

CHAPTER 1. AUTHORITY of DISTRICT, PURPOSE of RULES

Section

1.1 Authority to Promulgate Rules

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1.1 Authority to Promulgate Rules

The Comal Trinity Groundwater Conservation District, (CTGCD or District), is a political subdivision of the State of Texas. The District was created in 2015 during the 84th Texas Legislature. The District was created in response to the Texas Natural Resources Conservation Commission (TNRCC), now the Texas Commission on Environmental Quality (TCEQ), designation of the Trinity Aquifer in western Comal County as a Priority Groundwater Management Area (PGMA), an area experiencing or expected to experience critical groundwater problems, in accordance with applicable provisions and requirements of the Texas Water Code Chapter 35 in 1990. The District was created for the purpose of conserving, preserving, recharging, protecting, and preventing waste of groundwater within Comal County. Additionally, the District is charged with developing and implementing regulatory programs for groundwater resources within District boundaries.

As a duly created groundwater district, the District may exercise any and all statutory authority or power conferred under Chapter 36 of the Texas Water Code, including the adoption and enforcement of rules under Section 36.101 Rulemaking power, except as otherwise provided by the District's enabling legislation (HB 2407). All references to statutory provisions in these Rules are to the Texas Water Code, as amended, and governing legislation unless otherwise specifically stated.

1.2 Purpose of the Rules

The District Rules are promulgated under the District's Texas Water Code Chapter 36 statutory authority and the District's enabling legislation (HB 2407) to make and enforce rules to provide for the conservation, preservation, protection, and recharge of groundwater and aquifers within CTGCD boundaries. These Rules are intended to implement the management strategies and policies incorporated in the District Groundwater Management Plan and carry out the powers and duties conferred under Chapter 36.

These Rules are also intended to manage the drawdown of the water table, manage the reduction of artesian pressure, prevent interference between wells, prevent the degradation of the quality of groundwater, prevent waste of groundwater, give consideration to the service needs of retail water utilities, and carry out the powers and duties conferred under Chapter 36 and the District's enabling legislation.

These Rules, and any orders, regulations, requirements, resolutions, policies, directives, standards, guidelines, management plan, or other regulatory measures implemented by the Board of Directors (Board), have been and will be promulgated to fulfill these objectives. These Rules may not be construed to limit, restrict, or deprive the District or Board of any exercise of any power, duty, or jurisdiction conferred by Chapter 36 or any other applicable law or statute. The Board shall develop rules that are fair and impartial, and shall consider all groundwater uses and needs.

1.3 Applicability

These rules, and District actions taken pursuant to these rules, do not apply to groundwater withdrawals from the Edwards Aquifer, or to wells drilled for the purpose of withdrawing water from the Edwards Aquifer that are completed so as to be incapable of withdrawing water from any other aquifer within the District's boundaries. None of these rules may be construed to conflict with the rules of the Edwards Aquifer Authority.

1.4 Administrative Fees

Section 36.205 authorizes the District to assess fees for administrative acts of the District. These fees may not unreasonably exceed the cost to the District of providing the administrative function for which the fee is charged. Fees shall be assessed in accordance with the District Fee Schedule.

1.5 Effective Date

These Rules and any amendment are effective on the effective dates indicated following each subsection or chapter, as applicable.

1.6 Action on Rules

- a) The Board may from time to time, following notice and public hearing, amend or revoke these Rules or adopt new Rules.
- b) The Board may adopt an emergency Rule without prior notice or hearing, or with an abbreviated notice and hearing in accordance with Section 36.1011.

1.7 Severability

If any Rule, provision, section, sentence, paragraph, clause, word, or other portion of these Rules is for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other Rules or portions thereof, and these Rules shall be construed as if such invalid, illegal, or unenforceable Rule or of portions thereof had never been contained herein.

CHAPTER 11. FEE SCHEDULE

Sections:

11.1 Administrative Fees

11.2 Drilling Authorization Fee

11.3 Production Fees

11.4 Measuring Devices

11.5 Payment of Production Fees

11.6 Enforcement

As of the effective date of these rules, all non-exempt wells within the District are required to be registered with the District on the appropriate District form. The purpose of these fee requirements is to help the District fund its administrative costs as it seeks to promote groundwater conservation, provide for long-term availability of groundwater resources, reduce localized depletion of groundwater, prevent interference between wells, and prevent the degradation of groundwater.

11.1 Administrative Fees

(1) Returned Check Fee. The District will assess the person writing the returned check a \$30.00 fee for each check returned by the District Depository due to non-sufficient funds, account closed, signature missing, or any other problem causing such a return. This fee will be charged every time a check is returned.

(2) Late fee. A late fee of 10% of the amount due will be assessed if payments due the District are not received within 15 days following the due date. The fee payment and the late payment fee must be made within 30 days following the date of the assessment of the late payment fee.

(3) Trip Fee. If the District is required to have an employee or agent observe a well or meter or review documents not located within the District's office due to the actions or inaction of a Landowner, the District may charge a trip fee equal to the federal standard mileage rate for distance traveled to and from the location.

(4) Enforcement Fee. If the District is required to incur expenses to enforce the District's rules, including the payment of the District's production fee. The person responsible for causing the District to incur the expense shall reimburse the District for such expenses within ten days after receipt of a demand for payment from the District.

(5) Court-related Fee. If the District prevails in any suit to enforce its Rules, the District shall seek, and the Court may grant, in the same action, recovery for attorney's fees, costs for expert witnesses, and other costs incurred by the District's appearance before the Court. The Court may fix the amount of the attorney's fees.

(6) Application and Processing Fee. For fees incurred during the process, or if the District incurs additional costs including, but not limited to, professional consultant fees, or legal counsel, the applicant will be responsible for all costs incurred by the District.

Adopted December 21, 2015 by Board Order; effective January 1, 2016

11.2 Drilling Authorization Fee

(1) A drilling authorization application fee shall be paid to the District when submitting a drilling authorization application as described under Chapter 5.

(2) A drilling authorization application fee required by Chapter 11.2(1) is a non-refundable minimum and no portion of the fee shall be returned to the applicant. The application fee is charged each time an application as described in Chapter 5 is submitted. The District may assess an additional fee if the District incurs non-routine expenses relating to the investigation of the application, a protest to the application requiring a hearing, or recurring inspections caused by the applicant or the applicant's agent failing to comply with District Rules and requirements.

(3) The drilling authorization application and other applicable fees are set at the following rates:

- a) Drilling of new exempt domestic and livestock wells - \$400.00
- b) Drilling of a new well that does not meet the exemption under Chapter 11.3 and incapable of producing greater than 25,000 gallons per day - \$400.00
- c) Drilling of a new well that does not meet the exemption under Chapter 11.3 and with a production capacity of greater than 25,000 gallons per day - \$1500.00
- d) Plugging of an existing well - \$400.00
- e) Drilling of a test bore - \$300.00
- f) Completion of test bore, recondition, rework, or altering a well incapable of producing greater than 25,000 gallons per day - \$300.00
- g) Completion of test bore, recondition, rework, or altering a well capable of producing greater than 25,000 gallons per day - \$1200.00
- h) Variance to Rules Request - \$300.00

(4) The amount of the application fee assessed under District Rule Chapter 11.3 is based on the information provided in the application. If the District later determines that the information was incorrect, and a higher application fee should have been paid, all work on the well shall cease until the higher fee is paid.

Adopted March 19, 2018 by Board Order; effective January 1, 2019.

11.3 Production Fees

(1) Exemptions: The following types of wells are exempt from the District's production permit and fee:

- a) Wells for domestic and livestock use. Any well used solely to supply water for domestic use within a home or residence, or for livestock or poultry use, regardless

of lot land size and one that is drilled, completed, or equipped so that is incapable of producing more than 25,000 gallons of groundwater per day;

- b) Any well that is not capable of producing more than 10,000 gallons per day; or is metered and does not produce more than 10 acre-ft of groundwater in a calendar year. This type of well must meet the District's quarterly reporting requirement.
- c) Per Texas Water Code, section 36.117. Any person or well exempt from payment of production fees assessed by the District under Texas Water Code, section 36.117, as modified by the Enabling Act.
 - i. A water well used solely to supply water for a rig that is actively engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas provided that the person holding the permit is responsible for drilling and operating the water well and the well is located on the same lease or field associated with the drilling rig; or,
 - ii. A water well authorized under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code, for production from such a well to the extent the withdrawals are required for mining activities regardless of any subsequent use of the water.

(2) Fees for Non-Exempt Users: The District imposes reasonable annual production fees on each well that is not exempt from permitting based on the amount of water withdrawn from the well as follows:

- a) Agricultural use: \$1 per acre-foot; or
- b) Other Non-Exempt Production: \$20.00 per acre-foot for groundwater used for any other purpose.

11.4 Measuring Devices

(1) Domestic and livestock exempt wells are not required to have a measuring device installed. The owner of a non-exempt well shall install and maintain a water well meter, or alternative measuring device that is incapable of being reset, or method approved by the District, designed to indicate the flow rate and cumulative amount of water withdrawn by that well, on each individual well no later than 36 months after the effective date of the enabling legislation HB2407 (84th Legislation 2015).

11.5 Payment of Production Fees

(1) It shall be the responsibility of the non-exempt well owner, or their representative, to submit detailed usage per well on a quarterly basis on form(s) approved by the District.

(2) Production Fees shall be due and payable as follows:

- a) Agricultural: Number of gallons produced multiplied by \$0.0000030689 per gallon.
- b) All other uses: Number of gallons produced multiplied by \$0.00006138 per gallon.

STM APPLICATION
306 WATER COMPANY, LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART F QUESTION 22.A.
LAST TCEQ COMPLIANCE INSPECTION

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 20, 2018

Mr. William J. Lowman
President
Texas Country Water, Inc.
333 Big Sky Drive
New Braunfels, Texas 78132

Re: Notice of Compliance with a Notice of Violation dated March 9, 2016:
Texas Country Water, located off FM 306 adjacent to 333 Big Sky Dr., New Braunfels,
Comal County, Texas
Regulated Entity No.: RN101181808, TCEQ ID No.: 0460223
Investigation: 1467388

Dear Mr. Lowman:

This letter is to inform you that Texas Commission on Environmental Quality San Antonio Region Office received adequate compliance documentation on February 9, 2018, for the alleged violation noted during the investigation of the above-referenced facility conducted on December 29, 2015. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions, please feel free to contact Mr. Colby Maron in the San Antonio Region Office at 210/403-4024.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joy Thurston-Cook".

Joy Thurston-Cook
Water Section Team Leader
San Antonio Region Office

JMTC/CM/eg

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 9, 2016

CERTIFIED MAIL NO.: 91 7199 9991 7036 0233 0246
RETURN RECEIPT REQUESTED

Mr. William J. Lowman, President/Operator
Texas Country Water, Inc.
333 Big Sky Dr.
New Braunfels, Texas 78132

Re: Notice of Violation for the Comprehensive Compliance Investigation at:
Texas Country Water, Off of FM 306 adjacent to 333 Big Sky Dr. and at 271 Big Sky Dr.,
New Braunfels, Comal County, Texas
Regulated Entity No.: RN101181808, TCEQ ID No.: 0460223
Investigation No.: 1301468.

Dear Mr. Lowman:

On December 29, 2015, Ms. De'Shaune Blake of the Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by June 26, 2016, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the San Antonio Region Office at (210) 403-4096 or the Central Office Publications Ordering Team at 512-239-0028.

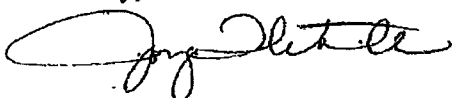
The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the San Antonio Region Office within 10 days from the date of this letter. At that time, Water Section Manager, Ms.

Mr. William J. Lowman
March 9, 2016
Page 2

Lynn Bumgardner, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of Investigation Findings until an official decision is made regarding the status of the contested violation.

If you or members of your staff have any questions, please feel free to contact Ms. Blake in the San Antonio Region Office at (210) 403-4033.

Sincerely,



Joy Thurston-Cook
Water Section Team Leader
San Antonio Region Office

JTC/db/eg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

TEXAS COUNTRY WATER

Investigation #

1301468

Investigation Date: 12/29/2015

, COMAL COUNTY,

Additional ID(s): 0460223

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

Track No: 503184 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1094253

Comment Date: 05/29/2013

Failure to keep the well and all associated appurtenances in a water tight condition.

At the time of the investigation, the pressure release valve on the well was leaking.

30 TAC 290.46(m)(4)--All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

Investigation: 1301468

Comment Date: 02/17/2016

Failure to maintain watertight conditions.

At the time of the investigation, the pop-off valve (pressure relief valve) for well #3 was leaking.

30 TAC 290.46(m)(4)-- All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

Recommended Corrective Action: Provide by the compliance due date, a completed work order, receipt or invoice and/or photographs indicating that the leaking pop-off valve for well #3 has been repaired.

Track No: 595828 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.42(e)(4)(B)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to separate the chlorine room with an impervious wall or partition from all other mechanical and electrical equipment.

At the time of the investigation, the chlorine room wall at the treatment plant had openings in it which caused it to not be separated from the mechanical and electrical equipment in the adjacent pump room.

30 TAC 290.42(e)(4)(B)-- Housing for gas chlorination equipment and cylinders of chlorine shall be in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities. Housing shall be located above ground level as a measure of safety. Equipment and cylinders may be installed on the outside of the buildings when protected from adverse weather conditions and vandalism.

Recommended Corrective Action: Provide by the compliance due date, a completed work order, receipt or invoice and/or photograph indicating that the chlorine room has been separated from the mechanical and electrical equipment.

Track No: 595829 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(t)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide ownership signs.

At the time of the investigation, no ownership signs were posted at the main plant and at the two well houses.

30 TAC 290.46(t)-- System ownership. All community water systems shall post a legible sign at each of its production, treatment, and storage facilities. The sign shall be located in plain view of the public and shall provide the name of the water supply and an emergency telephone number where a responsible official can be contacted.

Recommended Corrective Action: Provide by the compliance due date, a photograph indicating that a legible ownership sign has been posted at the main plant and at the two well houses.

Track No: 595830 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.41(c)(3)(O)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/22/2016

Failure to secure the well units.

At the time of the investigation, no method to secure the well house openings to prevent entrance to the well houses for well #1 and #3 was provided.

30 TAC 290.41(c)(3)(O)-- All completed well units shall be protected by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers. The gates or wellhouses shall be locked during periods of darkness and when the plant is unattended.

Recommended Corrective Action: Provide by the compliance due date, photographs that indicate that the entrance of the well house openings have been secured to prevent intrusion.

Track No: 595831 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(f)(2)

30 TAC Chapter 290.46(f)(3)(A)(i)(III)

30 TAC Chapter 290.46(f)(3)(A)(ii)(III)

30 TAC Chapter 290.46(f)(3)(A)(iv)

30 TAC Chapter 290.46(f)(3)(B)(v)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide records available upon request.

At the time of the investigation, records of the amount of water distributed (weekly meter readings for both wells), the amount of chemicals used each week, the dates that dead-end mains were flushed, and no annual backflow prevention assembly test reports for the 50 connections that have On-Site Sewage Facilities (OSSF) with irrigation that have Reduced Pressure Backflow Prevention Assembly (RPBA) devices installed were not provided.

30 TAC 290.46(f)(3)(A)(i)(III)-- Systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchased treated water shall maintain a record of the amount of each chemical used each week;

TEXAS COUNTRY WATER

Investigation # 1301468

30 TAC 290.46(f)(3)(A)(ii)(III)-- Systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchase treated water shall maintain a record of the amount of water distributed each week;

30 TAC 290.46(f)(3)(A)(iv)-- the dates that dead-end mains were flushed and

30 TAC 290.46(f)(3)(B)(v)-- the records of backflow prevention device programs.

Recommended Corrective Action: Provide by the compliance due date, copies of records ranging from January 2016 through March 2016 that indicate that the amount of chemicals used and the amount of water distributed (meter readings) each week are being recorded, and that the dead end mains are being flushed at monthly intervals, and copies of the 50 annual backflow prevention assembly devices for the connections that have OSSF with irrigation and have RPBA's installed.

Track No: 595832 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to calibrate the well flow meters at least once every three years.

At the time of the investigation, no triennial calibration records for the well flow meters or documentation indicating that the well flow meters have been replaced within the past three years were provided.

30 TAC 290.46(s)(1)-- Flow measuring devices and rate-of-flow controllers that are required by §290.42(d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. Well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.

Recommended Corrective Action: Provide copies of the calibration results that indicate that the well flow meters have been calibrated in accordance with requirements or provide an invoice or receipt indicating that the well flow meters have been replaced within the past three years.

Track No: 595833 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(m)(1)(B)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to conduct a pressure tank inspection in accordance with requirements.

At the time of the investigation, no exterior annual inspection and no five year interior inspection of the pressure tank were conducted.

30 TAC 290.46(m)(1)(B)-- Pressure tank inspections must determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and the tank remains in watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

Recommended Corrective Action: Provide by the compliance due date, a copy of tank inspection form that indicates that interior and exterior of the pressure tank has been inspected in accordance with requirements.

Track No: 595834 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(i)

Alleged Violation:

Failure to provide an adopted plumbing ordinance, regulations, or service agreement.

At the time of the investigation, no adopted plumbing ordinance, regulations, or service agreement was provided.

30 TAC 290.46(i)-- Plumbing ordinance. Public water systems must adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted (See §290.47(b) of this title (relating to Appendices)). Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 0.25% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

Recommended Corrective Action: Provide by the compliance due date, a copy of an adopted plumbing ordinance, regulations, or service agreement.

Track No: 595835 Compliance Due Date: 06/26/2016

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

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure by the regulated entity to verify the accuracy of manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations.

At the time of the investigation, no chlorine solutions of known concentrations were provided and no documentation to indicate that the manual disinfectant residual analyzers were being verified for accuracy at least once every 90 days were provided.

30 TAC 290.46(s)(2)(C)(i)-- The accuracy of manual disinfectant residual analyzers shall be verified at least once every 90 days using chlorine solutions of known concentrations.

Recommended Corrective Action: Provide by the compliance due date, a receipt or photograph indicating that chlorine solutions of known concentrations have been obtained and a log indicating that the accuracy of the manual disinfectant residual analyzer is being verified at least once every 90 days or a receipt or photograph indicating that a color comparator has been purchased.

Track No: 595836 Compliance Due Date: 06/26/2016

30 TAC Chapter 290.46(n)(1)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide as-built plans or record drawings and specifications for the public water supply.

At the time of the investigation, no as-built plans or record drawings and specifications for the production, treatment, and storage and pressure maintenance facilities were provided.

30 TAC 290.46(n)(1)-- Accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank shall be maintained at the public water system until the facility is decommissioned. As-built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

Recommended Corrective Action: Provide by the compliance due date, copies of as-built plans or record drawings and specifications for the production, treatment, and storage and

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

Track No: 503181

30 TAC Chapter 290.46(m)

Alleged Violation:

Investigation: 1094253

Comment Date: 05/29/2013

Failure to maintain the vegetation along the intruder resistant fencing.

At the time of the investigation, tree limbs were leaning on the fence and vines were growing on and within the fence.

30 TAC 290.46(m)--Maintenance and housekeeping. The maintenance and housekeeping practices used by a public water system shall ensure the good working condition and general appearance of the system's facilities and equipment. The grounds and facilities shall be maintained in a manner so as to minimize the possibility of the harboring of rodents, insects, and other disease vectors, and in such a way as to prevent other conditions that might cause the contamination of the water.

Investigation: 1301468

Comment Date: 02/17/2016

12/29/2015- The entity demonstrated compliance at the time of the investigation.

Recommended Corrective Action: Remove the vegetation to help insure the integrity of the intruder resistant fence.

To document compliance, submit photographic documentation which indicates that the needed maintenance has taken place to this office by the compliance due date.

Resolution: At the time of the investigation, the vines and tree limbs appeared to be cut back enough to resolve this violation.

Track No: 503185

30 TAC Chapter 290.41(c)(3)(K)

Alleged Violation:

Investigation: 1094253

Comment Date: 05/29/2013

Failure to equip a well with a casing vent.

At the time of the investigation, Well #3 was not equipped with the required casing vent.

30 TAC 290.41(c)(3)(K)--Wellheads and pump bases shall be sealed by a gasket or sealing compound and properly vented to prevent the possibility of contaminating the well water. A well casing vent shall be provided with an opening that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well. Wellheads and well vents shall be at least two feet above the highest known watermark or 100-year flood elevation, if available, or adequately protected from possible flood damage by levees.

Investigation: 1301468

Comment Date: 02/17/2016

12/29/2015- The entity demonstrated compliance at the time of the investigation.

Recommended Corrective Action: Install the required well casing vent on Well #3.

To document compliance, submit photographic documentation which indicates that the required well casing vent has been installed to this office by the compliance due date.

Resolution: At the time of the investigation, well #3 was equipped with a casing vent.

ADDITIONAL ISSUES**Description**

Item 13

Additional Comments

30 TAC 290.46(u)-- Abandoned wells. Abandoned public water supply wells owned by the system must be plugged with cement according to 16 TAC Chapter 76 (relating to Water Well Drillers and Water Well Pump installers). Wells that are not in use and are non-deteriorated as defined in those rules must be tested every five years or as required by the executive director to prove that they are in a non-deteriorated condition. The test results shall be sent to the executive director for review and approval. Deteriorated wells must be either plugged with cement or repaired to a non-deteriorated condition.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2017

CERTIFIED MAIL NO. 91 7199 9991 7036 8838 9732
RETURN RECEIPT REQUESTED

Mr. William J. Lowman, President/Operator
Texas Country Water, Inc.
333 Big Sky Drive
New Braunfels, Texas 78132

Re: Additional Compliance Documentation Needed for the Comprehensive Compliance Investigation at:
Texas Country Water, Off of FM 306 adjacent to 333 Big Sky Dr., New Braunfels, Comal County, Texas
Regulated Entity No.: RN101181808, TCEQ ID No.: 0460223
Investigation No.: 1438845, Incident: 266174

Dear Mr. Lowman:

The Texas Commission on Environmental Quality (TCEQ) San Antonio Region Office has received the compliance documentation that you submitted October 13, 2017 for the alleged violations noted during the investigation of the above-referenced facility conducted on December 29, 2015. The compliance documentation contained in your response appears to indicate that the majority of the problems documented during the investigation has been corrected. However, information is still needed for the alleged violation listed in the enclosed summary. Please submit to our office by December 08, 2017, a written description of corrective action taken and the required compliance documentation demonstrating that this remaining alleged violation has been resolved.

The TCEQ appreciates your assistance in this matter and your compliance efforts to protect the State's environment. We look forward to receiving your response for the remaining alleged violations. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements.

If you or members of your staff have any questions, please feel free to contact Mr. Colby Maron at the San Antonio Region Office at (210)403-4024.

Sincerely,

A handwritten signature in black ink, appearing to read "Joy Thurston-Cook".

Joy Thurston-Cook, Water Section Team Leader
San Antonio Region Office

JTC/CM/eg

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

TEXAS COUNTRY WATER	Investigation # 1438845
, COMAL COUNTY,	Investigation Date: 08/22/2017
Additional ID(s): 0460223	

OUTSTANDING ALLEGED VIOLATION(S)

Track No: 595832 Compliance Due Date: 12/08/2017
30 TAC Chapter 290.46(s)(1)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to calibrate the well flow meters at least once every three years.

At the time of the investigation, no triennial calibration records for the well flow meters or documentation indicating that the well flow meters have been replaced within the past three years were provided.

30 TAC 290.46(s)(1)– Flow measuring devices and rate-of-flow controllers that are required by §290.42(d) of this title (relating to Water Treatment) shall be calibrated at least once every 12 months. Well meters required by §290.41(c)(3)(N) of this title (relating to Water Sources) shall be calibrated at least once every three years.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation remains outstanding.

Recommended Corrective Action: Provide copies of the calibration results that indicate that the well flow meters have been calibrated in accordance with requirements or provide an invoice or receipt indicating that the well flow meters have been replaced within the past three years.

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 503184
30 TAC Chapter 290.46(m)(4)

Alleged Violation:

Investigation: 1094253

Comment Date: 05/29/2013

Failure to keep the well and all associated appurtenances in a water tight condition.

At the time of the investigation, the pressure release valve on the well was leaking.

30 TAC 290.46(m)(4)–All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

Investigation: 1301468

Comment Date: 02/17/2016

Failure to maintain watertight conditions.

At the time of the investigation, the pop-off valve (pressure relief valve) for well #3 was leaking.

TEXAS COUNTRY WATER

Investigation # 1438845

30 TAC 290.46(m)(4)-- All water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances shall be maintained in a watertight condition and be free of excessive solids.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, a completed work order, receipt or invoice and/or photographs indicating that the leaking pop-off valve for well #3 has been repaired.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595828

30 TAC Chapter 290.42(e)(4)(B)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to separate the chlorine room with an impervious wall or partition from all other mechanical and electrical equipment.

At the time of the investigation, the chlorine room wall at the treatment plant had openings in it which caused it to not be separated from the mechanical and electrical equipment in the adjacent pump room.

30 TAC 290.42(e)(4)(B)-- Housing for gas chlorination equipment and cylinders of chlorine shall be in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities. Housing shall be located above ground level as a measure of safety. Equipment and cylinders may be installed on the outside of the buildings when protected from adverse weather conditions and vandalism.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, a completed work order, receipt or invoice and/or photograph indicating that the chlorine room has been separated from the mechanical and electrical equipment.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595829

30 TAC Chapter 290.46(t)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide ownership signs.

At the time of the investigation, no ownership signs were posted at the main plant and at the two well houses.

30 TAC 290.46(t)-- System ownership. All community water systems shall post a legible sign at each of its production, treatment, and storage facilities. The sign shall be located in plain view of the public and shall provide the name of the water supply and an emergency telephone number where a responsible official can be contacted.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, a photograph indicating that a legible ownership sign has been posted at the main plant and at the two well houses.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595830

30 TAC Chapter 290.41(c)(3)(O)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/22/2016

Failure to secure the well units.

At the time of the investigation, no method to secure the well house openings to prevent entrance to the well houses for well #1 and #3 was provided.

30 TAC 290.41(c)(3)(O)-- All completed well units shall be protected by intruder-resistant fences, the gates of which are provided with locks or shall be enclosed in locked, ventilated well houses to exclude possible contamination or damage to the facilities by trespassers. The gates or wellhouses shall be locked during periods of darkness and when the plant is unattended.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, photographs that indicate that the entrance of the well house openings have been secured to prevent intrusion.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595831

30 TAC Chapter 290.46(f)(2)

30 TAC Chapter 290.46(f)(3)(A)(i)(III)

30 TAC Chapter 290.46(f)(3)(A)(ii)(III)

30 TAC Chapter 290.46(f)(3)(A)(iv)

30 TAC Chapter 290.46(f)(3)(B)(v)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide records available upon request.

At the time of the investigation, records of the amount of water distributed (weekly meter readings for both wells), the amount of chemicals used each week, the dates that dead-end mains were flushed, and no annual backflow prevention assembly test reports for the 50 connections that have On-Site Sewage Facilities (OSSF) with irrigation that have Reduced Pressure Backflow Prevention Assembly (RPBA) devices installed were not provided.

30 TAC 290.46(f)(3)(A)(i)(III)-- Systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchased treated water shall maintain a record of the amount of each chemical used each week;

30 TAC 290.46(f)(3)(A)(ii)(III)-- Systems that serve fewer than 250 connections, serve fewer than 750 people, and use only groundwater or purchase treated water shall maintain a record of the amount of water distributed each week;

30 TAC 290.46(f)(3)(A)(iv)-- the dates that dead-end mains were flushed and

30 TAC 290.46(f)(3)(B)(v)-- the records of backflow prevention device programs.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, copies of records ranging from January 2016 through March 2016 that indicate that the amount of chemicals used and the amount of water distributed (meter readings) each week are being recorded, and that the dead end mains are being flushed at monthly intervals, and copies of the 50 annual backflow prevention assembly devices for the connections that have OSSF with irrigation and have RPBA's installed.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595833

30 TAC Chapter 290.46(m)(1)(B)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to conduct a pressure tank inspection in accordance with requirements.

At the time of the investigation, no exterior annual inspection and no five year interior inspection of the pressure tank were conducted.

30 TAC 290.46(m)(1)(B)-- Pressure tank inspections must determine that the pressure release device and pressure gauge are working properly, the air-water ratio is being maintained at the proper level, the exterior coating systems are continuing to provide adequate protection to all metal surfaces, and the tank remains in watertight condition. Pressure tanks provided with an inspection port must have the interior surface inspected every five years.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, a copy of tank inspection form that indicates that interior and exterior of the pressure tank has been inspected in accordance with requirements.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595834

30 TAC Chapter 290.46(i)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide an adopted plumbing ordinance, regulations, or service agreement.

At the time of the investigation, no adopted plumbing ordinance, regulations, or service agreement was provided.

30 TAC 290.46(i)-- Plumbing ordinance. Public water systems must adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are

permitted (See §290.47(b) of this title (relating to Appendices)). Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 0.25% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, a copy of an adopted plumbing ordinance, regulations, or service agreement.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595835

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

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure by the regulated entity to verify the accuracy of manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations.

At the time of the investigation, no chlorine solutions of known concentrations were provided and no documentation to indicate that the manual disinfectant residual analyzers were being verified for accuracy at least once every 90 days were provided.

30 TAC 290.46(s)(2)(C)(i)-- The accuracy of manual disinfectant residual analyzers shall be verified at least once every 90 days using chlorine solutions of known concentrations.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, a receipt or photograph indicating that chlorine solutions of known concentrations have been obtained and a log indicating that the accuracy of the manual disinfectant residual analyzer is being verified at least once every 90 days or a receipt or photograph indicating that a color comparator has been purchased.

Resolution: 10/13/2017- Compliance documentation was received.

Track No: 595836

30 TAC Chapter 290.46(n)(1)

Alleged Violation:

Investigation: 1301468

Comment Date: 02/17/2016

Failure to provide as-built plans or record drawings and specifications for the public water supply.

At the time of the investigation, no as-built plans or record drawings and specifications for the production, treatment, and storage and pressure maintenance facilities were provided.

30 TAC 290.46(n)(1)-- Accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank shall be maintained at

the public water system until the facility is decommissioned. As-built plans of individual projects may be used to fulfill this requirement if the plans are maintained in an organized manner.

Investigation: 1421653

Comment Date: 06/16/2017

This violation remains outstanding.

Investigation: 1438845

Comment Date: 10/16/2017

This violation is being resolved.

Recommended Corrective Action: Provide by the compliance due date, copies of as-built plans or record drawings and specifications for the production, treatment, and storage and pressure maintenance facilities.

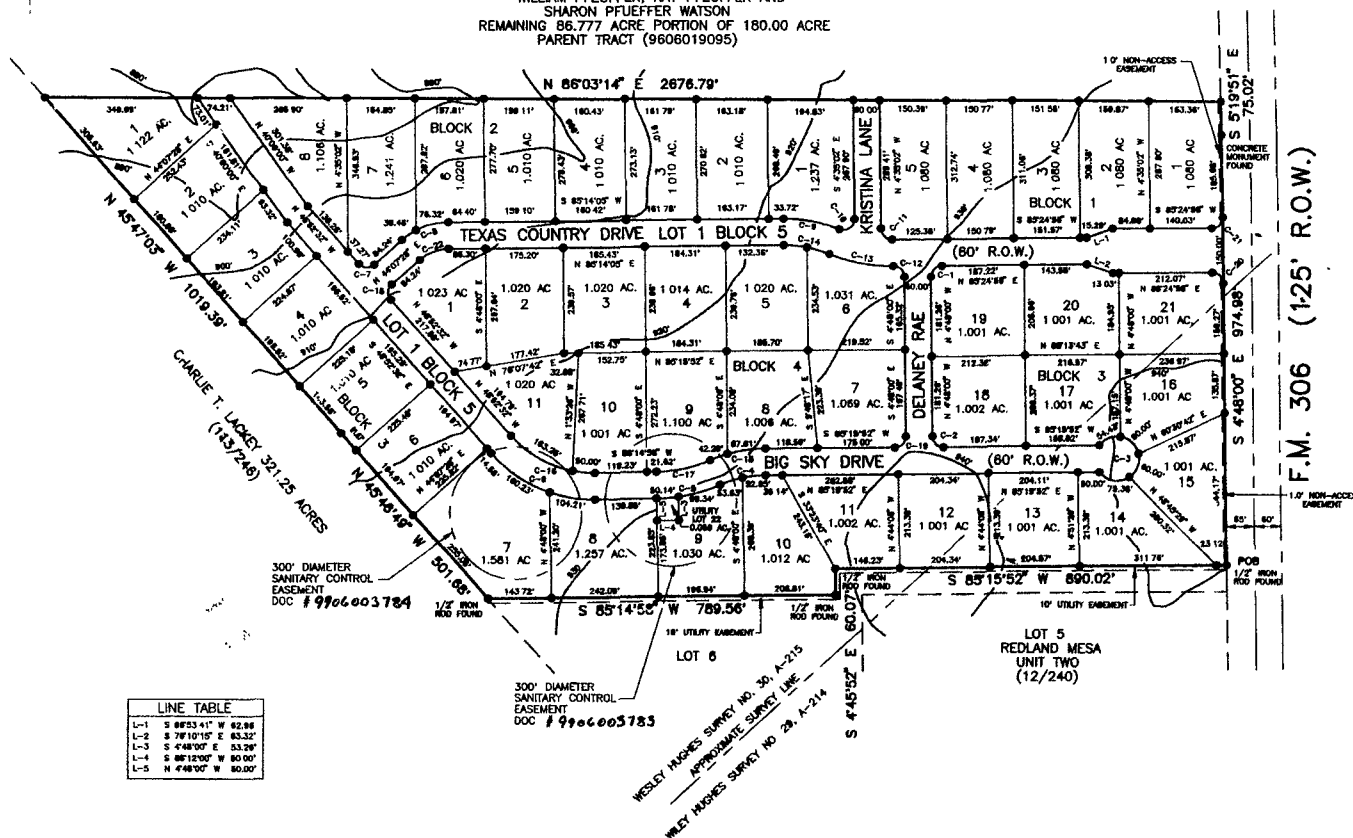
Resolution: 10/13/2017- Compliance documentation was received.

STM APPLICATION
TCE WATER LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART G QUESTION 29 A.2.
DETAIL MAP (LARGE SCALE)

WILLIAM PFEUFFER, RAY PFEUFFER AND
SHARON PFEUFFER WATSON
REMAINING 86.777 ACRE PORTION OF 180.00 ACRE
PARENT TRACT (9606019095)

M.D.S. LAND SURVEYING CO.
818 COMAL STREET
NEW BRAUNFELS, TEXAS 78130
PHONE: (830) 625-0337

DATE PREPARED: 06-30-98
JOB #98-0188



LINE TABLE	
L-1	S 89°53'41" W 62.88'
L-2	S 79°10'18" E 63.32'
L-3	S 4°48'00" E 53.28'
L-4	S 89°12'00" W 80.00'
L-5	N 4°48'00" W 80.00'

CURVE DATA

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT
C-1	90°12'58"	25.00'	39.36'	25.09'
C-2	89°58'05"	25.00'	39.24'	24.97'
C-3	28°15'37"	50.00'	249.81'	100.00'
C-4	22°33'14"	270.00'	108.28'	53.84'
C-5	22°32'20"	380.00'	149.45'	75.72'
C-6	48°52'30"	310.00'	264.43'	140.67'
C-7	90°00'00"	25.00'	39.27'	25.00'
C-8	41°08'37"	160.00'	114.80'	60.00'
C-9	22°32'31"	330.00'	129.83'	65.77'
C-10	112°21'38"	25.00'	49.03'	37.32'
C-11	89°54'02"	25.00'	39.08'	24.81'
C-12	89°47'02"	25.00'	39.18'	24.91'
C-13	22°21'38"	380.00'	149.30'	75.11'
C-14	22°32'31"	270.00'	108.23'	53.81'
C-15	90°00'00"	25.00'	39.27'	25.00'
C-16	48°52'30"	250.00'	213.28'	113.80'
C-17	22°32'20"	320.00'	125.88'	63.77'
C-18	22°33'14"	330.00'	129.90'	65.80'
C-19	90°03'52"	25.00'	39.30'	25.03'
C-20	89°47'02"	25.00'	39.18'	24.91'
C-21	90°12'58"	25.00'	39.36'	25.09'
C-22	41°08'37"	100.00'	71.75'	37.50'

TEXAS COUNTRY ESTATES UNIT ONE

BEING 55.000 ACRES OF LAND, BEING APPROXIMATELY 4.74 ACRES
OUT OF THE WILEY HUGHES SURVEY NO. 29, ABSTRACT NO. 214 AND
APPROXIMATELY 50.26 ACRES OUT OF THE WILEY HUGHES SURVEY
NO. 30, ABSTRACT NO. 215, COMAL COUNTY, TEXAS.

Wiley Hughes

STATE OF TEXAS
COUNTY OF COMAL

I, JOY STREATER, COUNTY CLERK OF SAID COUNTY, DO

CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE.

ON THE 12th DAY OF February

A.D. 1999, AT 11:02 A.M. AND DULY RECORDED THE 12 DAY OF February

A.D. 1999 AT 11:03 A.M. IN THE RECORDS OF MAP AND PLAT

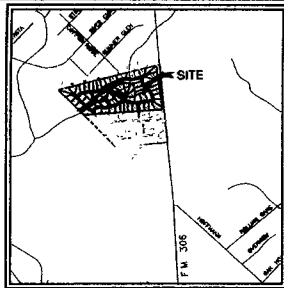
OF SAID COUNTY IN BOOK VOLUME 12 ON PAGE 390 IN TESTIMONY WHEREOF,

WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 12th DAY OF February

A.D. 1999.

COUNTY CLERK, COMAL COUNTY, TEXAS

Joy Streater



LOCATION MAP
NO SCALE

TEXAS COUNTRY ESTATES UNIT 2
(3 BLOCKS W/ 66 LOTS)

SURVEY OF 86 781 ACRES OF LAND OUT OF THE WESLEY HUGHES SURVEY NO. 30, ABSTRACT NO. 215, COMAL COUNTY, TEXAS AND BEING THE SAME 86 777 ACRES RECORDED IN DOCUMENT NO. 9906030122 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS

OWNER
TEXAS COUNTRY ESTATES LTD
2007 S IH 35
NEW BRAUNFELS, TEXAS 78130

SCALE: 1"=100'

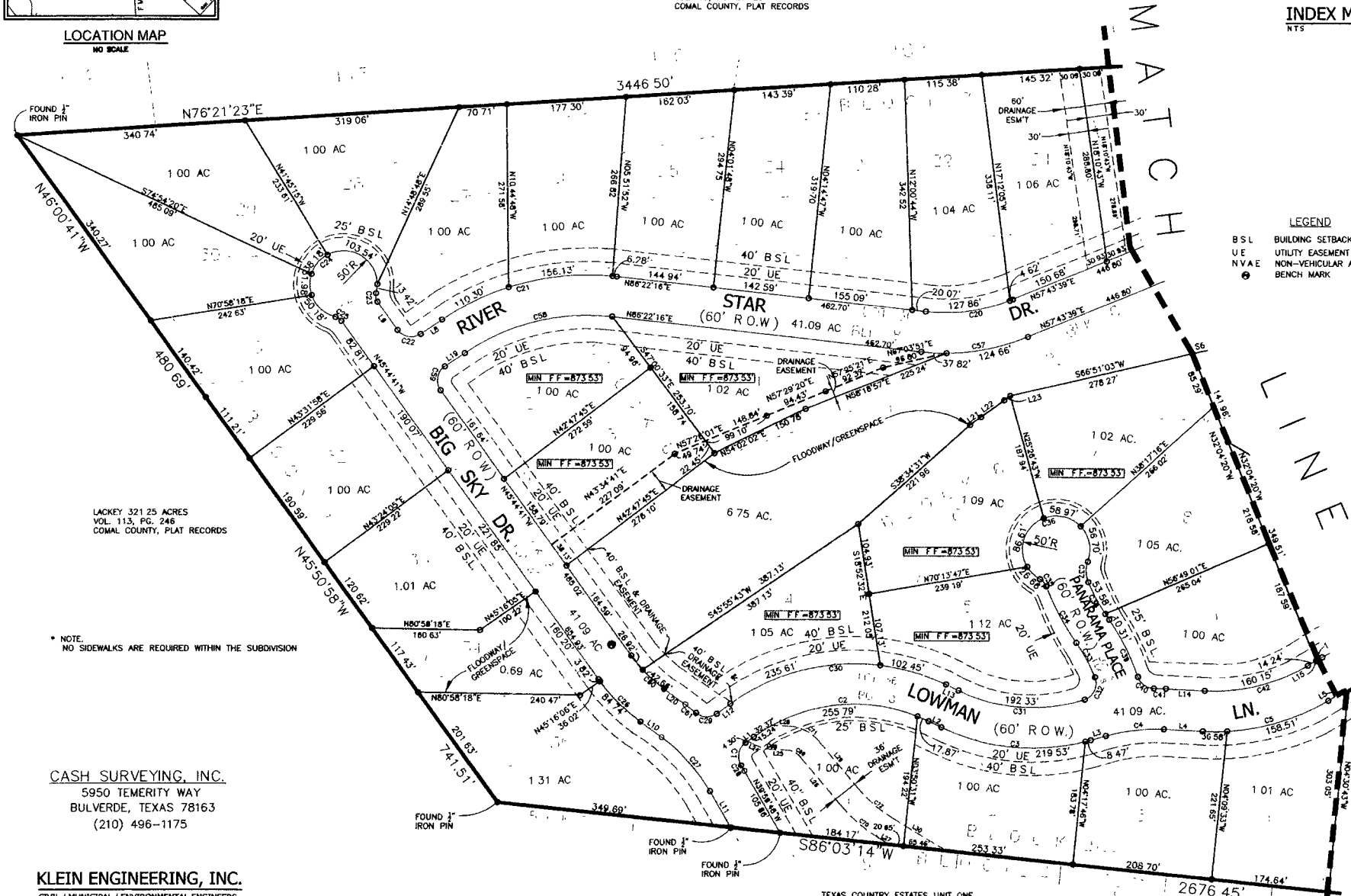
RIVERCHASE UNIT ONE
VOL 13, PG 20-23
COMAL COUNTY, PLAT RECORDS



INDEX MAP
NTS

LEGEND

- BSL BUILDING SETBACK LINE
- UE UTILITY EASEMENT
- NVAE NON-VEHICULAR ACCESS EASEMENT
- BENCH MARK



* NOTE:
NO SIDEWALKS ARE REQUIRED WITHIN THE SUBDIVISION

CASH SURVEYING, INC.
5950 TEMERITY WAY
BULVERDE, TEXAS 78163
(210) 496-1175

KLEIN ENGINEERING, INC.
CIVIL / MUNICIPAL / ENVIRONMENTAL ENGINEERS
SAN ANTONIO, TEXAS

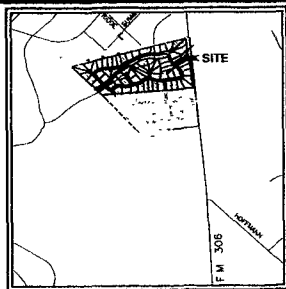
8611 BOTTS LN
(210) - 828 - 7070

SAN ANTONIO, TEXAS 78217
FAX: (210) - 828 - 7076

TEXAS COUNTRY ESTATES UNIT ONE
VOL 12 PG 370
COMAL COUNTY, PLAT RECORDS

JOB NO. 10-24

DATE: SEPTEMBER 26, 2007

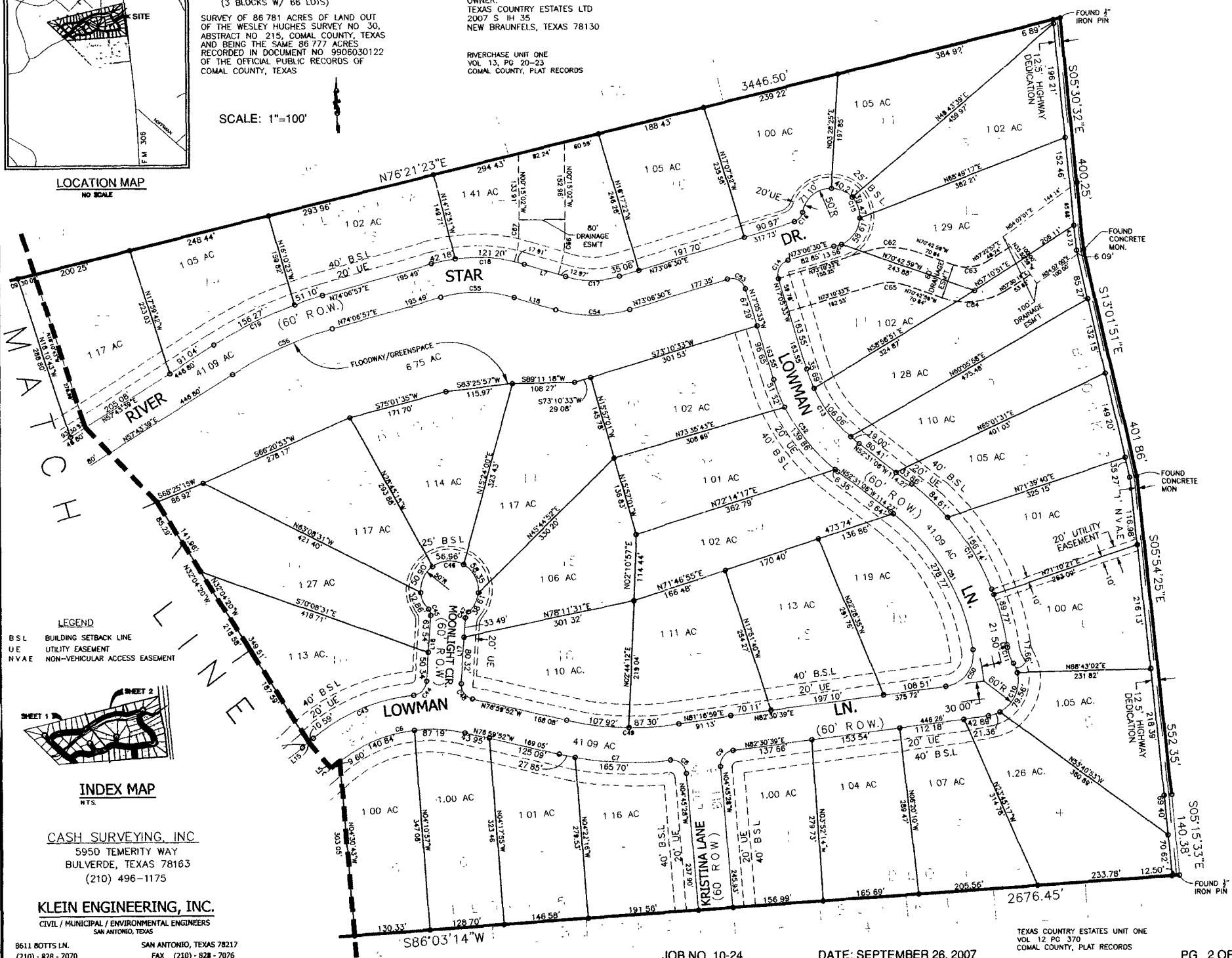
LOCATION MAP
NO SCALETEXAS COUNTRY ESTATES UNIT 2
(3 BLOCKS W/ 66 LOTS)

SURVEY OF 88.781 ACRES OF LAND OUT
OF THE WESLEY HUGHES SURVEY NO. 30,
ABSTRACT NO. 215, COMAL COUNTY, TEXAS
AND BEING THE SAME 86.777 ACRES
RECORDED IN DOCUMENT NO. 9906030122
OF THE OFFICIAL PUBLIC RECORDS OF
COMAL COUNTY, TEXAS

OWNER:
TEXAS COUNTRY ESTATES LTD
2007 S IH 35
NEW BRAUNFELS, TEXAS 78130

RIVERCHASE UNIT ONE
VOL. 13, PG. 20-23
COMAL COUNTY, PLAT RECORDS

SCALE: 1"=100'



STATE OF TEXAS

COUNTY OF COMAL

I, Jay Streeter County Clerk of said County, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office, on the 17 day of April, A.D. 2008, at 10:58 A.M. and duly recorded the 053 of Comal County, Texas in Doc # 2008060152 in the map and plat records of Comal County, Texas in Doc # 2008060152 in testimony whereof, I witness my hand and official seal of office this 17 day of April, A.D. 2008.

County Clerk, Jay Streeter
Comal County, Texas
Jay Streeter
Deputy



STATE OF TEXAS

COUNTY OF COMAL

Texas Country Water Inc. an approved public water supply has adequate quantity to supply this subdivision, and provisions have been made to provide service to each lot

Wm. J. Bowman, II
Texas Country Water Inc. 3-31-2008
Date

STATE OF TEXAS

COUNTY OF COMAL

I, the undersigned owner/agent of the land shown on this plat, and designated herein as Texas Country Estates Unit 2 a subdivision to the City of New Braunfels, County of Comal, Texas, and whose name as subscribed hereto, do hereby subdivide such property and dedicate to the use of the public of streets, alleys, parks, drains, easements, and public places thereon shown for the purposes and consideration therein expressed. There is also dedicated for utility purposes, an easement five feet on each side of all easements and streets and extended upward as required

Wm. J. Bowman, II
Owner

STATE OF TEXAS

COUNTY OF COMAL

Before me, a Notary Public, on this day Personally appeared Wm. J. Bowman, II known to me to be the person whose signature and whose mark is made on the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed

Given under my hand and seal of office this 31 day of March 2008

Carolyn A. Abel
Notary Public, State of Texas



Approved this 5 day of June 2008, by the Planning Commission of the City of New Braunfels, Texas

Chairman

Wm. J. Bowman, II
Director of Planning

Jan C. Cline
City Engineer

Bob D. Amos
Pedernales Electric Cooperative, Inc.

KLEIN ENGINEERING, INC.
CIVIL / MUNICIPAL / ENVIRONMENTAL ENGINEERS
SAN ANTONIO, TEXAS

8611 BOTTS LN. SAN ANTONIO, TEXAS 78217
(210) - 828 - 7070 FAX. (210) - 828 - 7076

STATE OF TEXAS

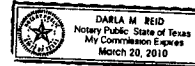
KNOW ALL MEN BY THESE PRESENTS

I, the undersigned Joseph H. Cash II a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correctly made under my supervision and in compliance with City and State survey regulations and laws and made on the ground and that the corner monuments were properly placed under my supervision

Joseph H. Cash II
Joseph H. Cash II
Registered Professional
Land Surveyor No. 5753
Cash Surveys, Inc.
5550 Tennyson Way
Bulverde, Texas 78163



Sworn and subscribed before me on this the 17 day of April, A.D. 2008
Donna M. Reid
Notary Public, State of Texas



LINE	LENGTH	BEARING
L1	15.24	N44°01'48"E
L2	20.80	N74°28'21"W
L3	23.52	N89°02'54"E
L4	57.87	N82°58'11"E
L5	24.83	N49°35'30"E
L6	5.00	N08°28'34"W
L7	25.12	N73°02'14"E
L8	38.42	N45°47'12"E
L9	51.72	N45°44'41"W
L10	38.87	N63°50'00"W
L11	62.18	N08°04'48"E
L12	24.99	N44°01'48"E
L13	20.80	N74°28'21"W
L14	57.87	N82°58'11"E
L15	24.83	N49°35'30"E
L16	113.88	N03°53'24"E
L17	113.81	N03°53'24"E
L18	25.12	N73°02'14"E
L19	38.42	N45°47'12"E
L20	38.87	N63°50'00"W
L21	20.47	N44°28'14"E
L22	42.28	N45°48'49"E
L23	11.10	N45°48'49"E
L24	15.02	N72°45'48"E
L25	26.92	N06°20'55"E
L26	83.93	N49°45'28"W
L27	19.52	N88°20'36"E
L28	21.29	N87°20'51"E
L29	83.93	N49°45'28"E
L30	36.36	N49°50'32"E

CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING	TANGENT
C1	37.48	25.00	80.21	24.00	N01°08'17"E 23.25
C2	27.68	253.00	81.29	280.72	N74°48'28"E 151.88
C3	298.00	315.00	418.15	273.95	N46°41'21"E 118.26
C4	87.54	284.00	185.37	87.14	N72°30'27"E 44.77
C5	195.09	335.00	322.01	182.32	N46°17'30"E 100.40
C6	232.83	258.00	323.57	228.13	N75°18'20"E 128.23
C7	193.58	275.00	181.74	185.80	N66°38'29"E 87.70
C8	38.84	24.00	81.31	35.82	N50°31'17"E 23.88
C9	36.08	23.00	87.18	34.92	N48°56'36"E 23.84
C10	118.08	80.00	131.24	100.21	N25°53'22"E 81.07
C11	29.12	75.00	22.18	28.95	N18°36'18"E 14.23
C12	130.63	430.00	450.13	327.45	N02°30'17"E 133.81
C13	160.78	280.00	302.53	158.21	N34°48'18"E 83.04
C14	39.36	28.00	80.72	35.42	N20°07'28"E 25.08
C15	22.87	50.00	26.08	26.94	N42°06'17"E 16.58
C16	22.42	20.00	83.38	21.09	N41°18'50"E 12.41
C17	81.54	180.00	324.11	83.12	N09°57'54"E 48.80
C18	164.38	285.00	325.44	181.15	N07°21'41"E 84.20
C19	207.37	725.00	182.31	208.87	N05°55'18"E 104.40
C20	132.48	285.00	282.37	121.10	N72°02'27"E 67.85
C21	272.71	365.00	425.03	287.04	N08°04'45"E 169.24
C22	38.80	23.00	80.28	34.89	N09°28'57"E 25.34
C23	13.38	15.00	21.08	22.85	N07°10'30"E 7.18
C24	237.30	30.00	81.53	231.11	N48°28'00"E 48.32
C25	10.68	15.00	40.48	10.45	N58°08'10"E 5.38
C26	88.54	280.00	182.27	88.20	N45°48'21"E 44.80
C27	108.31	280.00	233.01	107.82	N01°54'00"E 54.85
C28	10.21	320.00	148.38	10.20	N40°54'47"E 5.10
C29	33.04	25.00	78.42	30.69	N81°53'31"E 18.44
C30	338.08	315.00	417.22	322.08	N74°48'28"E 182.32
C31	192.37	255.00	421.29	187.80	N03°54'47"E 101.00
C32	41.54	25.00	84.43	38.79	N14°58'00"E 27.18
C33	88.38	285.00	123.03	58.24	N35°44'47"E 29.20
C34	84.83	380.00	161.75	84.79	N37°54'23"E 47.88
C35	14.24	20.00	40.71	13.84	N63°10'00"E 7.44
C36	228.84	50.00	262.21	25.72	N09°32'38"E 12.17
C37	31.01	40.00	46.24	30.24	N11°24'38"E 16.33
C38	64.88	320.00	112.77	63.78	N07°07'12"E 32.62
C39	65.41	325.00	118.14	65.07	N35°38'47"E 48.99
C40	31.42	25.00	72.06	29.78	N06°15'28"E 18.17
C41	18.28	325.00	31.23	18.28	N81°21'04"E 9.14
C42	180.15	275.00	327.01	187.80	N07°17'20"E 82.42
C43	192.08	315.00	258.10	189.12	N07°04'36"E 88.13
C44	35.19	25.00	80.71	35.26	N44°13'04"E 21.42
C45	17.08	15.00	41.11	11.77	N18°12'12"E 6.82
C46	237.88	50.00	272.22	26.22	N08°08'28"E 12.87
C47	12.08	15.00	41.11	11.77	N20°59'31"E 6.82
C48	15.20	25.00	80.21	34.00	N74°48'28"E 23.25
C49	195.22	315.00	214.58	184.02	N07°51'27"E 88.80
C50	87.34	30.00	80.28	78.42	N07°01'17"E 55.88
C51	284.41	370.00	435.21	277.46	N02°09'17"E 148.80
C52	187.88	320.00	322.33	184.72	N44°48'18"E 102.20
C53	38.57	25.00	80.21	35.87	N81°53'17"E 23.82
C54	129.89	220.00	329.11	128.10	N07°47'34"E 84.62
C55	128.88	225.00	328.44	127.23	N08°27'41"E 84.72
C56	195.21	360.00	182.17	188.86	N09°40'18"E 85.78
C57	182.48	315.00	208.37	180.78	N72°02'14"E 85.87
C58	230.21	325.00	402.07	225.42	N08°04'47"E 120.17
C59	38.84	25.00	81.31	35.82	N50°31'17"E 23.88
C60	88.38	280.00	182.22	88.32	N45°48'21"E 44.80
C61	20.23	320.00	148.37	20.22	N40°54'47"E 5.10
C62	88.88	150.00	87.28	87.73	N07°53'45"E 48.80
C63	154.35	210.00	183.24	154.42	N09°28'57"E 84.62
C64	112.17	128.14	30.98	108.82	N08°23'18"E 58.80
C65	44.11	10.00	40.78	43.38	N08°48'18"E 22.82
C66	78.72	260.00	118.15	78.42	N08°34'28"E 38.88
C67	53.28	180.00	133.14	53.01	N08°12'08"E 28.88
C68	20.44	27.00	25.90	20.28	N08°02'30"E 10.38
C69	23.33	28.00	47.44	22.88	N72°37'42"E 12.38
C70	73.85	223.00	180.15	73.81	N06°18'00"E 37.92
C71	85.33	85.00	47.44	85.82	N72°37'42"E 28.32
C72	81.88	180.00	133.14	81.72	N08°18'00"E 37.92

NOTES

1. Plat prepared May 4, 2006, Revised September 26, 2007
2. Reference Bearing - N86°30'14"E, basis of bearing is the Northern line of Texas Country Estates Unit One as recorded in Vol 12 Pg. 370 of Comal County Deed Records
3. As scaled off the FEMA Flood Insurance Rate Map Community - New Braunfels, TX, Panel #4630110C, Dated 8/29/88, this tract does not lie in Zone A.
4. Contour lines shown hereon were derived from aerial survey
5. 1/2" iron pins set at all corners, angle points and points of curvature, unless otherwise noted
6. The property is served by the following:
Electric - Pedernales Electric CoOp
Telephone - ATT
Water - Texas Country Water, Inc.
7. This property does lie over the Recharge Zone of the Edwards Aquifer
8. P.O.B. = Point of Beginning
B.S.L. = Building Setback Line
U.E. = Utility Easement
M.E. & L.S.E. = Maintenance and Landscape Easement
E.E. = Electric Easement
9. This property lies in the ETJ of the City of New Braunfels
10. This property lies in the Comal Independent School District
11. Fences will be allowed to be constructed in a manner as long as Electrical Meters, Pedestals, and Water Meter Boxes have direct access for maintenance and meter reading
12. Drainage easement shall remain free of all obstructions
13. Maintenance of drainage easements designated within a lot shall be the responsibility of the property owner
14. All streets are assigned a lot number and shall be owned and maintained by Home Owners Association including Lot 36, Block 7
15. Street construction was not inspected by the City of New Braunfels and testing did not meet city standards
16. Lot 34, Block 7 and Lot 23, Block 6 shall be owned and maintained by Home Owners Association
17. Lot 34 Block 7 is a non-buildable lot
18. Lots will be served by a private onsite sewer system
19. The Drainage Easement across Lot 1, Block 5, will be maintained by the property owner
20. The Drainage Easement across Lots 1 & 3, Block 6, will be maintained by the Home Owner's Association
21. A 10' P.U.E. is hereby dedicated along all side property lines
22. A 20' U.E. shall be required along frontage of lots adjacent to street row
23. Bench Mark - Set "Mog" Nail southeast corner of culvert deck elev.=872.11

SIDEWALK NOTE

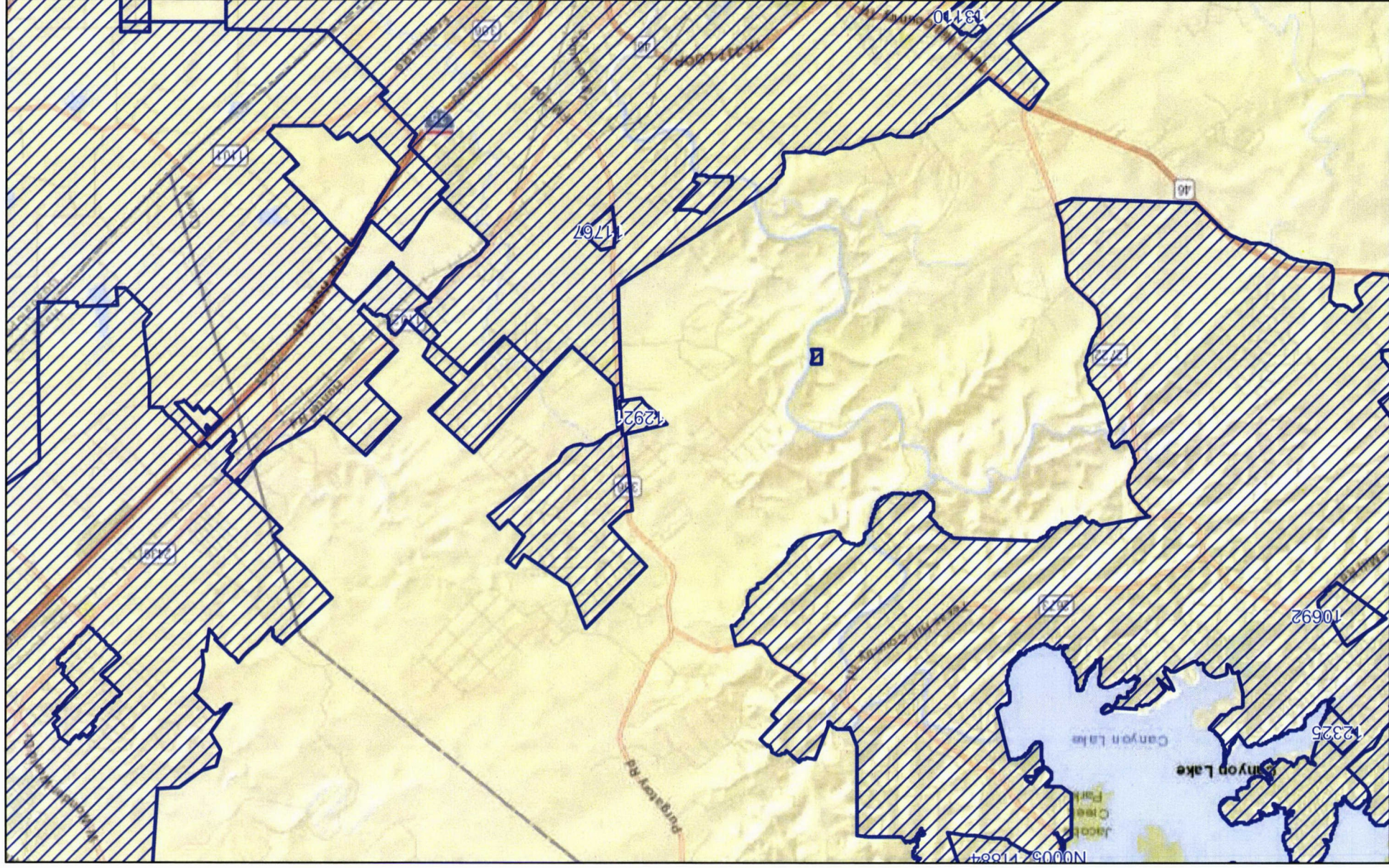
1. If sidewalks are required by an appropriate City ordinance, a sidewalk permit must be approved by TxDOT, prior to construction within State right-of-way. Locations of sidewalks within State right-of-way shall be as directed by TxDOT

TxDOT NOTES

1. For development directly adjacent to State right-of-way, the Developer/Owner shall be responsible for adequate set-back and/or sound abatement measure for future noise mitigation
2. The Developer/Owner is responsible for preventing any adverse impact to the existing drainage system within the highway right-of-way
3. Maximum access points to the State highway from this property will be regulated as directed by "Regulation for Access Driveways to State Highways". This property is eligible for a maximum combined total of zero access point along FM 306 based on the overall platted highway frontage of 1,484.84 feet

STM APPLICATION
TCE WATER LLC – BUYER
TEXAS COUNTRY WATER, LLC – SELLER
PART G QUESTION 29
CCN 12921 GENERAL LOCATION MAP
(SMALL SCALE)

LOCATION OF CCN 12921 - SMALL SCALE MAP

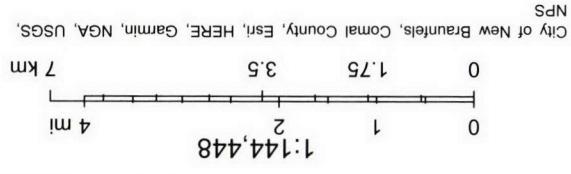


TXDOT Counties

Water CCN Service Areas

August 22, 2018

TCE 190



TCEQ Search Licensing or Registration Information

License Detail

To report a change of address, phone number, or email address, please fill out the form located at <http://www.tceq.texas.gov/licensing/forms/contactupdate>.

CN: CN602251654
Name: WALLACE, DAVID L
Address: 486 COMAL AVE
City: NEW BRAUNFELS
State: TX
ZIP: 78130-7656
County: COMAL
Work Phone: 210-655-2888

License(s)

There were 13 licenses found.

Program ?	License Type and Level ?	License Number ?	Last Issued Date ?	Exp. Date ?	License Status ?	BPAT Practical Skills ?	CE Hours ?
BPATOL	BACKFLOW PREVENTION ASSEMBLY TESTER	BP0012502	10/08/2015	10/01/2018	CURRENT	NO	20
CSIOR	CUSTOMER SERVICE INSPECTOR	CI0008152	08/06/2018	09/08/2021	CURRENT	N/A	0
WATEROL	WATER OPERATOR A	WO0024796	02/09/2018	04/17/2021	CURRENT	N/A	0
WWOL	WASTEWATER TREATMENT OPERATOR A	WW0039956	08/06/2018	10/20/2021	CURRENT	N/A	0
BPATOL	BACKFLOW PREVENTION ASSEMBLY TESTER	BP0008776	02/10/2005	02/10/2008	EXPIRED	YES	N/A
CSIOR	CUSTOMER SERVICE INSPECTOR	CI0004859	03/07/2005	03/07/2008	EXPIRED	N/A	N/A
WATEROL	GROUND WATER TREATMENT OPERATOR C	WG0007941	06/29/2007	03/25/2009	EXPIRED	N/A	N/A
WATEROL	GROUND WATER TREATMENT OPERATOR B	WG0011680	03/25/2009	04/17/2009	EXPIRED	N/A	N/A
WWOL	WASTEWATER TREATMENT OPERATOR B	WW0039473	07/28/2009	10/20/2009	EXPIRED	N/A	N/A
WATEROL	SURFACE WATER TREATMENT OPERATOR C	N/A	N/A	N/A	VOID	N/A	N/A
WATEROL	SURFACE WATER TREATMENT OPERATOR B	N/A	N/A	N/A	VOID	N/A	N/A
WATEROL	GROUND WATER TREATMENT OPERATOR B	N/A	N/A	N/A	VOID	N/A	N/A
WATEROL	WATER DISTRIBUTION OPERATOR B	N/A	N/A	N/A	VOID	N/A	N/A

Note: The number of CE hours needed in order to renew a license is based on the term (length) of each license. Please go to the program page for the license you hold to determine the number of CE hours needed and to view the latest information and renewal requirements for your license.

Application(s) within the Last 2 Years

There were 3 applications found.

Program ?	Type and Level ?	App. Type ?	App. Status ?	App. Review Date ?	App. Expiration Date ?	Deficiency Letter Date ?	Total Hours ?
CSIOR	CUSTOMER SERVICE INSPECTOR	RENEWAL	LICISSUED	08/06/2018	10/08/2018	No Deficiency	128
WATEROL	WATER OPERATOR A	RENEWAL	LICISSUED	02/09/2018	05/17/2018	No Deficiency	591
WWOL	WASTEWATER TREATMENT OPERATOR A	RENEWAL	LICISSUED	08/06/2018	11/19/2018	No Deficiency	540

Course(s)

There were 153 courses found. **Note:** You may see the same course listed multiple times. This occurs because the course counted towards multiple license programs.

Program ?	Course Title	Course Code ?	Hours ?	Date ?	Provider
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	11/30/2017	TWUA
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	11/30/2017	TWUA
BPATOL	BPAT PRACTICAL SKILLS REFRESHER - INCL. PRAC. SKILLS	1201	8.0	09/23/2015	BAC-FLO
BPATOL	CUSTOMER SERVICE INSPECTIONS	173	10.0	01/13/2015	TWUA
BPATOL	CROSS-CONNECTION CONTROL	43	10.0	01/13/2015	TWUA
BPATOL	BPAT PRACTICAL SKILLS REFRESHER - INCL. PRAC. SKILLS	1201	8.0	09/27/2012	TEEX ITS
BPATOL	(CORE CSI) CUSTOMER SERVICE INSPECTION & CCC	606	16.0	11/09/2011	TRWA

These Rules are also intended to manage the drawdown of the water table, manage the reduction of artesian pressure, prevent interference between wells, prevent the degradation of the quality of groundwater, prevent waste of groundwater, give consideration to the service needs of retail water utilities, and carry out the powers and duties conferred under Chapter 36 and the District's enabling legislation.

These Rules, and any orders, regulations, requirements, resolutions, policies, directives, standards, guidelines, management plan, or other regulatory measures implemented by the Board of Directors (Board), have been and will be promulgated to fulfill these objectives. These Rules may not be construed to limit, restrict, or deprive the District or Board of any exercise of any power, duty, or jurisdiction conferred by Chapter 36 or any other applicable law or statute. The Board shall develop rules that are fair and impartial, and shall consider all groundwater uses and needs.

1.3 Applicability

These rules, and District actions taken pursuant to these rules, do not apply to groundwater withdrawals from the Edwards Aquifer, or to wells drilled for the purpose of withdrawing water from the Edwards Aquifer that are completed so as to be incapable of withdrawing water from any other aquifer within the District's boundaries. None of these rules may be construed to conflict with the rules of the Edwards Aquifer Authority.

1.4 Administrative Fees

Section 36.205 authorizes the District to assess fees for administrative acts of the District. These fees may not unreasonably exceed the cost to the District of providing the administrative function for which the fee is charged. Fees shall be assessed in accordance with the District Fee Schedule.

1.5 Effective Date

These Rules and any amendment are effective on the effective dates indicated following each subsection or chapter, as applicable.

1.6 Action on Rules

- a) The Board may from time to time, following notice and public hearing, amend or revoke these Rules or adopt new Rules.
- b) The Board may adopt an emergency Rule without prior notice or hearing, or with an abbreviated notice and hearing in accordance with Section 36.1011.

1.7 Severability

If any Rule, provision, section, sentence, paragraph, clause, word, or other portion of these Rules is for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other Rules or portions thereof, and these Rules shall be construed as if such invalid, illegal, or unenforceable Rule or of portions thereof had never been contained herein.

CHAPTER 11. FEE SCHEDULE

Sections:

11.1 Administrative Fees

11.2 Drilling Authorization Fee

11.3 Production Fees

11.4 Measuring Devices

11.5 Payment of Production Fees

11.6 Enforcement

As of the effective date of these rules, all non-exempt wells within the District are required to be registered with the District on the appropriate District form. The purpose of these fee requirements is to help the District fund its administrative costs as it seeks to promote groundwater conservation, provide for long-term availability of groundwater resources, reduce localized depletion of groundwater, prevent interference between wells, and prevent the degradation of groundwater.

11.1 Administrative Fees

(1) Returned Check Fee. The District will assess the person writing the returned check a \$30.00 fee for each check returned by the District Depository due to non-sufficient funds, account closed, signature missing, or any other problem causing such a return. This fee will be charged every time a check is returned.

(2) Late fee. A late fee of 10% of the amount due will be assessed if payments due the District are not received within 15 days following the due date. The fee payment and the late payment fee must be made within 30 days following the date of the assessment of the late payment fee.

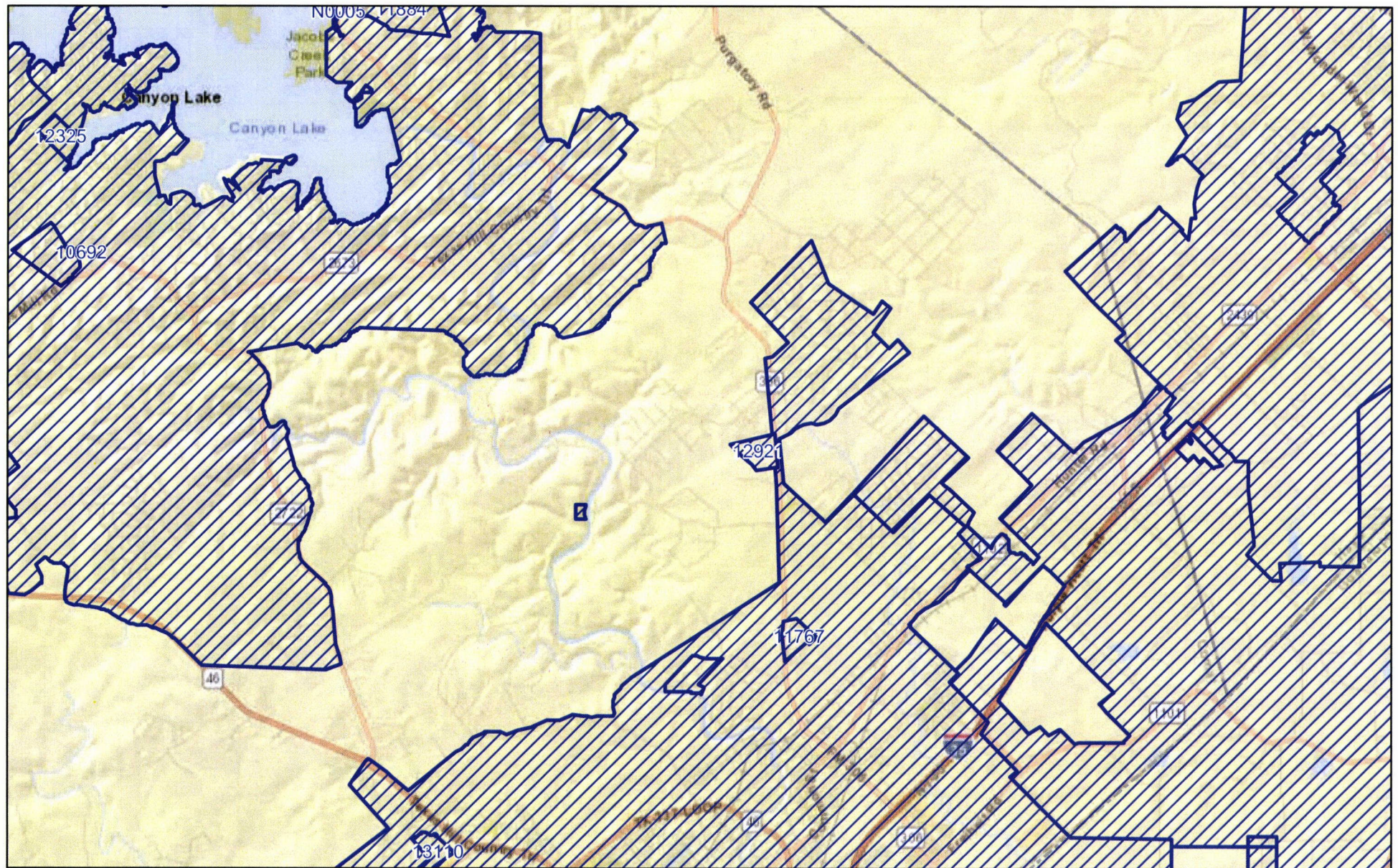
(3) Trip Fee. If the District is required to have an employee or agent observe a well or meter or review documents not located within the District's office due to the actions or inaction of a Landowner, the District may charge a trip fee equal to the federal standard mileage rate for distance traveled to and from the location.

(4) Enforcement Fee. If the District is required to incur expenses to enforce the District's rules, including the payment of the District's production fee. The person responsible for causing the District to incur the expense shall reimburse the District for such expenses within ten days after receipt of a demand for payment from the District.

(5) Court-related Fee. If the District prevails in any suit to enforce its Rules, the District shall seek, and the Court may grant, in the same action, recovery for attorney's fees, costs for expert witnesses, and other costs incurred by the District's appearance before the Court. The Court may fix the amount of the attorney's fees.

(6) Application and Processing Fee. For fees incurred during the process, or if the District incurs additional costs including, but not limited to, professional consultant fees, or legal counsel, the applicant will be responsible for all costs incurred by the District.

LOCATION OF CCN 12921 - SMALL SCALE MAP

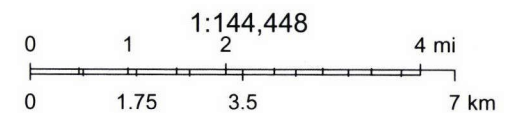


TCE 190

August 22, 2018

 Water CCN Service Areas

 TxDOT Counties



City of New Braunfels, Comal County, Esri, HERE, Garmin, NGA, USGS, NPS