

PWS_2290012_CP_201115 INVESTIGATION
Texas Commission on Environmental Quality
Investigation Report

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Customer: Pure Utilities, L.C.
Customer Number: CN600635171

Regulated Entity Name: WHITE TAIL RIDGE LAKES ESTATES

Regulated Entity Number: RN101256998

Investigation # 1517909

Incident Numbers

292209

Investigator: PAIGE PRITCHARD

Site Classification GW 51-250 CONNECTION

Conducted: 09/18/2018 -- 09/18/2018

SIC Code: 4941

Program(s): PUBLIC WATER SYSTEM/SUPPLY

Investigation Type: Compliance Investigation

Location: COUNTRY RD NORTH OF HWY 190, 6
MILES WEST OF WOODVILLE

Additional ID(s): 2290012

Address: 3595 FM 3277,
LIVINGSTON, TX, 77351

Local Unit: REGION 10 - BEAUMONT

Activity Type(s): PWSCMPL - PWS Complaint

Principal(s):

Role	Name
RESPONDENT	PURE UTILITIES LC

Contact(s):

Role	Title	Name	Phone
REGULATED ENTITY MAIL CONTACT	MANAGER	MR STONEWALL JACKSON	
REGULATED ENTITY CONTACT	MANAGER	MR STONEWALL JACKSON	Cell (936) 327-1896

Other Staff Member(s):

Role	Name
Investigator	BRITTANY DAIGRE
QA Reviewer	VANESSA STANSBURY
Investigator	MARISSA PELTIER
Supervisor	CHRIS VIDRINE

Associated Check List

Checklist Name	Unit Name
PWS COMPLAINT INVESTIGATION	PWS
PWS INVESTIGATION - EQUIPMENT	PWS
MONITORING AND SAMPLING revised 06/2013	

COPY
OFFICE TO
NOV 15 2018
K O S T A

WHITE TAIL RIDGE LAKES EST. ES - LIVINGSTON

9/18/2018 Inv. # - 1517909

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Investigation Comments:

INTRODUCTION

On September 14, 2018, the Texas Commission on Environmental Quality (TCEQ) Beaumont Region Office received a complaint against Pure Utilities L.C. Whitetail Ridge Subdivision Water System, identified as Incident No. 292209, which alleged the water is constantly brown and sometimes milky in color. The complainant was also concerned about radioactive constituents in the water. The complaint was assigned to TCEQ Environmental Investigator Ms. Paige Pritchard, who responded to the complaint on September 18, 2018 alongside fellow investigator Mrs. Marissa Peltier.

GENERAL FACILITY and PROCESS INFORMATION

This is a community groundwater system which serves 79 connections and an estimated population of 213 people based on the current United States Census data. The water system consists of two plants serving as one pressure plane.

BACKGROUND

Four complaints have been filed against the water system in the past five years.

On August 1, 2016, the Beaumont Region Office received a complaint (Incident No. 240366) which alleged that the water has particles suspended in it and is an orange color. The complaint was investigated on August 2, 2016. The following violation was noted during the investigation: failure to maintain the pressure throughout distribution above 35 pounds per square inch (psi). A Resolved Notice of Violation (NOV) Letter, was mailed to the water system on September 27, 2016.

On June 9, 2016, the Beaumont Region Office received a complaint (Incident No. 235266) which alleged that the system was serving black, sandy, and foul-smelling water. The complaint was investigated on June 24, 2016. The following violations were noted during the investigation: failure to maintain all valves in a watertight condition; failure to maintain water transmission and distribution lines at least 24 inches below the ground surface; and failure to have operating records accessible for review upon request. A Resolved Notice of Violation Letter, was mailed to the water system on August 22, 2106.

On November 4, 2015, the Beaumont Region Office received a complaint (Incident No. 222633) which alleged that the system was serving black, foul smelling water. The complaint was investigated on November 24, 2015. No violations were noted during the course of this investigation. A General Compliance letter, was mailed to the water system on January 14, 2016.

On March 4, 2014, the Beaumont Region Office received a complaint (Incident No. 195056) which alleged water discoloration. The complaint was investigated on March 14, 2014. No violations were noted during this investigation. A General Compliance Letter was mailed to the water system on May 13, 2014.

The last Comprehensive Compliance Investigation (CCI) was conducted on January 18, 2017. Violations were noted, and the water system was mailed a Notice of Violation on March 14, 2017.

ADDITIONAL INFORMATION

On September 14, 2018, Ms. Pritchard contacted the complainant to discuss the complaint. The complainant was not available, and a voice message was left asking the complainant to give the investigator a call back. No response was received by the investigator.

On September 17, 2018, the investigator attempted to contact the complainant again and was unable to contact them. A voice message was left explaining that the investigator would be conducting an onsite visit at the water system the next day September 18, 2018.

During the investigation, the most recent sampling results for alkalinity, calcium hardness, chloride, sulfate, total dissolved solids, temperature and pH of the water entering the distribution system, as noted in Texas Drinking Water Watch, were evaluated. It was determined that based on the tetra tech model used to evaluate the water entering the distribution and the pH of 6.56 Standard Unit (s.u.) documented at 1226 CR 2200 during the CCI, the water may be potentially corrosive. It is suggested that the water system take precautionary measures, including but not limited to, performing a study to ensure subsequent issues do not arise as a result of corrosion. For additional information, please refer to the Environmental Protection Agency (EPA's) guidance titled "Optimal

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- Corrosion Control Treatment Evaluation Technical Recommendations for Primacy Agencies and Public Water Systems". Please be aware that pH and corrosivity are secondary constituents and do not pose a direct health threat to the consumer. Based on this information the investigator decided to collect pH samples in the distribution at the first connection off of both water wells.

On September 18, 2018 at 11:00 a.m., the investigators arrived at a residence near the complainant's house and next door to Entry Point No. 2. Please note that due to lack of road signs and bad road conditions the complainant's house was not able to be reached. The investigators stopped at 137 Private Road 6160. The investigators flushed for three minutes and obtained a free chlorine reading of 1.35 mg/L, a pressure reading of 70 pounds per square inch (psi), and a pH reading of 6.17 s.u. from an outside hose bib. Please note that the water system must maintain a minimum of 0.2 mg/L free chlorine residual and 35 psi within the distribution system at all times under normal operating procedures. The investigator then flushed the line for three minutes and filled a white bucket with water from the outside hose bib. The investigator noted black sediment particles in the bucket and a slight chlorine odor in the water.

At 11:44 a.m. the investigators arrived at 177 Private Road 6100, which is next door to Entry Point No.1. After flushing for three minutes the investigators obtained a pH reading of 6.66 s.u. from an outside hose bib. Please note that the water system needs to maintain a 7.0 s.u. pH in the distribution at all times. Please note that this violation will be pulled forward from the previous Comprehensive Compliance Investigation (CCI) conducted on January 18, 2017.

On September 18, 2018 the investigator contacted Mr. Stonewall Jackson, Owner, to discuss the complaint. The investigator asked if the water system had received any complaints about discolored or milky water. Mr. Jackson stated that he was not aware of any complaints regarding discolored water in the past month. Mr. Jackson informed the investigator that Wells No. 2 and 3 are not being used at this time due to issues with Radium in the groundwater source. He stated that all water is coming from Well No. 1 located near the front of the subdivision. The investigator informed Mr. Jackson of the low pH noted in the distribution system. Mr. Jackson stated that he is aware that the water system is maintaining a pH below 7.0 s.u. from Well No. 1 and throughout the distribution system. Mr. Jackson stated that he has contacted the water systems engineer to conduct an engineering assessment regarding the low pH. The investigator asked Mr. Jackson if Well No. 1 has an issue with Iron and Manganese, which could potentially cause discolored water. He stated that he is not aware of any iron and manganese issues. The investigator reviewed the most recent sampling results for Iron and Manganese entering the distribution system from Entry Point No. 1, as noted in Texas Drinking Water Watch, it was determined that the water system has not exceeded on Iron and Manganese samples since 2015. Please note that iron and manganese are naturally occurring minerals which are often present in groundwater. They are considered secondary constituents and do not pose a health threat to the consumer. Polyphosphate certified by the American National Sanitation Foundation/National Sanitation Foundation (ANSI/NSF) Standard 60 for direct additives is often used to chemically bind the minerals so that they are not oxidized once chlorine is introduced for disinfection. Oxidation of the naturally occurring iron and manganese can exacerbate any naturally occurring discoloration in the source water.

The investigator emailed an Exit Interview Form on September 19, 2018 requesting the following records be submitted to the Beaumont Regional Office within 14 days: June, July, and August 2018 flushing records; complaint records; all records regarding leaks; and a brief summary of what the water system is doing to address the low pH throughout the distribution system.

No compliance documentation has been submitted at this time; therefore, the water system will receive a violation for failure to submit records upon request to the TCRQ.

The complainant was mailed a copy of the investigation report.

The water system was mailed a Notice of Violation Letter.

List of Attachments:

Attachment No. 1- Investigation Photographs

Attachment No. 2- Exit Interview Form

NOV Date: 11/15/2018 Method: WRITTEN

WHITE TAIL RIDGE LAKE ESTATES - LIVINGSTON

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TO UNDERSTANDING/ALLEGED VIOLATIONS
ASSOCIATED TO A NOTICE OF VIOLATION

Track Number: 632807 Compliance Due Date: 12/17/2018
Violation Start Date: 1/18/2017

30 TAC Chapter 290.105(b)

Alleged Violation:

Investigation: 1390244

Comment Date: 03/13/2017

Failure by White Tail Ridge Lake Estates to comply with the Secondary Constituent Level of 7.0 s.u. for pH.

During the investigation, a pH sample was obtained by the investigator which displayed a result of 6.56 s.u. within the distribution system at 1226 CR 2200. Please note the minimum allowed pH to be maintained is 7.0 s.u.

Investigation: 1517909

Comment Date: 11/15/2018

During a complaint investigation conducted on September 18, 2018, it was noted that the water system has not raised the pH above 7.0 s.u.

During the investigation, water samples were collected at 137 Private Road 6160 and at 177 Private Road 6100. The investigator obtained a pH reading of 6.17 s.u. from an outside hose bib at 137 Private Road 6160. The investigator obtained a pH reading of 6.66 s.u. from an outside hose bib at 177 Private Road 6100.

Recommended Corrective Action: Perform an engineering assessment to determine what operational or design modification(s) is/are required to meet the secondary constituent level for pH within the distribution system.

If the engineering assessment determines that operational changes are appropriate, submit notification to the executive director regarding the change in pump sizes. Notifications shall be sent to TCEQ Water Supply division; Technical Review and Oversight Team, MC 155 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691. Construct facilities in accordance with the approved plans.

Track Number: 696102 Compliance Due Date: 12/17/2018
Violation Start Date: 9/18/2018

30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1517909

Comment Date: 11/15/2018

Failure by Pure Utilities L.C. White Tail Ridge Lake Estates to have operating records accessible for review upon request.

During the investigation, three months of the following records were requested to be submitted within fourteen days (October 2, 2018): flushing records; complaint records; all records regarding leaks; and a brief summary of what the water system is doing to address the low pH throughout the distribution system. The records were never submitted.

Recommended Corrective Action: Establish a Standard Operating Procedure (SOP) for the submittal of records upon request to the executive director or regional office. Submit the requested records and a copy of the

WHITE TAIL RIDGE LAKES EST. ES - LIVINGSTON

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SOP to the Beaumont Regional Office.

Signed

Patty Puckett

Environmental Investigator

Date

11/15/18

Signed

[Signature]

Supervisor

Date

11/15/18

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type): NdV

☐ Investigation Report

☐ Sample Analysis Results

☐ Manifests

☐ Notice of Registration

☐ Maps, Plans, Sketches

☐ Photographs

☐ Correspondence from the facility

☒ Other (specify):

See Attachments

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 15, 2018

**CERTIFIED MAIL {7015 0640 0004 7993 9477}
RETURN RECEIPT REQUESTED**

Mr. Stonewall Jackson, Owner
Pure Utilities Inc.
207 West Mill Street
Livingston, Texas 77351

Re: Notice of Violation for a Public Water System Complaint Investigation at: Whitetail Ridge
Subdivision Water System, Tyler County, PWS ID No. 2290012, Investigation No. 1517909,
RN:101256998, Incident No.: 292209

Dear Mr. Jackson:

On September 18, 2018, Ms. Paige Pritchard and Mrs. Marissa Peltier of the Texas Commission on Environmental Quality (TCEQ) Beaumont 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. In addition, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by December 17, 2018 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

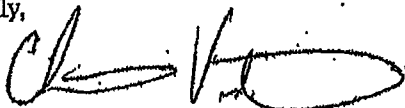
In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Beaumont Region Office at (409) 898-3838 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 Region City Region Office within 10 days from the date of this letter. At that time, Mr. Chris Vidrine Water Section Team Leader 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 any or all of the contested violations.

Mr. Stonewall Jackson, Owner
Page 2
November 15, 2018

If you or members of your staff have any questions, please feel free to contact Ms. Paige Pritchard in the Beaumont Region Office at (409) 898-3838.

Sincerely,



Chris Vidrine, Water Section Team Leader
Beaumont Region Office
Texas Commission on Environmental Quality

CV/PP/bd

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

WHITE TAIL RIDGE LAKES ESTATES
3695 FM 3277
LIVINGSTON, TYLER COUNTY, TX 77361

Investigation #
1517909
Investigation Date: 09/18/2018

Additional ID(s): 2290012

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

Track No: 832807 Compliance Due Date: 12/17/2018
30 TAC Chapter 290.106(b)

Alleged Violation:

Investigation: 1380244

Comment Date: 03/13/2017

Failure by White Tail Ridge Lake Estates to comply with the Secondary Constituent Level of 7.0 s.u. for pH.

During the investigation, a pH sample was obtained by the investigator which displayed a result of 6.68 s.u. within the distribution system at 1226 CR 2200. Please note the minimum allowed pH to be maintained is 7.0 s.u.

Investigation: 1517909

Comment Date: 11/15/2018

During a complaint investigation conducted on September 18, 2018, it was noted that the water system has not raised the pH above 7.0 s.u.

During the investigation, water samples were collected at 137 Private Road 6160 and at 177 Private Road 6100. The investigator obtained a pH reading of 6.17 s.u. from an outside hose bib at 137 Private Road 6160. The investigators obtained a pH reading of 6.68 s.u. from an outside hose bib at 177 Private Road 6100.

Recommended Corrective Action: Perform an engineering assessment to determine what operational or design modification(s) is/are required to meet the secondary constituent level for pH within the distribution system.

If the engineering assessment determines that operational changes are appropriate, submit notification to the executive director regarding the change in pump sizes. Notifications shall be sent to TCEQ Water Supply division, Technical Review and Oversight Team, MC 156 PO Box 13087, Austin, Texas 78711-3087; phone (512) 239-4691. Construct facilities in accordance with the approved plans.

Track No: 898102 Compliance Due Date: 12/17/2018
30 TAC Chapter 290.46(f)(2)

Alleged Violation:

Investigation: 1517909

Comment Date: 11/15/2018

Failure by Pure Utilities L.C. White Tail Ridge Lake Estates to have operating records accessible for review upon request.

During the investigation, three months of the following records were requested to be submitted within fourteen days (October 2, 2018): flushing records; complaint records; all records regarding leaks; and a brief summary of what the water system is doing to address the low pH throughout the distribution system. The records were never submitted.

Recommended Corrective Action: Establish a Standard Operating Procedure (SOP) for the submittal of records upon request to the executive director or regional office. Submit the requested records and a copy of the SOP to the Beaumont Regional Office.

Attachment 'L'

Part F: Question 28

Confidential

Operators Information

CONFIDENTIAL

DOCKET NO.:

STYLE: Application of Pure Utilities, LC and Undine Texas, LLC for Sale, Transfer, or Merger of a Retail Public Utility in Liberty, Polk, San Jacinto, and Tyler Counties

SUBMITTING PARTY: Undine Texas, LLC

BRIEF DESCRIPTION OF CONTENTS: Attachment L- Operators Information

BATE STAMP OR SEQUENTIAL PAGE NUMBER RANGE: 240 to 240

ENVELOPE #: 1 OF 1

ADDITIONAL INFORMATION REQUIRED BY PROTECTIVE ORDER:

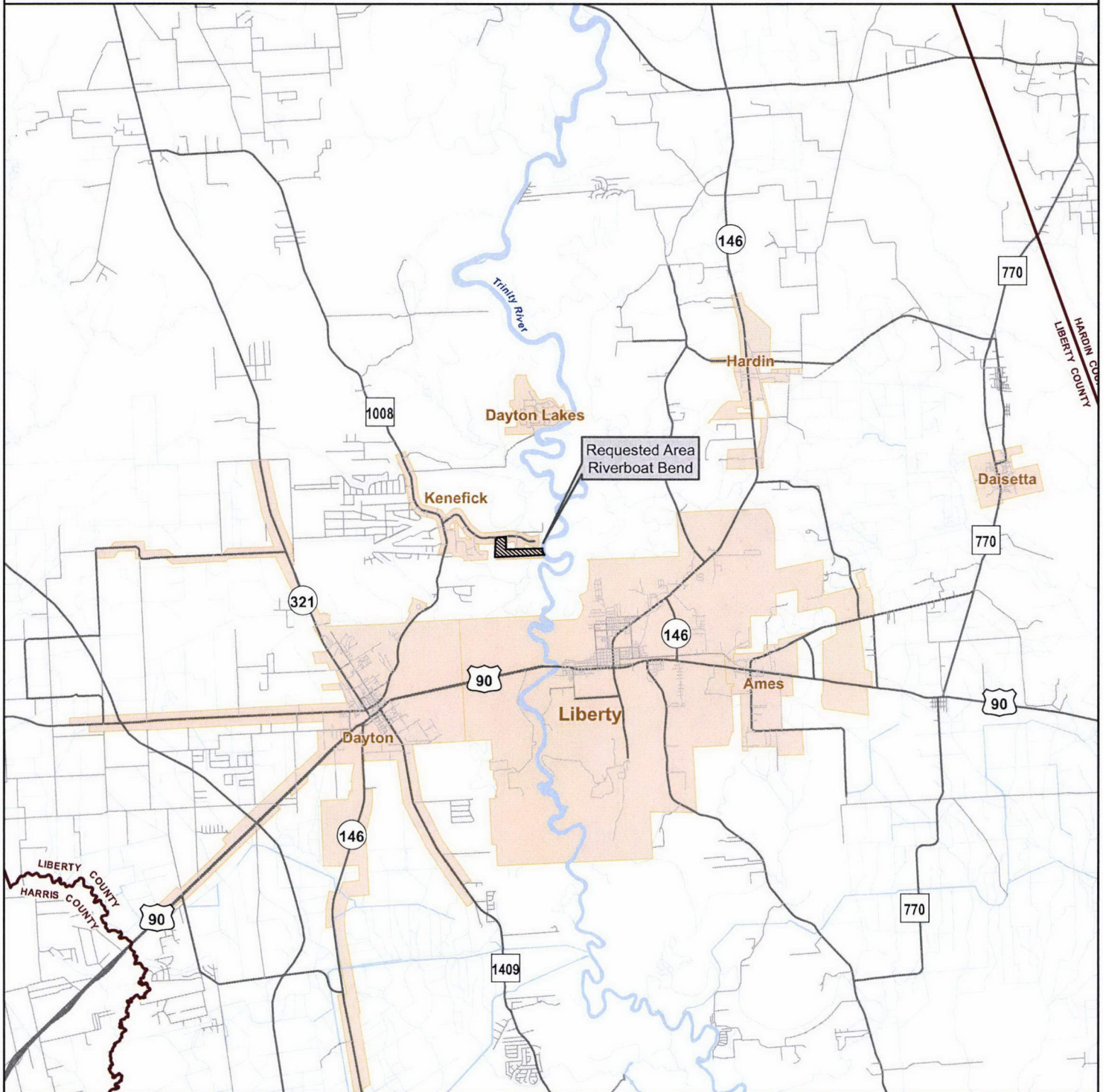
DATE SUBMITTED TO COMMISSION: September 17, 2019

Attachment ‘M’

Part G

CCN Maps to be Transferred with this Application

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties




1:200,000

General Location - Liberty County



0 1.5 3
 Miles

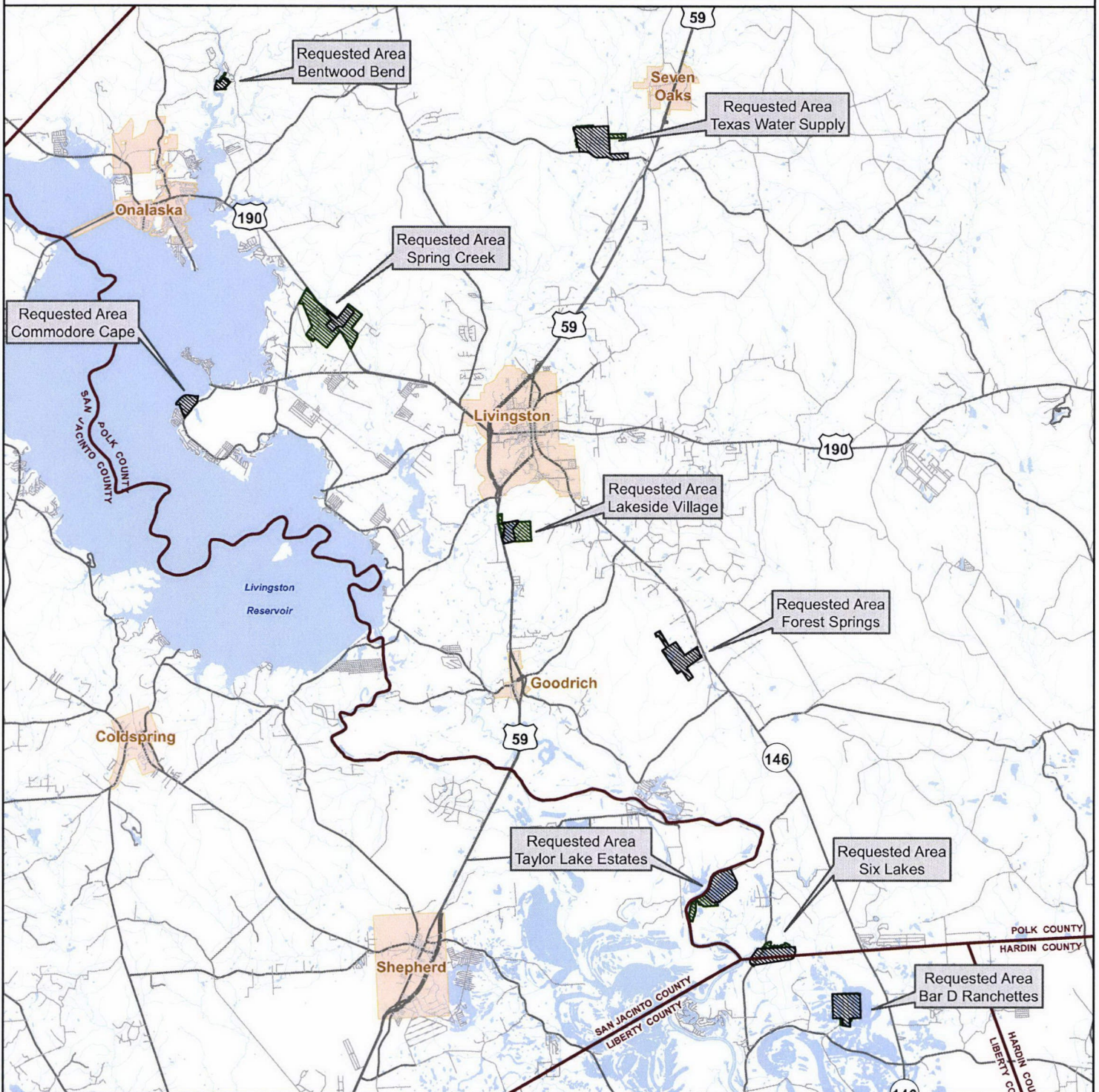
Requested Water CCN Area to Transfer

 CCN 12072 - Pure Utilities, LC

242

Map by: S. Burt, ASBGI
 Date: Aug. 15, 2019
 Base: TxDOT 2015 roadways
 Project: General Location - Water - Liberty.mxd



Undine Texas, LLC
Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
and to Amend Portions of CCN No. 12072 to be Transferred
in Liberty, Polk, San Jacinto and Tyler Counties



1:250,000

General Location - Polk & Liberty Counties

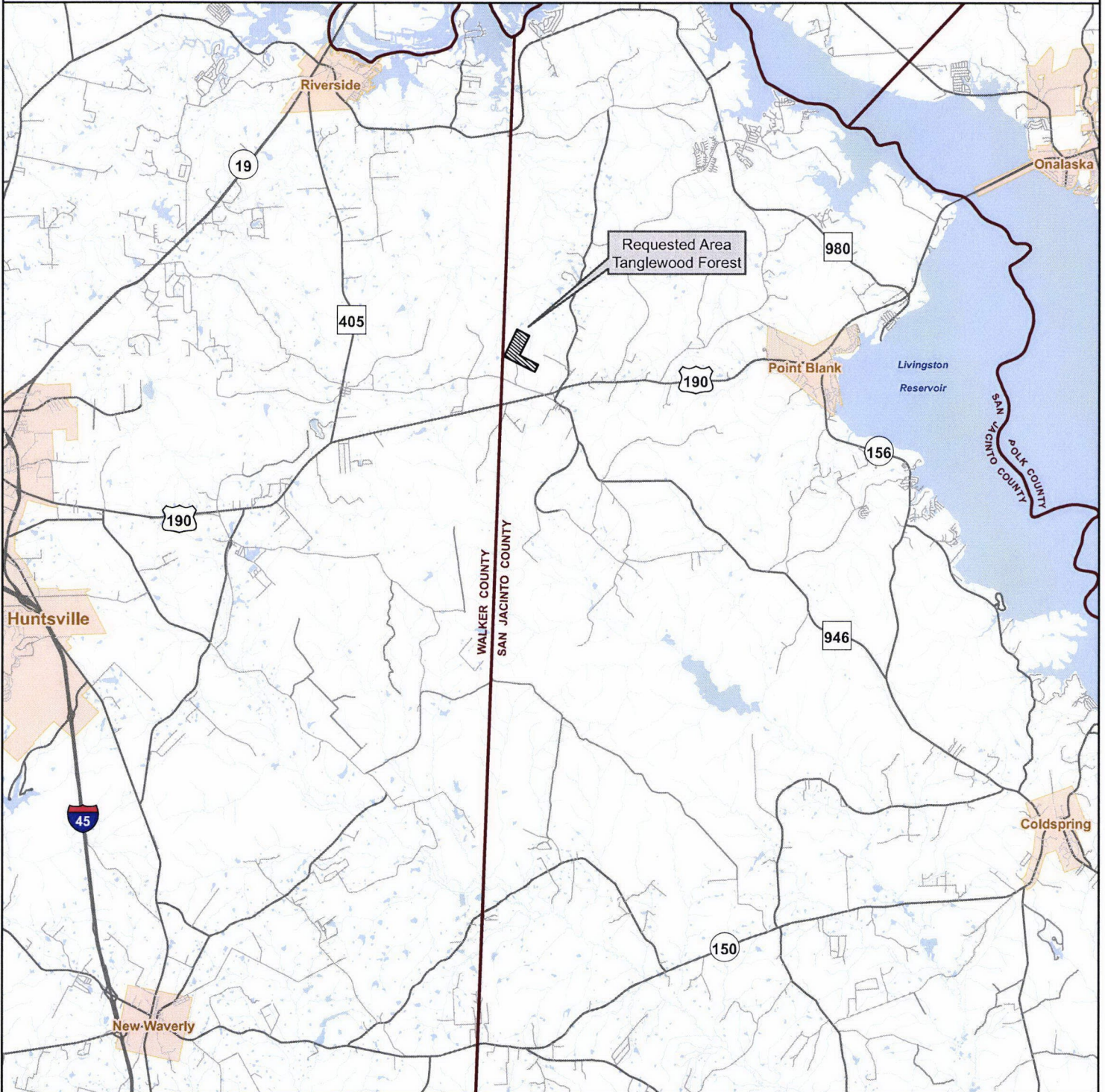
Requested Water CCN Areas to Transfer and Amend

-  CCN 12072 - Pure Utilities, LC
-  Amendment Areas

243

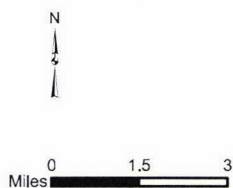
Map by: S. Burt, ASBGI
Date: Aug. 15, 2019
Base: TxDOT 2015 roadways
Project: General Location - Water - Polk & Liberty.mxd

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties




1:200,000

General Location - San Jacinto County



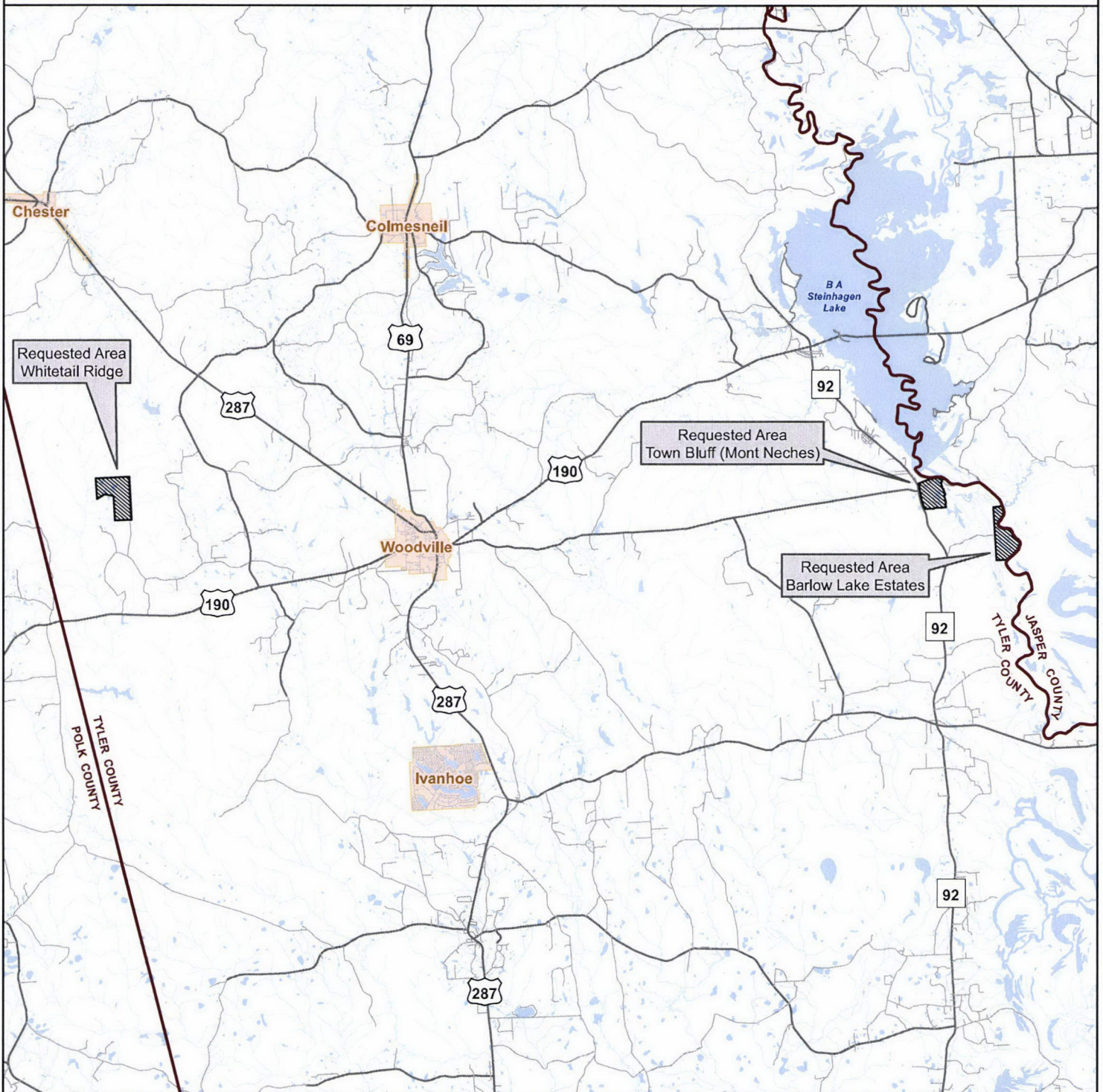
Requested Water CCN Area to Transfer

 CCN 12072 - Pure Utilities, LC

244

Map by: S. Burt, ASBGI
 Date: Aug. 15, 2019
 Base: TxDOT 2015 roadways
 Project: General Location - Water - San Jacinto.mxd

Undine Texas, LLC
Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
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in Liberty, Polk, San Jacinto and Tyler Counties




1:250,000

General Location - Tyler County



0 2 4
Miles

Requested Water CCN Areas to Transfer

 CCN 12072 - Pure Utilities, LC

245


Map by: S. Burt, ASBGI
Date: Aug. 15, 2019
Base: TxDOT 2015 roadways
Project: General Location - Water - Tyler.mxd

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
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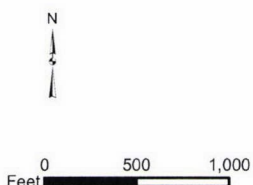
Bar D Ranchettes in Liberty County

Water CCN Areas to Transfer and Amend

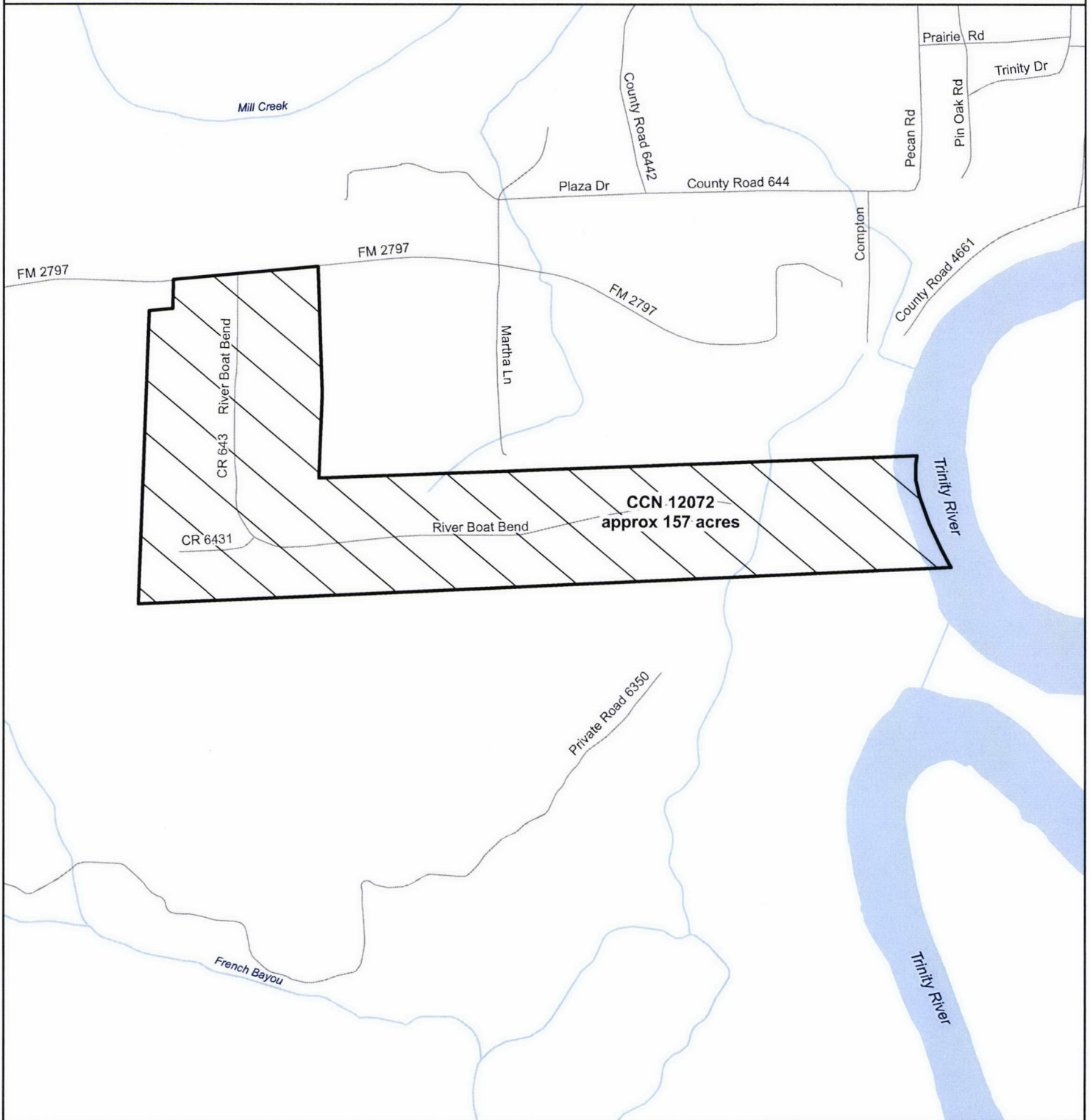
-  CCN 12072 - Pure Utilities, LC
-  Amendment Areas to Add
-  Amendment Areas to Decertify

246

Map by: S. Burt, ASBGI
 Date: Aug. 15, 2019
 Base: StratMap Transv2
 Project: Bar D Ranchettes Detail.mxd



Undine Texas, LLC
Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
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in Liberty, Polk, San Jacinto and Tyler Counties



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Feet

Riverboat Bend in Liberty County

Water CCN Area to Transfer

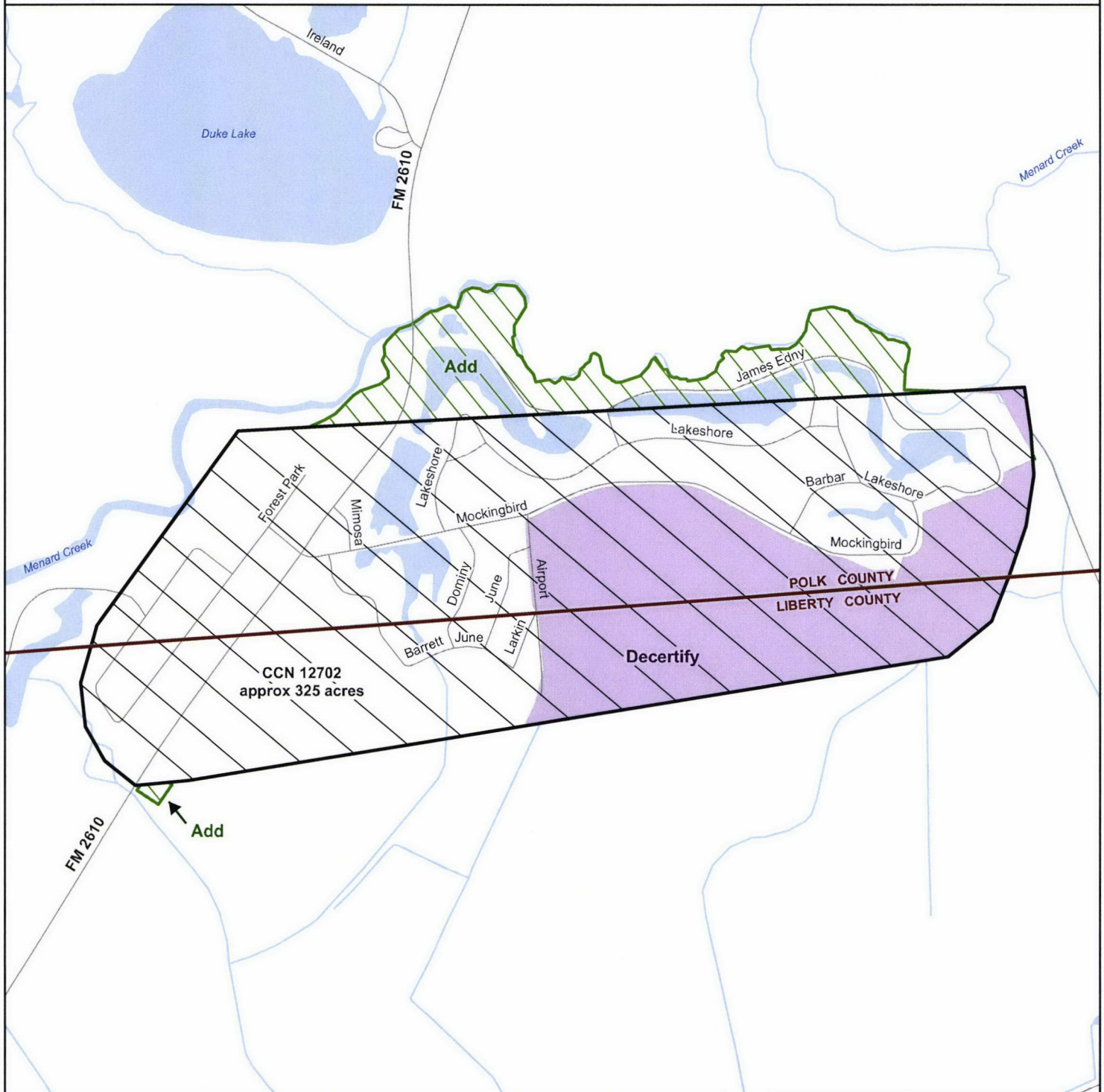


CCN 12072 - Pure Utilities, LC

247

Map by: S. Burt, ASBGI
Date: Aug 15, 2019
Base: StratMap Transv2
Project: Riverboat Bend Detail.mxd

Undine Texas, LLC
Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
and to Amend Portions of CCN No. 12072 to be Transferred
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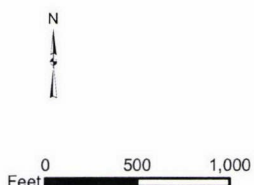
Six Lakes in Liberty and Polk Counties

Water CCN Areas to Transfer and Amend

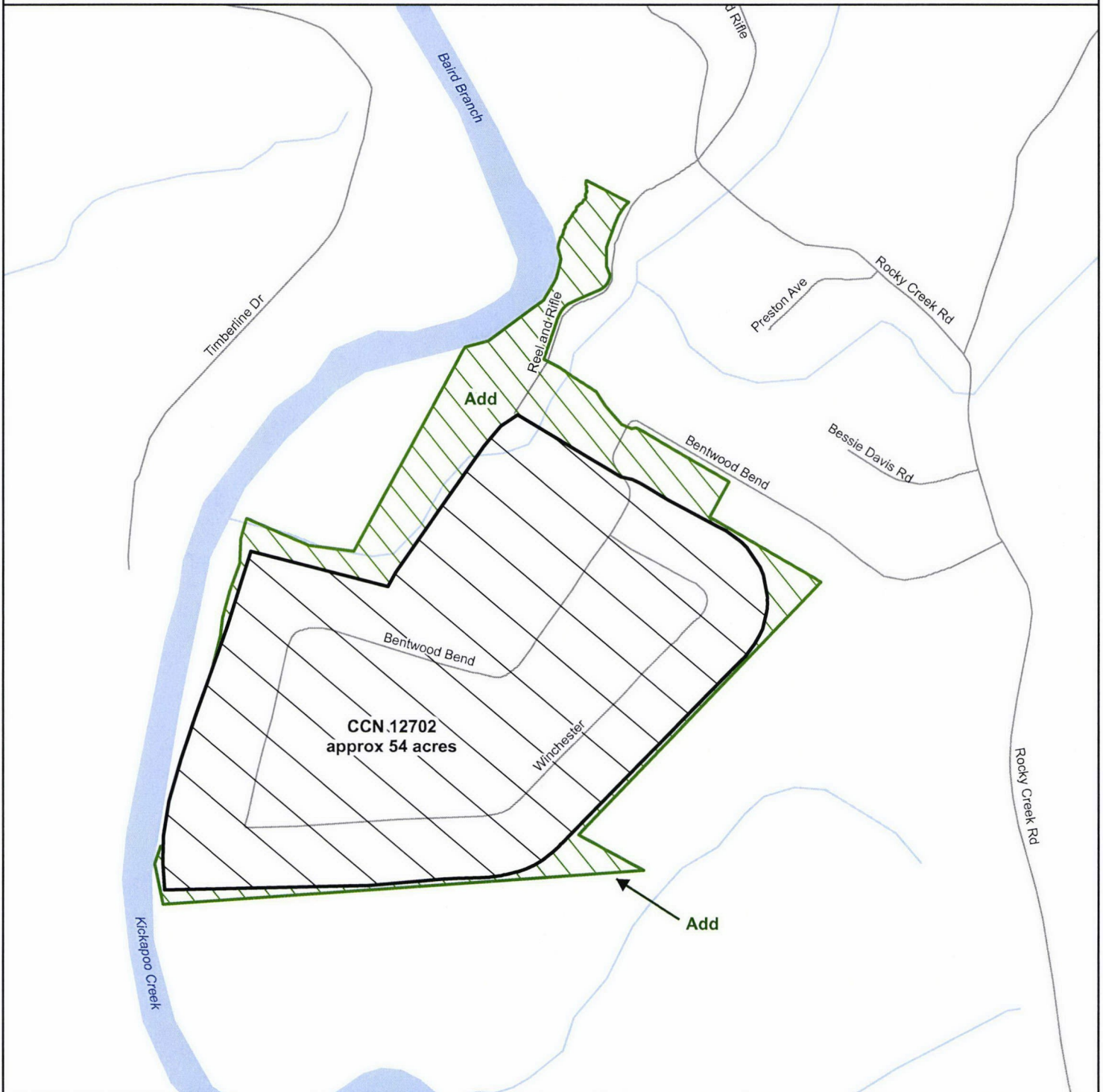
- CCN 12072 - Pure Utilities, LC
- Amendment Areas to Add
- Amendment Area to Decertify

248

Map by: S. Burt, ASBGI
Date: Aug. 15, 2019
Base: StratMap Transv2; TxDOT County Boundaries
Project: Six Lakes Detail.mxd




Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



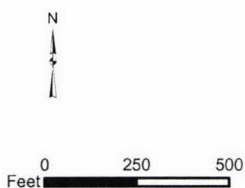
Bentwood Bend in Polk County

Water CCN Areas to Transfer and Amend

-  CCN 12072 - Pure Utilities, LC
-  Amendment Areas to Add

249

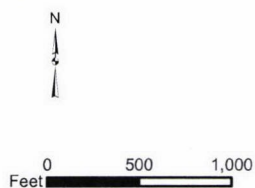
Map by: S. Burt, ASBGI
 Date: Aug. 21, 2019
 Base: TxDOT 2015 roadways
 Project: Bentwood Bend Detail.mxd




Undine Texas, LLC
Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
and to Amend Portions of CCN No. 12072 to be Transferred
in Liberty, Polk, San Jacinto and Tyler Counties



Commodore Cape in Polk County



Water CCN Area to Transfer

 CCN 12072 - Pure Utilities, LC

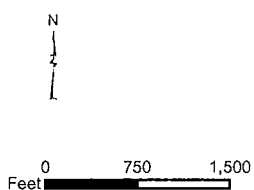
250


Map by: S. Burt, ASBGI
Date: Aug. 14, 2019
Base: TxDOT 2015 roadways
Project: Commodore Cape Detail.mxd

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



Forest Springs in Polk County

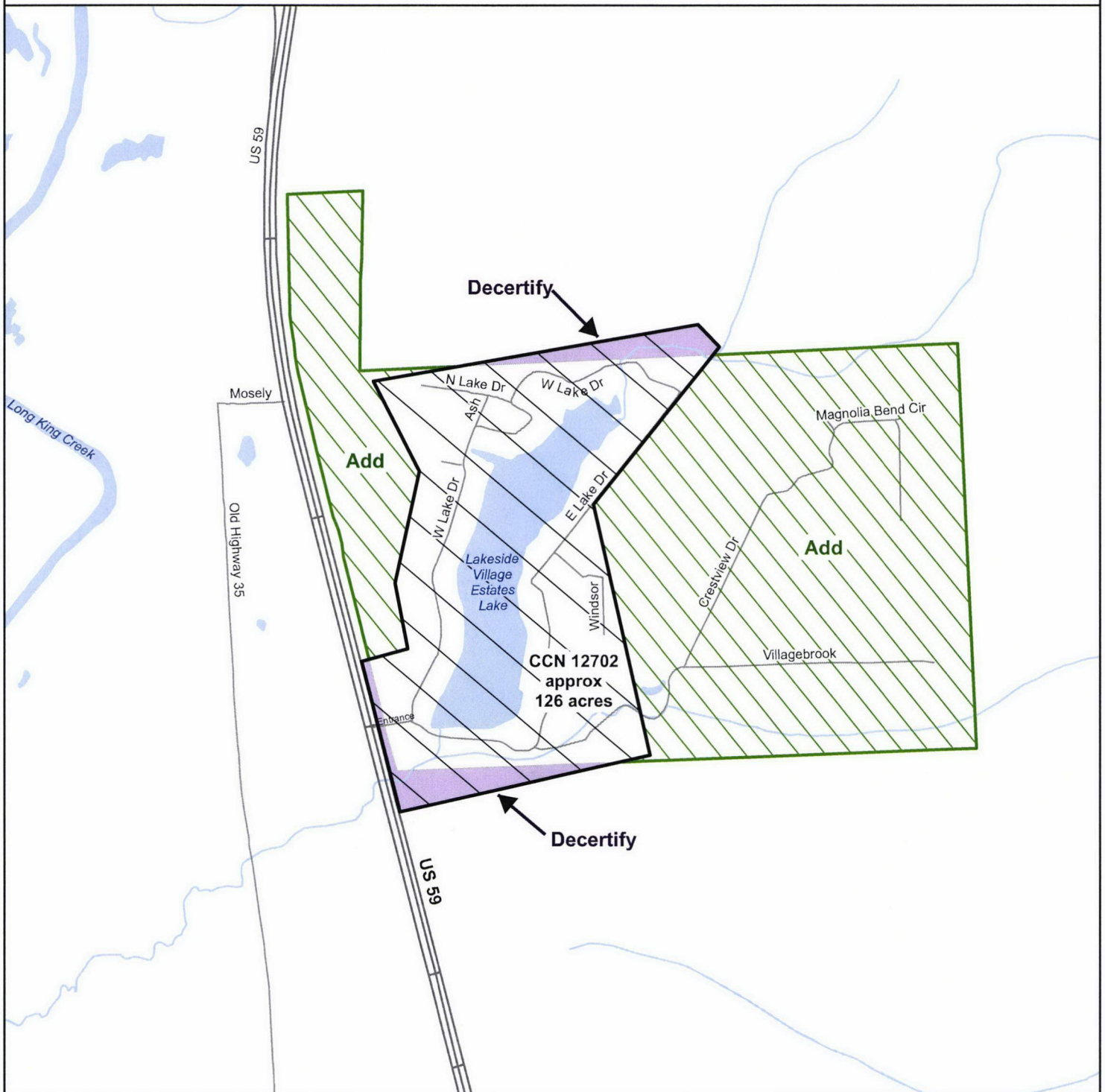


Water CCN Area to Transfer
 CCN 12072 - Pure Utilities, LC

251




Map by: S. Burt, ASBGI
 Date: Aug. 15, 2019
 Base: StratMap Transv2
 Project: Forest Springs Detail.mxd

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



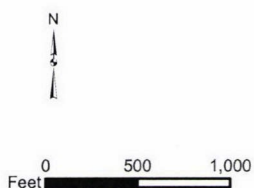
Lakeside Village in Polk County

Water CCN Areas to Transfer and Amend

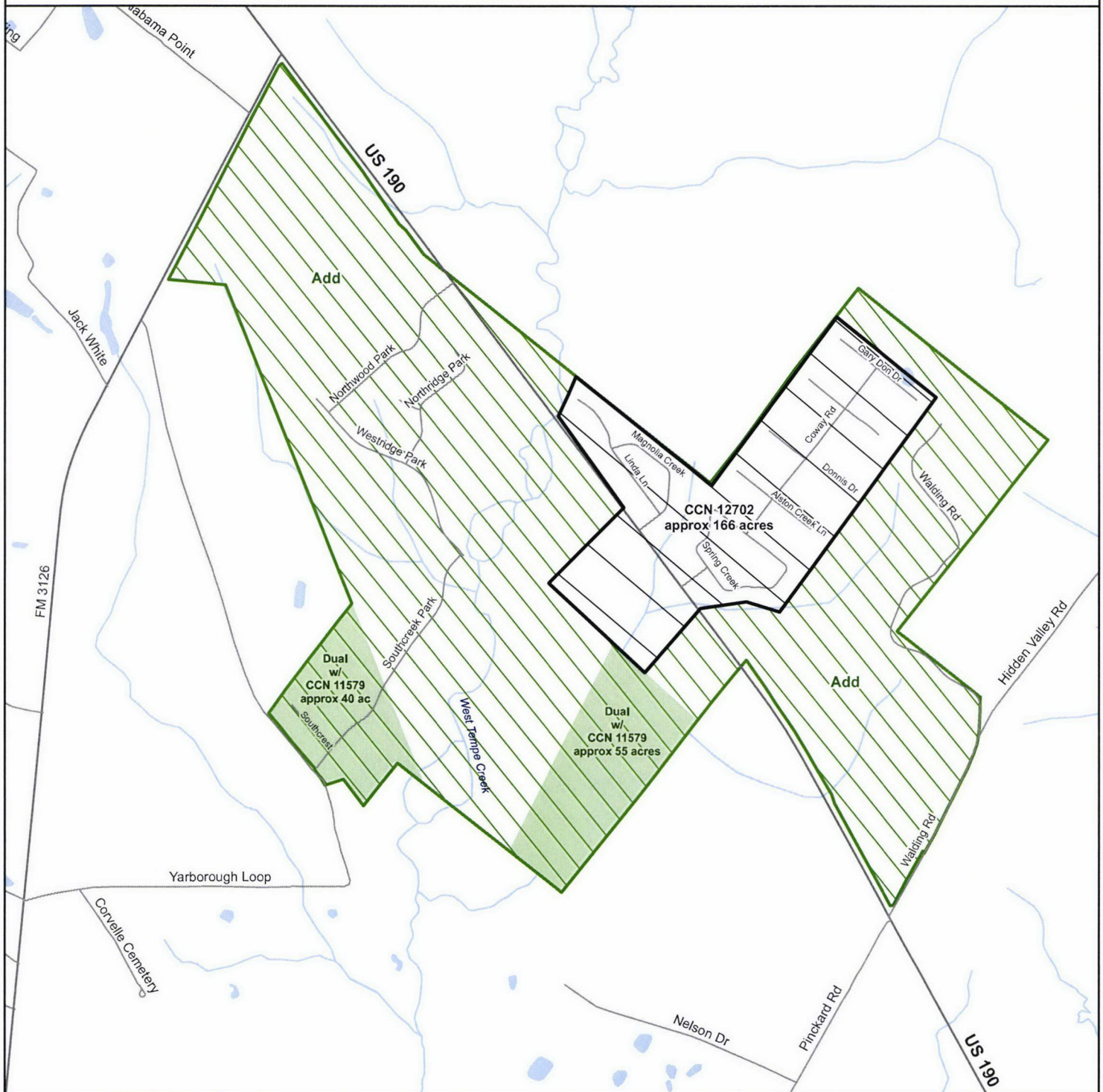
-  CCN 12072 - Pure Utilities, LC
-  Amendment Areas to Add
-  Amendment Areas to Decertify

252

Map by: S. Burt, ASBGI
 Date: Aug. 14, 2019
 Base: TxDOT 2015 roadways
 Project: Lakeside Village - Water Detail.mxd



Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



0 750 1,500
 Feet

Spring Creek in Polk County

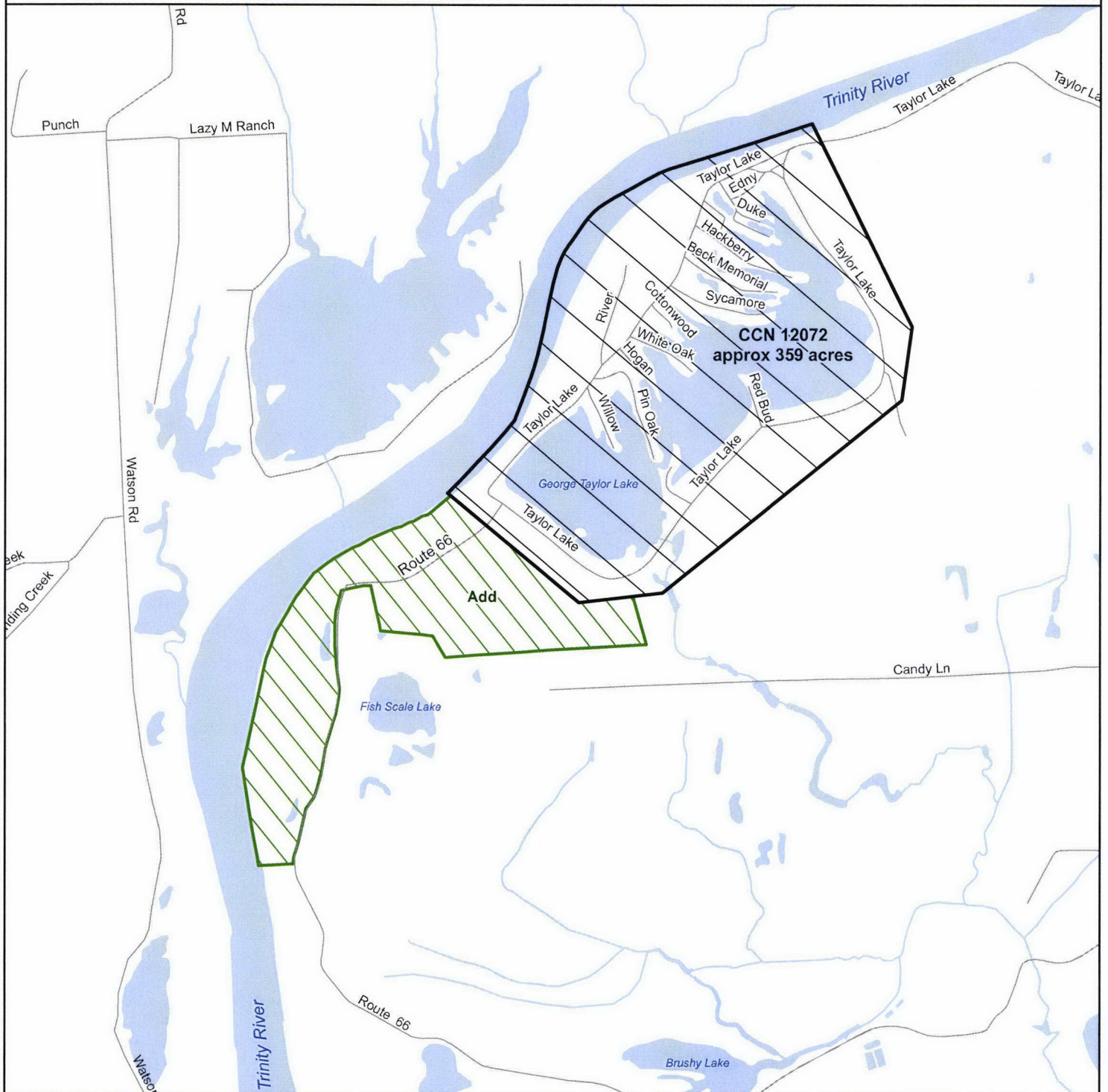
Water CCN Areas to Transfer and Amend

- CCN 12072 - Pure Utilities, LC
- Amendment Areas to Add
- Requesting Dual Certification w/ Tempe WSC 1, CCN 11579 - approx 95 acres

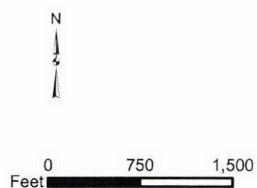
253

Map by: S. Burt, ASBGI
 Date: Aug. 16, 2019
 Base: TxDOT 2015 roadways
 Project: Spring Creek Detail.mxd

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
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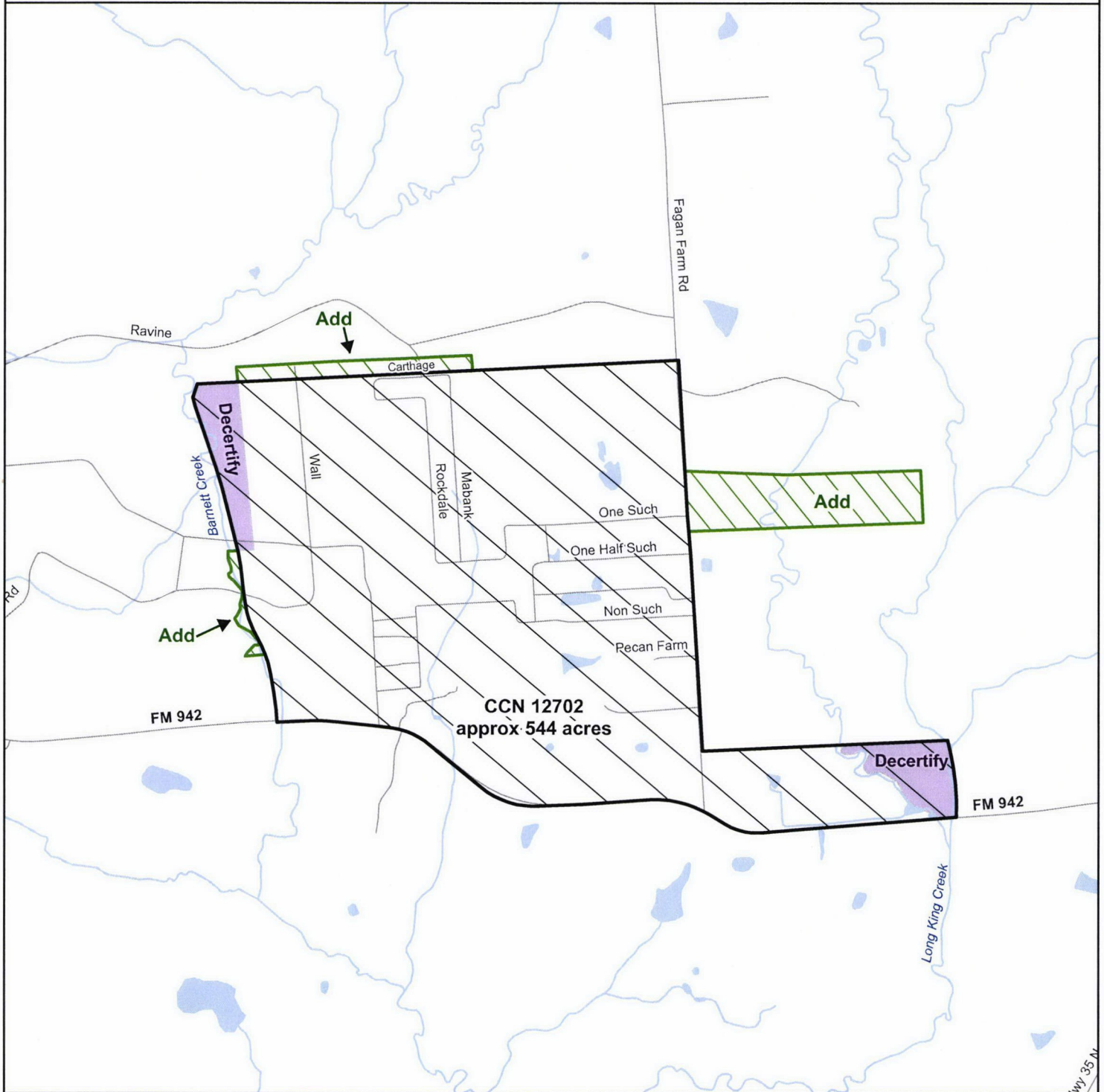


Taylor Lake Estates in Polk County



- Water CCN Areas to Transfer and Amend
- CCN 12072 - Pure Utilities, LC
 - Amendment Area to Add

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
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Texas Water Supply in Polk County

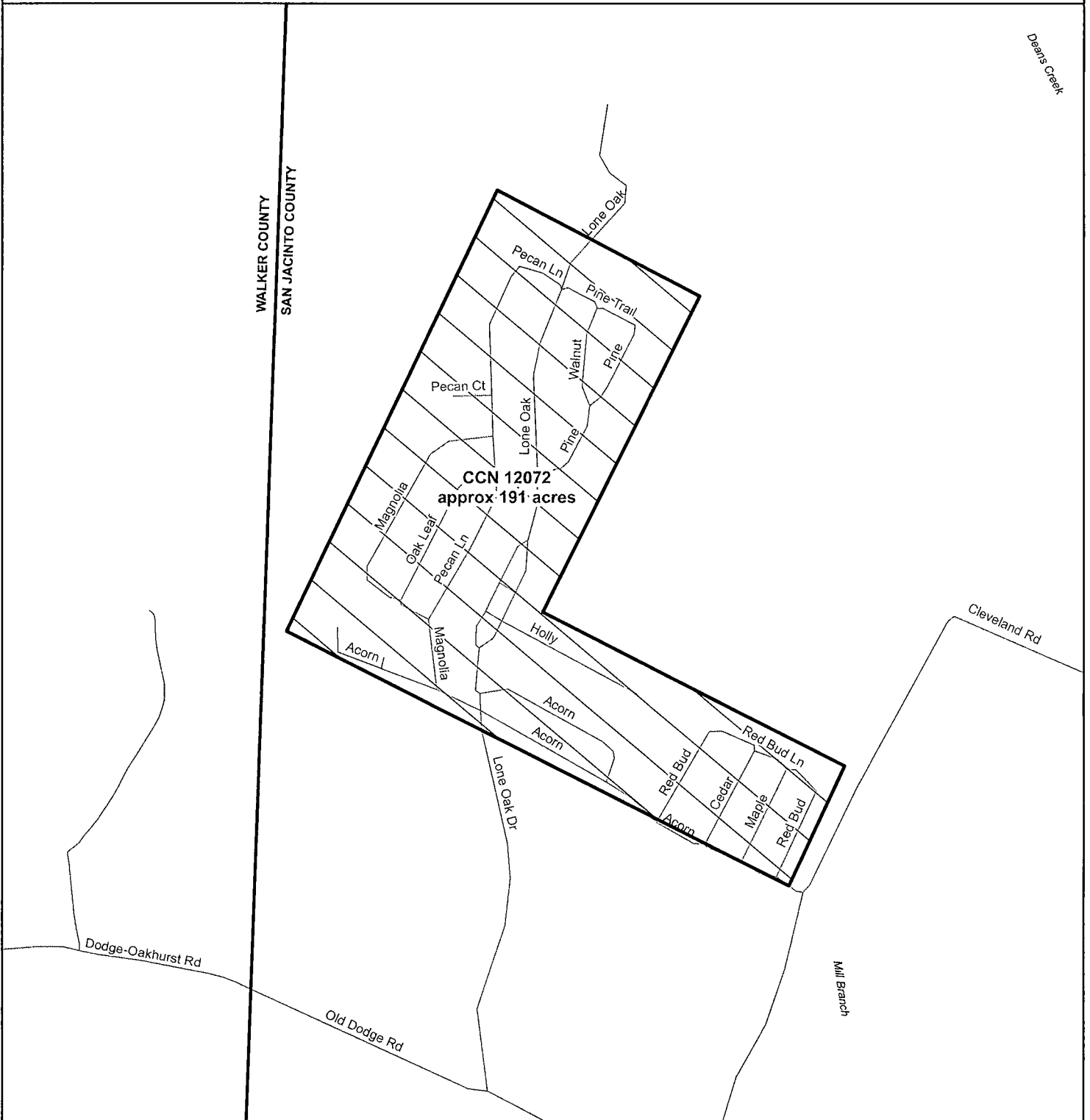
Water CCN Areas to Transfer and Amend

- CCN 12072 - Pure Utilities, LC
- Amendment Areas to Add
- Amendment Area to Decertify

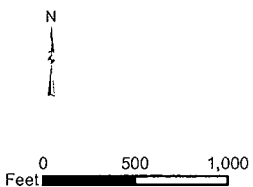
255

Map by: S. Burt, ASBGI
 Date: Aug. 14, 2019
 Base: TxDOT 2015 roadways
 Project: Texas Water Supply Detail.mxd

Undine Texas, LLC
Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
and to Amend Portions of CCN No. 12072 to be Transferred
in Liberty, Polk, San Jacinto and Tyler Counties



Tanglewood Forest in San Jacinto County



Water CCN Area to Transfer



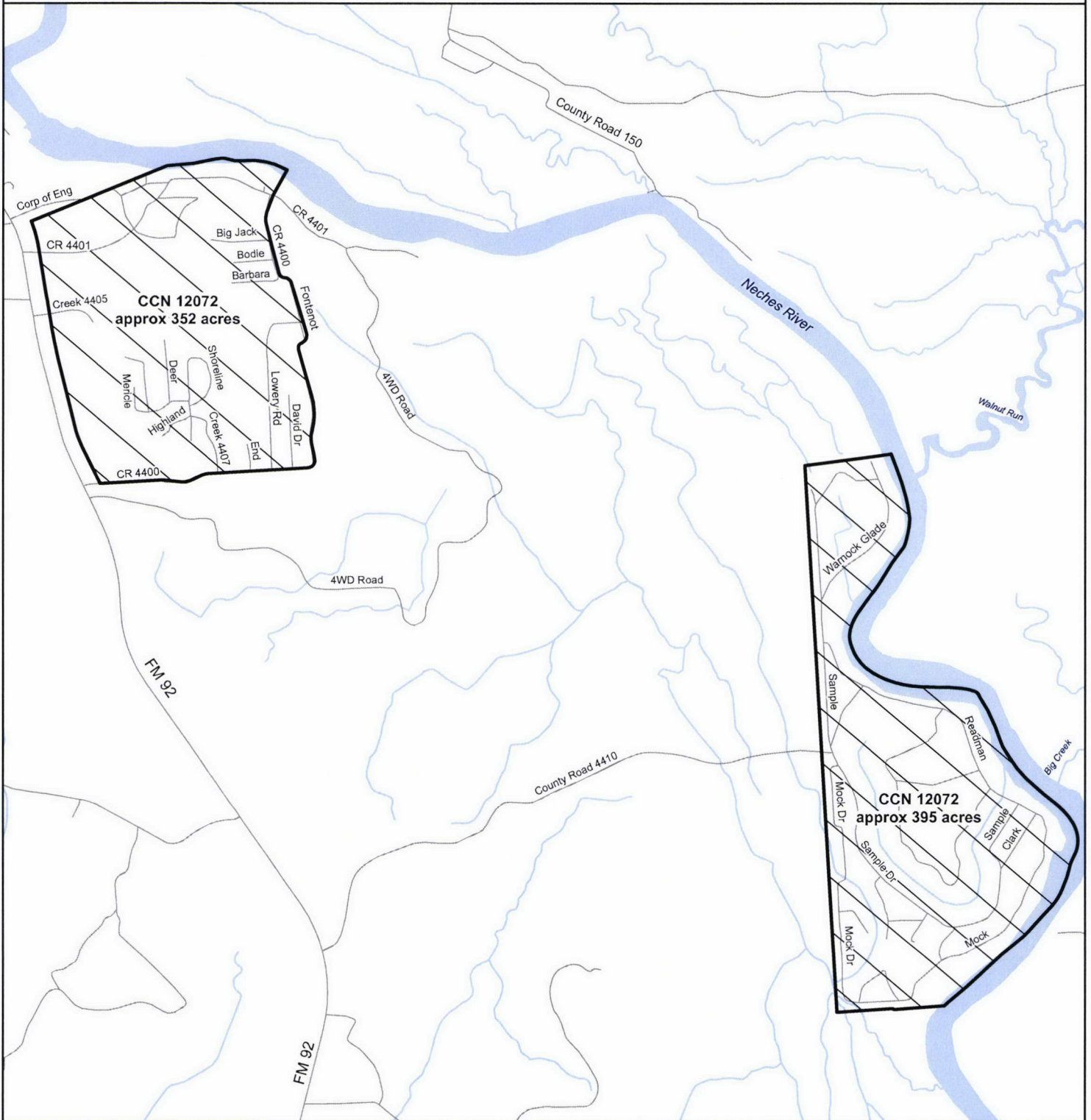
CCN 12072 - Pure Utilities, LC

256

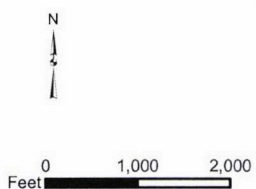
Map by: S. Burt, ASBGI
Date: Aug. 15, 2019

Base: StratMap Transv2
Project: Tanglewood Forest Detail mxd

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



Town Bluff (Mont Neches) and Barlow Lake Estates in Tyler County



Water CCN Areas to Transfer

CCN 12072 - Pure Utilities, LC

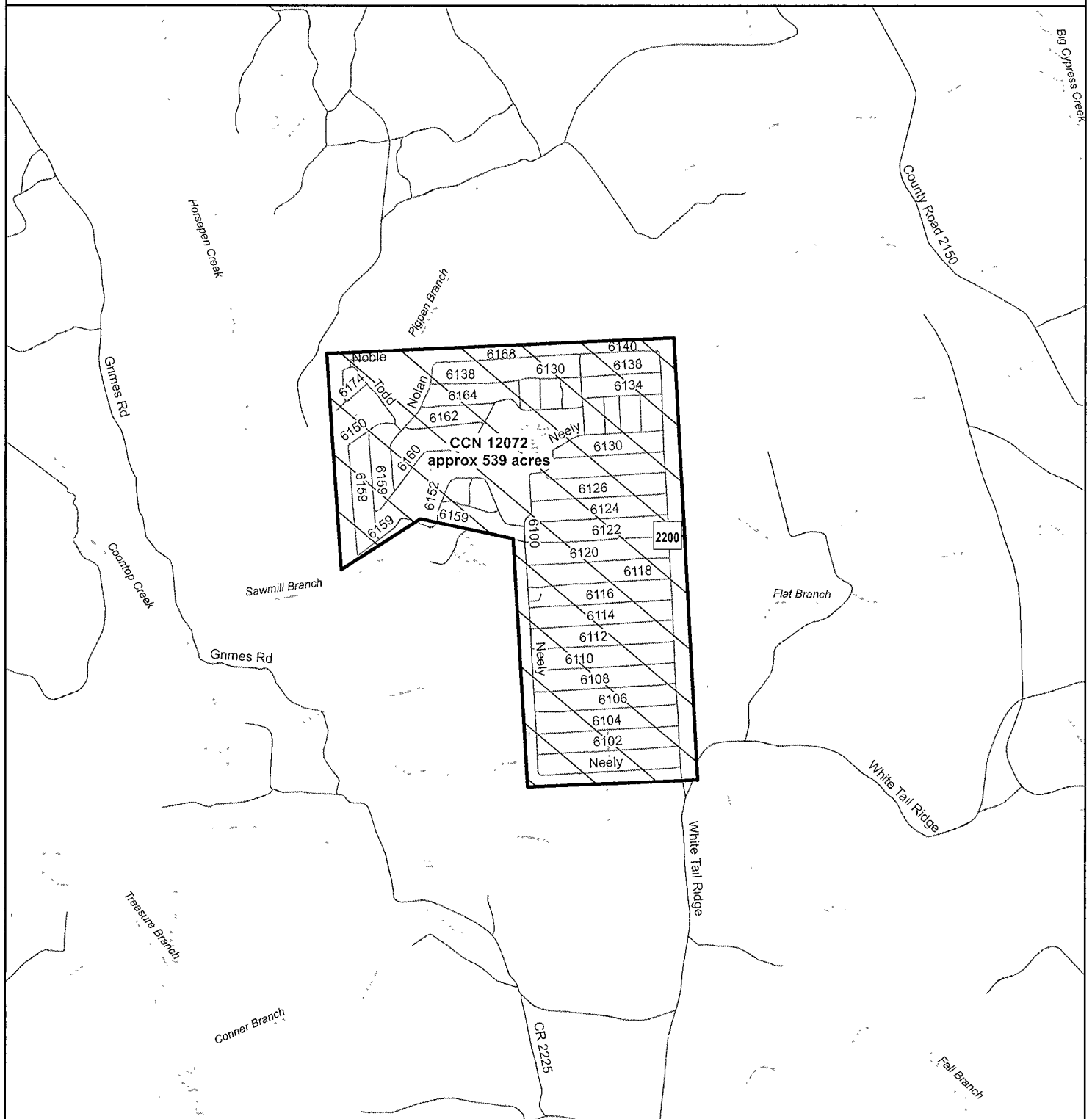
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Map by: S. Burt, ASBGI
 Date: Aug. 15, 2019

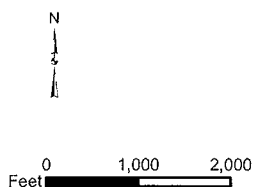
Base: StratMap Transv2

Project: Town Bluff_Barlow Lake Detail.mxd


Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



Whitetail Ridge in Tyler County

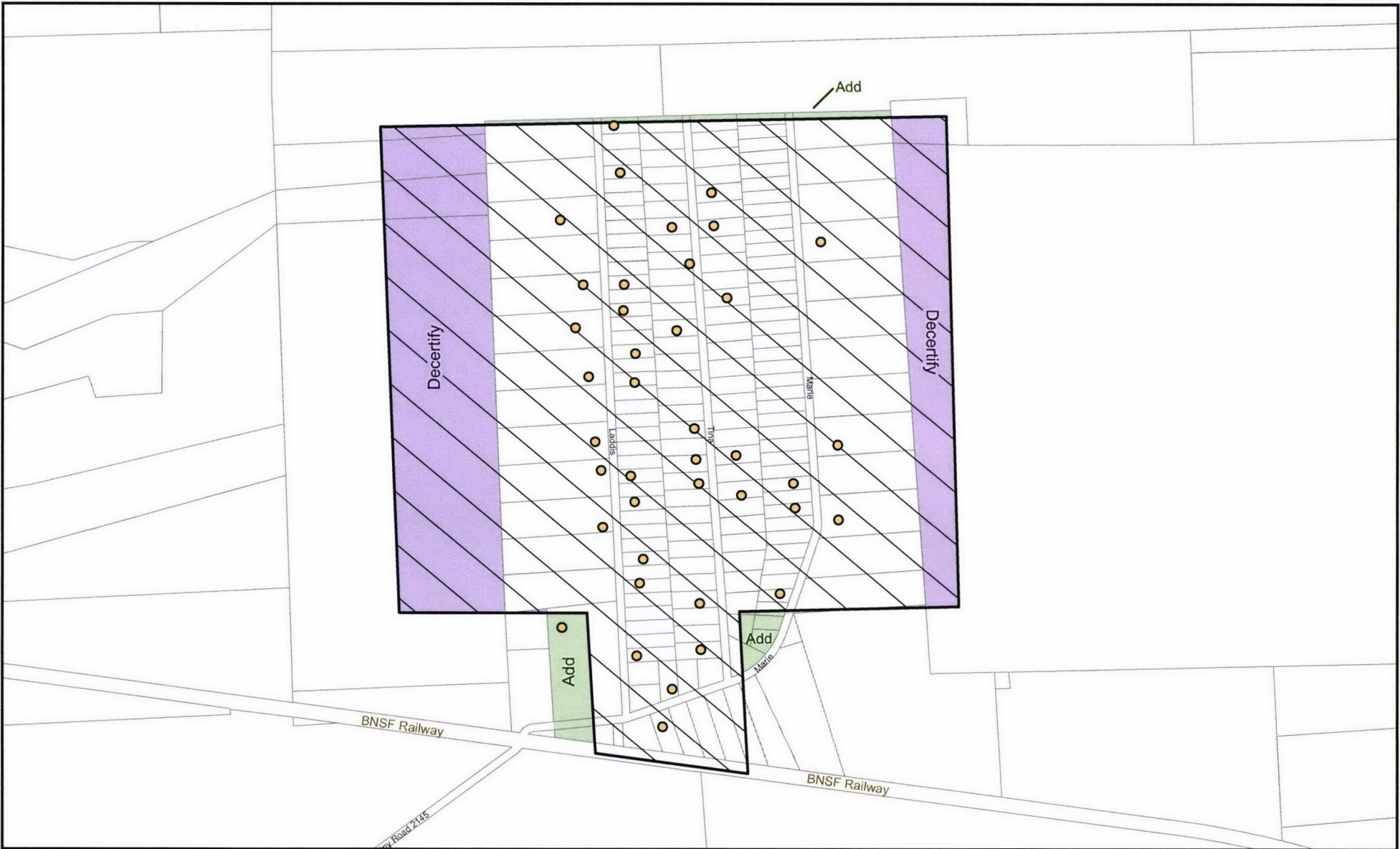


Water CCN Area to Transfer

 CCN 12072 - Pure Utilities, LC

258

Map by S. Burt, ASBGI
 Date: Aug. 15, 2019
 Base: StratMap Transv2
 Project Whitetail Ridge Detail mxd



Bar D Ranchettes Customers' Points of Service Liberty County

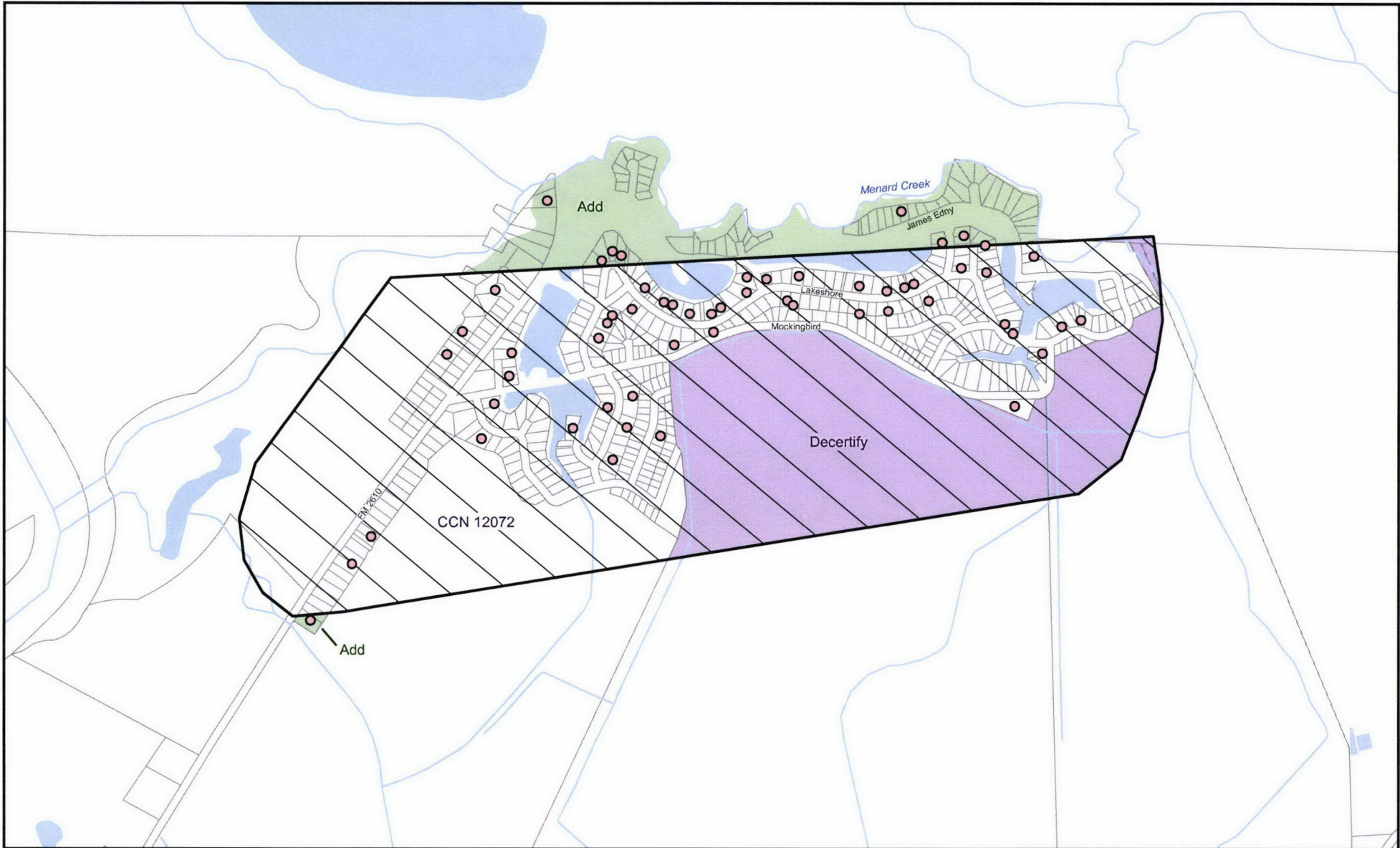
Legend

- Bar D Ranchettes Customers Point of Service
- CCN 12072 - Pure Utilities LC
- Add Area
- Decertify CCN 12072
- Parcels - Liberty

0 500 1,000
Feet



Map by: S. Burt, ASBG
Date: Aug. 15, 2017
Base: Liberty County Parcels
Project: Bar D Ranchettes_POS.mxd



Six Lakes Customers' Points of Service Liberty and Polk Counties

- Legend**
- Six Lakes Customers Point of Service
 - ▭ CCN 12072 - Pure Utilities LC
 - Add Area
 - Decertify CCN 12072
 - ▭ Parcels - Liberty County

0 500 1,000
Feet







Map by: S. Burt, ASBGI
Date: Aug. 15, 2017
Base: Liberty County Parcels
Project: Six Lakes_POS.mxd



**Bentwood Bend Customers' Points of Service
Polk County**

Legend

-  Bentwood Bend Customers Point of Service
-  CCN 12072 - Pure Utilities LC
-  Add Area
-  Parcels - Polk County

0 250 500
Feet

N

Map by: S. Burt, ASBGI
Date: Aug. 15, 2017
Base: Polk County Parcels
Project: Bentwood Bend_POS.mxd



Lakeside Village Customers' Points of Service Polk County

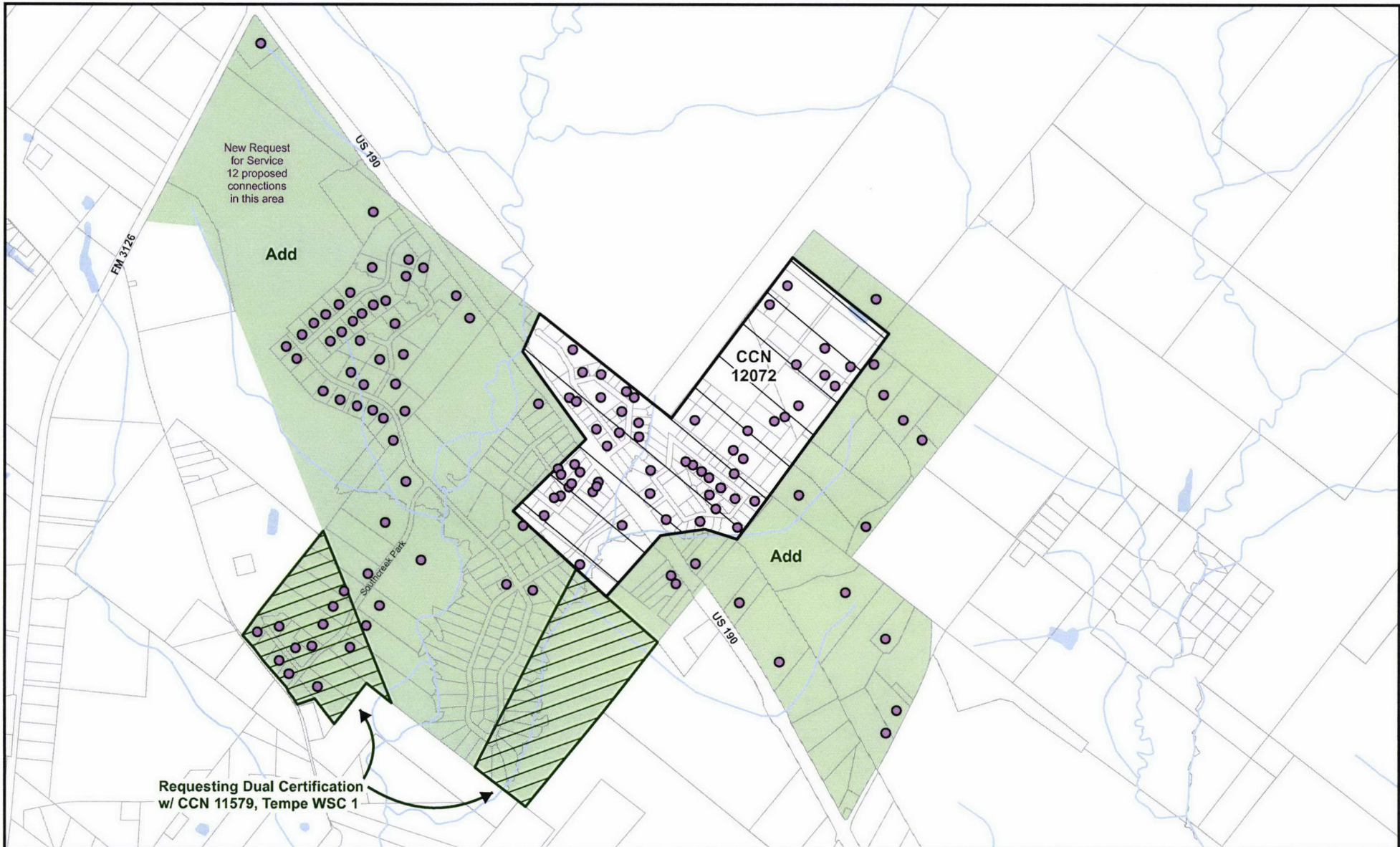
Legend

- Lakeside Village Customers Points of Service
- CCN 12072 - Pure Utilities LC
- Add Area
- Decertify CCN 12072
- Parcels - Polk County

0 500 1,000
Feet



Map by: S. Burt, ASBGI
Date: Aug. 15, 2017
Base: Polk County Parcels
Project: Lakeside Village_POS.mxd



Spring Creek Customers' Points of Service Polk County

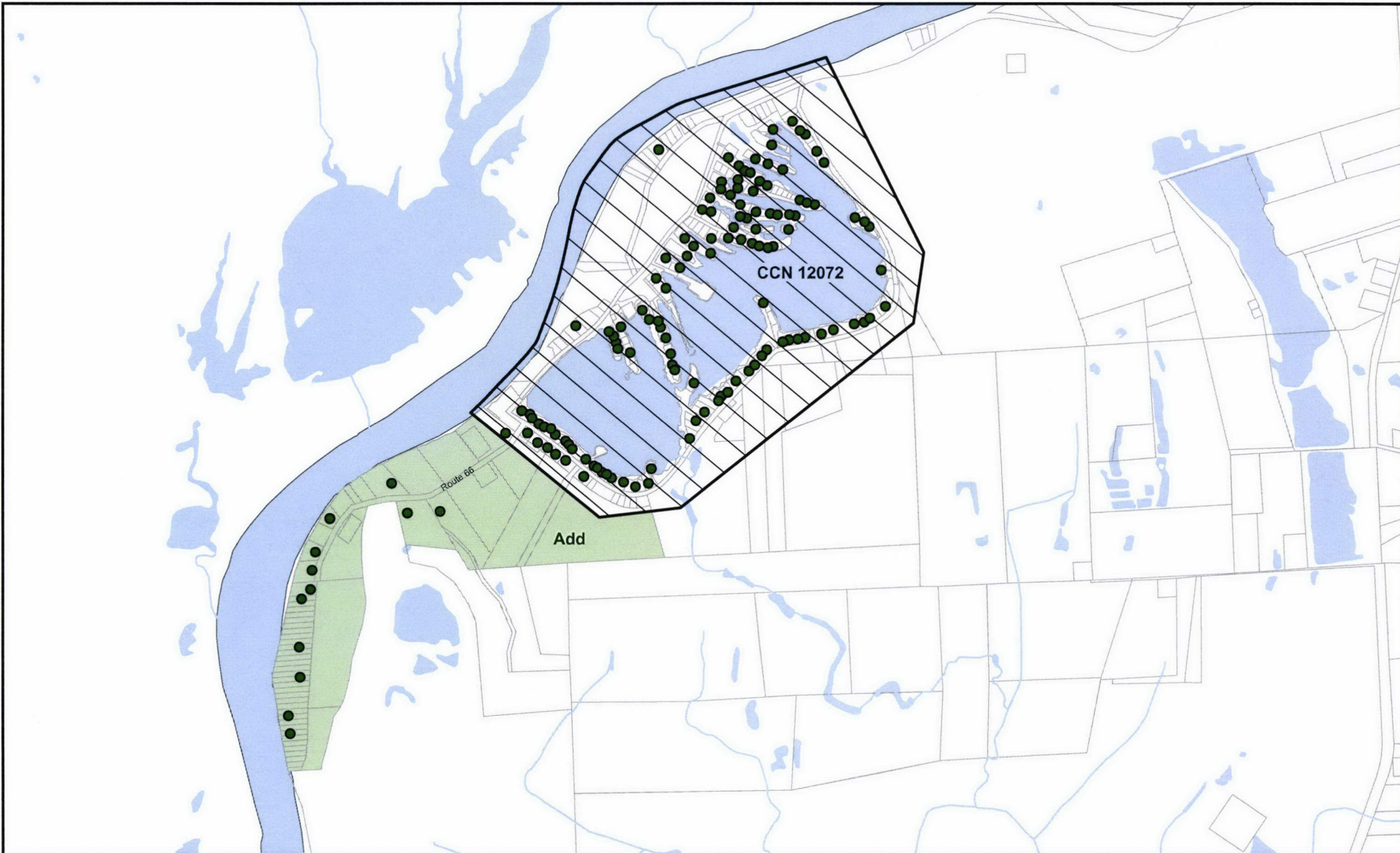
Legend

- Spring Creek Customers Point of Service
- CCN 12072 - Pure Utilities LC
- Add Area
- Dual Cert w/ CCN 11579 - Tempe WSC 1
- Parcels - Polk County

0 750 1,500
Feet



Map by: S. Burt, ASBGI
Date: Aug. 15, 2017
Base: Polk County Parcels
Project: Spring_Creek_POS.mxd



Taylor Lake Estates Customers' Points of Service Polk County

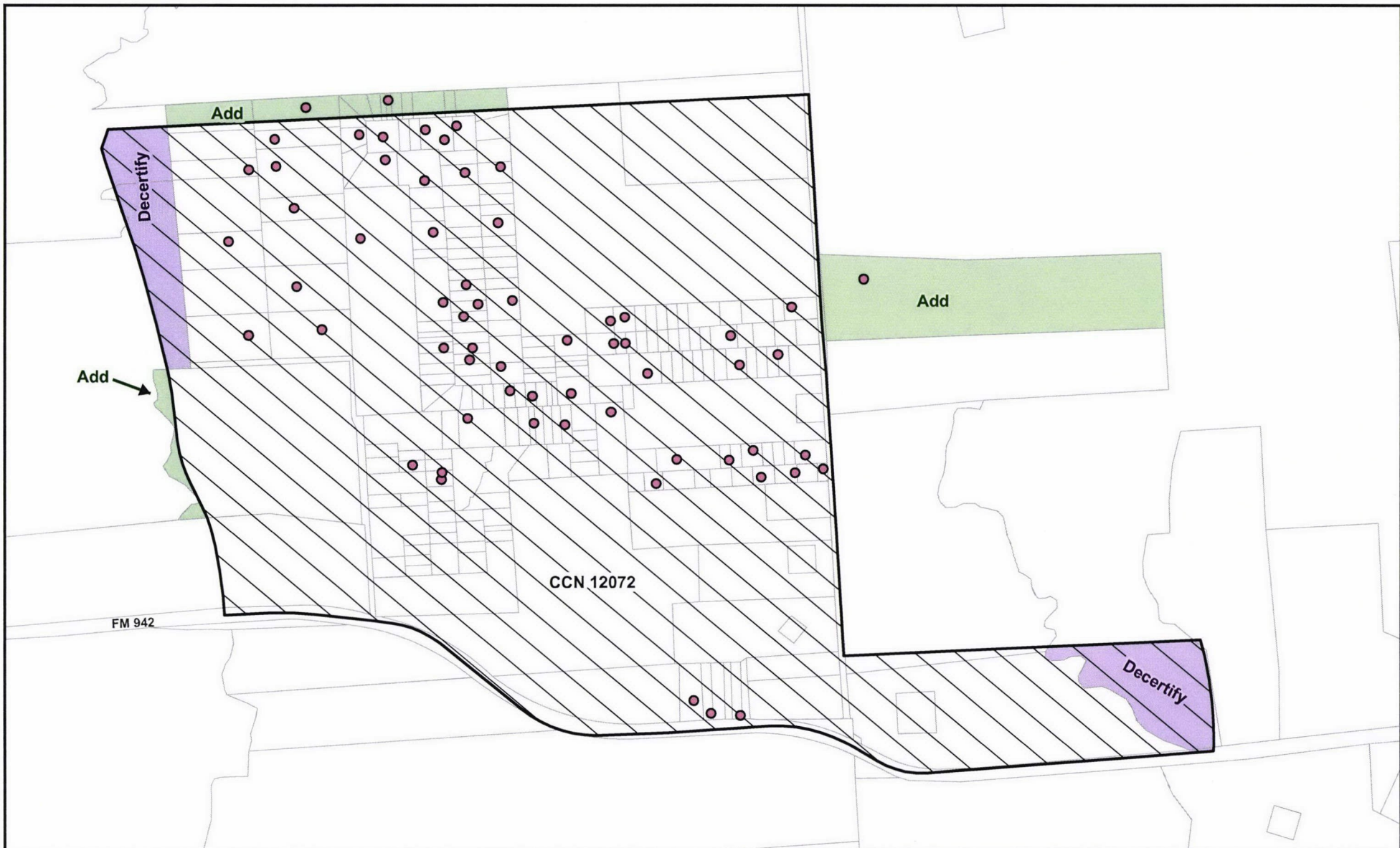
Legend

- Taylor Lake Estates Customers Points of Service
- ▨ CCN 12072 - Pure Utilities LC
- Add Area
- Parcels - Polk County

0 750 1,500
Feet



Map by: S. Burt, ASBGI
Date: Aug. 15, 2017
Base: Polk County Parcels
Project: Taylor Lake Estates_POS.mxd



Legend

- Texas Water System_Customers
- ▨ CCN 12072 - Pure Utilities LC
- Add Area
- Decertify CCN 12072
- Parcels - Polk County

Texas Water Supply Customers' Points of Service Polk County





Pure Utilities, L.C.

207 W. Mill St.
Livingston, Texas 77351
Phone 936-327-7070 or 1-877-327-7070
Fax 936-327-3330

Tempe WSC 1
2120 U S Highway 190 W
Livingston, TX 77351-9602

(713) 327-3176
(936) 112J us

Re: Request for Dual Certification Regarding Application of Pure Utilities, LC ("Pure") and Undine Texas, LLC ("Undine") for Sale, Transfer or Merger of Facilities and Certificate Rights in Liberty, Polk, San Jacinto and Tyler Counties

Dear Pure Utilities, LC Representative:

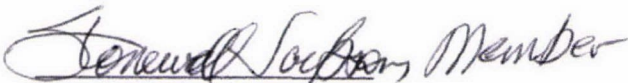
Undine and Pure are preparing to submit an application to the Public Utility Commission of Texas ("PUC") for the sale, transfer or merger of facilities and certificate rights from Pure to Undine (the "Application"). Based on our review, the Application will include two areas of overlap with Tempe WSC 1 CCN No. 11579. The map attached as Attachment A to this letter specifies the two areas of overlap.

This letter requests that Tempe WSC 1 agree to dual certification of the two areas identified on the attached map for its CCN 11579 so that Pure and Undine may incorporate those areas into the service areas that are otherwise the subject of the Application. We note that Tempe WSC 1 does not now, nor has it ever, supplied drinking water service to customers within the area highlighted for dual certification on the attached map. Undine and Pure seek Tempe WSC 1's dual certification of the area for no compensation, under Texas Water Code §13.254 or otherwise.

If approved, the dual certification will allow Undine to exercise its authority to provide retail, public water and sewer utility service under Undine's STM Application to the portion of Tempe WSC 1's CCN No. 11579 requested for dual certification.

If you agree to dual certification of the identified area pursuant to the terms of this letter, please so indicate by signing in the area indicated below. We appreciate your consideration in this matter.

Sincerely,


Kenneth L. Sobers, Member
Pure Utilities, LC

By the signature below, Tempe WSC 1 agrees to dual certification of the area identified in Attachment A to this letter according to the terms of this letter.

Signature: Walter B. Knebel

Name: WALTER B. KNEBEL

Title: GENERAL MANAGER

Date: 8-20-2019

Undine Texas, LLC
 Application to Transfer Pure Utilities, LC, CCN No. 12072 to Undine Texas, LLC, CCN No. 13260
 and to Amend Portions of CCN No. 12072 to be Transferred
 in Liberty, Polk, San Jacinto and Tyler Counties



Spring Creek in Polk County

Water CCN Areas to Transfer and Amend

- CCN 12072 - Pure Utilities, LC
- Amendment Areas to Add
- Requesting Dual Certification w/ Tempe WSC 1, CCN 11579

268

Map by: S. Burt, ASBGI
 Date: Aug. 14, 2019
 Base: TxDOT 2015 roadways
 Project: Spring Creek Detail.mxd

Attachment 'N'

Part H

CCN Descriptions

Written Descriptions (Pure Utilities, LC STM & Amend- Water)

Bar D Ranchettes

The area subject to this transaction is located within approximately 12 miles east/southeast of downtown Shepherd, Texas, and is generally bounded on the north by 1 mile north of Burlington Northern Santa Fe (BNSF) Railway; on the east by Cherry Creek; on the south by BNSF Railway; and on the west by 1,650 feet west of Laddis Road in Liberty County.

The total area being requested includes approximately 401 acres and serves 41 current customers.

Riverboat Bend

The area subject to this transaction is located within Kenefick, Texas, and is generally bounded on the north by FM 2797; on the east by Trinity River; on the south by 575 feet south of River Boat Bend; and on the west by 700' west of River Boat Bend in Liberty County.

The total area being requested includes approximately 157 acres and serves 42 current customers.

Six Lakes

The area subject to this transaction is located within approximately 9.5 miles east of downtown Shepherd, Texas, and is generally bounded on the north and west by Menard Creek; on the east by Williams Creek; and on the south by 1000 feet south of Barrett Drive in Liberty and Polk Counties.

The total area being requested includes approximately 370 acres and serves 60 current customers.

Bentwood Bend

The area subject to this transaction is located within approximately 3.9 miles northeast of downtown Onalaska, Texas, and is generally bounded on the north and east by Rocky Creek Rd; and on the south and west by Baird Branch / Kickapoo Creek in Polk County.

The total area being requested includes approximately 69 acres and serves 23 current customers.

Commodore Cape

The area subject to this transaction is located within approximately 5.3 miles south of downtown Onalaska, Texas, and is generally bounded on the north and west by Livingston Reservoir; on the east by Scenic Loop; and on the south by Inlet Drive in Polk County.

The total area being requested includes approximately 145 acres and serves 105 current customers.

Forest Springs

The area subject to this transaction is located within approximately 4.3 miles east of downtown Goodrich, Texas, and is generally bounded on the north by Myrow Road; on the east by Sam Randolph Road; on the south by Bird Road; and on the west by Eagle Pass Road in Polk County.

The total area being requested includes approximately 393 acres and serves 156 current customers.

Lakeside Village

The area subject to this transaction is located within approximately 2.5 miles south of downtown Livingston, Texas, and is generally bounded on the north by Lima Branch; on the east by Lodia Brock Road; on the south by Preacher Coker Road/Stallion Station Road; and on the west by US Highway 59 in Polk County.

The total area being requested includes approximately 329 acres and serves 130 current customers.

Spring Creek

The area subject to this transaction is located within approximately 4.8 miles southeast of downtown Onalaska, Texas, and is generally bounded on the north by Intersection of US Hwy 190 and FM 3126; on

the east by Hidden Valley Road; on the south by Nelson Drive; and on the west by FM 3126 in Polk County.

The total area being requested includes approximately 912 acres and serves 135 current customers.

Taylor Lake Estates

The area subject to this transaction is located within approximately 7.7 miles east of downtown Shepherd, Texas, and is generally bounded on the north, west and south by Trinity River; and on the east by 720 feet east of Taylor Lake Road in Polk County.

The total area being requested includes approximately 482 acres and serves 151 current customers.

Texas Water Supply

The area subject to this transaction is located within approximately 1.7 miles southwest of downtown Seven Oaks, Texas, and is generally bounded on the north by Ravine Road; on the east by Long King Creek; on the south by FM 942; and on the west by Barnett Creek in Polk County.

The total area being requested includes approximately 591 acres and serves 69 current customers.

Tanglewood Forest

The area subject to this transaction is located within approximately 6 miles west of downtown Point Blank, Texas, and is generally bounded on the north by 550 feet north of Pecan Lane; on the east by Deans Creek; on the south by Old Dodge Road; and on the west by Mann Road in San Jacinto County.

The total area being requested includes approximately 191 acres and serves 25 current customers.

Town Bluff (Mont Neches)

The area subject to this transaction is located within approximately 14 miles east of downtown Woodville, Texas, and is generally bounded on the north by Neches River; on the east and south by County Road 4400; and on the west by FM 92 in Tyler County.

The total area being requested includes approximately 352 acres and serves 34 current customers.

Barlow Lake Estates

The area subject to this transaction is located within approximately 16 miles east of downtown Woodville, Texas, and is generally bounded on the north and east by Neches River; on the south by 125 feet south of Mock Drive; and on the west by 240 feet west of Mock Drive in Tyler County.

The total area being requested includes approximately 395 acres and serves 15 current customers.

Whitetail Ridge

The area subject to this transaction is located within approximately 8.6 miles west of downtown Woodville, Texas, and is generally bounded on the north by 140 feet north of Noble road; on the east by 250 feet east of FM 2200; on the south by 200 feet south of Neely Road; and on the west by Horsepen Creek in Tyler County.

The total area being requested includes approximately 539 acres and serves 73 current customers.

Approximate total acreages overall:

Transferred areas – 3,613 acres; 928 customers (estimated)

Amend/Add areas – 1,190 acres; 131 customers (estimated)

Amend/Decertify areas – 1,082 acres; 0 customers

Dual area w/ Tempe WSC 1, CCN 11579 – 95 acres; 11 customers