shall not operate for the benefit of any third party creditor other than USDA Rural Development, RUS, without a favorable vote of the majority of the members. Any assessments levied to make up operations deficits in any year shall be levied against Members in proportion to their patronage with the Corporation.

Section 2. In the event a Member should surrender their Membership certificate properly endorsed by the Secretary-Treasurer of the Corporation, the obligation to pay such assessments shall be limited to assessments made and levied prior to the date of surrender of the membership certificate provided, however, that this paragraph and the second sentence of Article XIV shall not apply to relieve a Member of their obligation under special arrangements covering Multiple Membership certificates held by one Member which may have been required or approved by the USDA Rural Development, RUS.

ARTICLE XIX

The Corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its Members, Board of Directors, and

APPROVED: 9/12/2006

OTWSC

committees, and shall keep a record of the name and addresses of its Members entitled to vote at its registered office or principle office in Texas.

Annually, the Board of Directors shall prepare or cause to be prepared a report of the financial activity of the Corporation for the preceding year including a statement of support, revenue, and expenses and changes in fund balances, a statement of functional expenses, and balance sheets for all funds of such financial reports as required by USDA Rural Development, RUS. Such report shall be approved by the Board of Directors.

With prior written request, corporate records, books, and annual reports, subject to exceptions provided by the Public Information Act, Chapter 552, Texas Government Code, including any amendments thereto, shall be available for public inspection and copying by the public or their duly authorized representatives during normal business hours subject to a reasonable charge for the preparation of copies.

In the event of any conflict between the provisions of the public Information Act and the provisions of the Bylaws, the provisions of the Public Information Act shall prevail.

ARTICLE XX

These Bylaws may be altered, amended, or repealed by a vote of a majority of the Members present, whether in person or by proxy, at any regular meeting of the Members, or at any special meeting of the members called for that purpose, except that the Members shall not have the power to change the purpose of the Corporation so as to decrease its rights and powers under the laws of the State, or to waive any requirements of bond or other provisions for the safety and security of the property and funds of the Corporation or its Members, or to deprive any Member of rights and privileges then existing, or so to amend the Bylaws as to effect a fundamental change in the intents and purposes of the Corporation. Notice of any amendment to be made at a special meeting of the Members must be given at least ten (10) days before such meeting and must set forth the amendments to be considered. For so long as the corporation is indebted for a loan or loans made to it by the united States of America through the USDA Rural Development, RUS, or its successor agencies and assigns, these Bylaws shall not be altered, amended, or repealed without the prior written consent of the State Director of the USDA Rural Development, RUS, for the State of Texas.

ARTICLE XXI

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

APPROVED: 9/12/2006

OTWSC

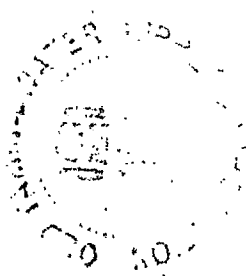
ARTICLE XXII

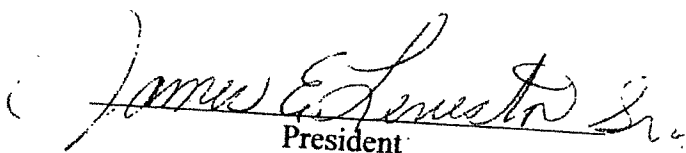
The Corporation pledges its assets for use in performing the functions of the corporation as provided by law and the Corporation's Articles of Incorporation.

11

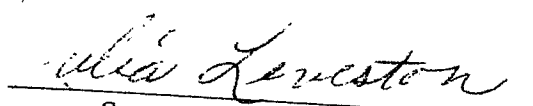
ARTICLE XXIII

* The above Bylaws and regulations were unanimously adopted by the Board of Directors of the OLD TAMINA WATER SUPPLY CORPORATION, at a meeting in Tamina Community Park on the 10th day of October, 2006.




President

Attest:


Secretary-Treasurer

APPROVED: 9/12/2006

OTWSC

Corporations Section
P.O.Box 13697
Austin, Texas 78711-3697



Geoffrey S. Connor
Secretary of State

Office of the Secretary of State

**CERTIFICATE OF AMENDMENT
OF**

**Old Tamina Water Supply Corporation
29285401**

[formerly: TAMINA WATER SUPPLY CORPORATION]

The undersigned, as Secretary of State of Texas, hereby certifies that the attached Articles of amendment for the above named entity have been received in this office and have been found to conform to law.

ACCORDINGLY the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law hereby issues this Certificate of Amendment.

Dated: 09/08/2004
Effective: 09/08/2004



A handwritten signature in black ink, appearing to read "G. Connor".

Geoffrey S. Connor
Secretary of State

Articles of Amendment to the Articles of Incorporation of
Tamina Water Supply Corporation

Pursuant to the provisions of Article 4.03 of the Texas Non-Profit Corporation Act, the undersigned corporation adopts the following articles of amendment to its articles of incorporation which changes the name of the corporation.

ARTICLE I

The name of the corporation is Tamina Water Supply Corporation

ARTICLE II

The following amendment to the articles of incorporation was adopted by Tamina Water Supply Corporation on September 6, 2004:

Article I of the articles of incorporation is amended so as to read as follows: The name of the corporation is Old Tamina Water Supply Corporation;

ARTICLE III

The amendment was adopted in the following manner:

At a meeting of members of the Board of Directors held on September 6, 2004. The amendment received the vote of at least two-thirds of the votes which members present or represented by proxy were entitled to cast.

Dated 9-6-04, 2004.

Tamina Water Supply Corporation

By James E. Leveston
James E. Leveston, Sr., President



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS
CAROLE KEETON STRAYHORN • COMPTROLLER • AUSTIN, TEXAS 78774

September 9, 2004

CERTIFICATE OF ACCOUNT STATUS

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, Carole Keeton Strayhorn, Comptroller of Public Accounts of the State of Texas, DO
HEREBY CERTIFY that according to the records of this office

OLD TAMINA WATER SUPPLY CORPORATION

is exempt from payment of franchise tax and consequently is in good standing with this
office.

GIVEN UNDER MY HAND AND
SEAL OF OFFICE in the City of
Austin, this 9th day of
September, 2004 A.D.

Carole Keeton Strayhorn

Carole Keeton Strayhorn
Texas Comptroller

payer number: 30001271938
e number: 0029285401



OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF INCORPORATION
OF

WAMINA WATER SUPPLY CORPORATION
CHARTER NO. 292854

The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and verified pursuant to the provisions of the Texas Non-Profit Corporation /and Article 1434a, V. A. C. S. of Texas Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

Dated July 2, 1971

Martin Dies Jr.
Secretary of State



ARTICLES OF INCORPORATION
OF TAMINA WATER SUPPLY CORPORATION
(A NON-PROFIT CORPORATION)

FILED
In the Office of the
Secretary of State of Texas

JUL 2 1971

Bill Kimbrough
Deputy Director, Corporation Division

ARTICLE ONE

The name of the corporation is Tamina Water Supply Corporation (A Non-Profit Corporation).

ARTICLE TWO

This corporation is a non-profit corporation organized under Article 1396, Revised Civil Statutes of the State of Texas.

ARTICLE THREE

The period of duration is perpetual.

ARTICLE FOUR

The purpose or purposes for which this corporation is organized is the purpose of providing water and sewage service on a non-profit basis, to the citizens of the rural community of Tamina, Texas, this being in the public interest of said rural community, and to assess and collect tap fees, and/or tie-on fees and water usage fees, in the amount necessary to defray the costs thereof, all for the benefit of the rural community of Tamina, Texas.

ARTICLE FIVE

(a) Membership in this association will be open to any one who owns and has rendered real property, in which he owns not less than a full community interest or the entire fee interest, or he stands to acquire under a Purchase Contract, or owner may by letter to association, transfer his membership rights to tenant who might be renting within the rural community of Tamina, Texas of the County of Montgomery. There is to be only one membership for each lot or lots owned.

There will be a membership fee of \$50.00 per member.

(b) Each member shall be entitled to one vote in the business and affairs of the association.

ARTICLE SIX

The post office address of its initial registered office is Route 1, Box 228,

Conroe, Texas, 77301, and the name of its initial registered agent at such address is E. S. Washington.

ARTICLE SEVEN

The number of directors constituting the initial board of directors is five (5) and the names and addresses of the persons who are to serve as directors until the first annual meeting of the shareholders or until their successors are elected and qualified are:

E. S. WASHINGTON, Rt. 1, Box 228, Conroe, Texas;

WILL JONES, Rt. 1, Box , Conroe, Texas;

FRANKIE D YATES, Rt. 1, Box 570A., Conroe, Texas;

OLIVIA PEARSON, Tamina, Texas;

FRED BELLER, Tamina, Texas;

ARTICLE EIGHT

The names and addresses of the incorporators, each of whom is a citizen of the State of Texas, and each of whom is over the age of twenty-one (21) years, are as follows:

E. S. WASHINGTON, Rt. 1, Box 228, Conroe, Texas;

WILL JONES, Rt. 1, Box , Conroe, Texas;

FRANKIE D. YATES, Rt. 1, Box 570A, Conroe, Texas;

IN WITNESS WHEREOF, we have hereunto set our hands, this the 22nd day of June, A. D. 1971.

E. S. Washington
E. S. WASHINGTON

Will Jones
WILL JONES

Frankie D. Yates
FRANKIE D. YATES

THE STATE OF TEXAS

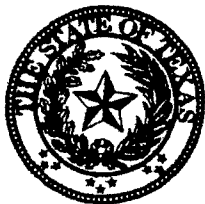
COUNTY OF MONTGOMERY

I, Jayne Walters, a Notary Public, do hereby certify that on this the 2nd day of June, A. D. 1971, personally appeared before me, E. S. WASHINGTON, WILL JONES, and FRANKIE D. YATES, who being by me first duly sworn, severally declared that they are the persons who signed the foregoing instrument as incorporators, and that the statements therein contained are true.

Jayne Walters
NOTARY PUBLIC IN AND FOR
MONTGOMERY COUNTY, TEXAS

Appendix D

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



TRANSFER OF CERTIFICATE OF CONVENIENCE AND NECESSITY

To Provide water and sewer Service Under V.T.C.A., Water Code
and Texas Commission on Environmental Quality Substantive Rules

Certificate No. 10351

Certificate No. 10351 was transferred by Order of the Commission in
Docket Nos. 33503-S & 33504-C. Standley Utilities's facilities and
lines were transferred to Chateau Woods Municipal Utility District
in Montgomery County.

Please reference Certificate No. 10351 for the location of maps and other information related
to the service area transferred.

Certificate of Convenience and Necessity No. 10351 is hereby TRANSFERRED by order
of the Texas Commission on Environmental Quality.

Issued Date: FEB 05 2003


For the Commission