



Control Number: 51407



Item Number: 1

Addendum StartPage: 0



*Re-Submittal:*

**DOCKET NO. 51407**

**PUBLIC**



October 01, 2020

### Attachments for the Dos Aguas PUC Application

- Partnership agreements attached - file labeled- partnership agreement PartA/Q4
- Articles of Incorporations and By-Laws not needed - not a WSC
- Certificate of Account Status attached - file labeled-certificate of account status PartA/Q4
- Franchise permit or consent letter attached - file labeled- franchise tax PartB/Q7
- Existing infrastructure map - on application left reasoning
- Customer Requests for Service in requested area - see attached letter- file labeled-Customer requests & population growth- PartB/Q9-10
- Population Growth Report - letter attached - file labeled- customer requests & population growth-PartB/Q9-10
- TCEQ Engineering Approvals - Engineer letter attached - file labeled TCEQ Engineering approvals partB/Q11
- Request & Responses for service to  $\frac{1}{2}$  mile utility providers-letter attached file labeled - requests & responses partB/Q12b-c
- Economic feasibility statement - letter attached file labeled- request & responses partB/Q12b-c
- Alternate provider analysis - not needed
- Enforcement action correspondence - answered no on application
- TCEQ Compliance Correspondence - no other pws associated with ccn







- Purchased water supplied agreement - attached file labeled- purchased water agreementPartD/Q23
- Rate Study - attached file labeled- businessplan- for PartE/q28
- Tariff/Rate Schedule - attached file labeled -TarriffpartE/Q29
- Financial Audit- attached file labeled businessplan- for partE/Q30
- Application attachment - not needed using business plan
- Capital Improvement plan -attached file labeled - businessplan for partE/Q30
- Disclosure of Affiliated Interests-attached file labeled-disclosure affiliated interestspartE/Q31
- Detailed large scale map-attached file labeled - water one line sectionPartF/Q32
- General Location small scale map- attached file labeled - serviceareamap11x17PartF/Q32
- Digital mapping data- attached file labeled -Metes&boundsPartF/Q32
- Signed & Notarized Affidavit - attached file labeled- notarized affidavitPage12





## Application Summary

Applicant: Dos Aguas, LLC.

CCN No. to be amended: \_\_\_\_\_

or



Obtain NEW CCN



Water



Sewer

County(ies) affected by this application: Walker & Montgomery

Dual CCN requested with: \_\_\_\_\_

CCN No.: \_\_\_\_\_

(name of retail public utility)



Portion or



All of requested area

Decertification of CCN for: \_\_\_\_\_

CCN No.: \_\_\_\_\_

(name of retail public utility)



Portion or



All of requested area

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Please mark the items included in this filing

<input checked="" type="checkbox"/> Partnership Agreement	Part A: Question 4
<input type="checkbox"/> Articles of Incorporation and By-Laws (WSC)	Part A: Question 4
<input checked="" type="checkbox"/> Certificate of Account Status	Part A: Question 4
<input checked="" type="checkbox"/> Franchise, Permit, or Consent letter	Part B: Question 7
<input type="checkbox"/> Existing Infrastructure Map	Part B: Question 8
<input checked="" type="checkbox"/> Customer Requests For Service in requested area	Part B: Question 9
<input checked="" type="checkbox"/> Population Growth Report or Market Study	Part B: Question 10
<input type="checkbox"/> TCEQ Engineering Approvals	Part B: Question 11
<input checked="" type="checkbox"/> Requests & Responses For Service to ½ mile utility providers	Part B: Question 12.B
<input checked="" type="checkbox"/> Economic Feasibility (alternative provider) Statement	Part B: Question 12.C
<input type="checkbox"/> Alternative Provider Analysis	Part B: Question 12.D
<input type="checkbox"/> Enforcement Action Correspondence	Part C: Question 16
<input type="checkbox"/> TCEQ Compliance Correspondence	Part D: Question 20
<input checked="" type="checkbox"/> Purchased Water Supply or Treatment Agreement	Part D: Question 23
<input checked="" type="checkbox"/> Rate Study (new market entrant)	Part E: Question 28
<input checked="" type="checkbox"/> Tariff/Rate Schedule	Part E: Question 29
<input checked="" type="checkbox"/> Financial Audit	Part E: Question 30
<input type="checkbox"/> Application Attachment A & B	Part E: Question 30
<input checked="" type="checkbox"/> Capital Improvement Plan	Part E: Question 30
<input type="checkbox"/> Disclosure of Affiliated Interests	Part E: Question 31
<input checked="" type="checkbox"/> Detailed (large scale) Map	Part F: Question 32
<input checked="" type="checkbox"/> General Location (small scale) Map	Part F: Question 32
<input checked="" type="checkbox"/> Digital Mapping Data	Part F: Question 32
<input checked="" type="checkbox"/> Signed & Notarized Affidavit	Page 12



**Part A: Applicant Information**

1. A. Name: Dos Aguas, LLC.  
(individual, corporation, or other legal entity)  
☐ Individual ☐ Corporation ☐ WSC ☒ Other: LLC
- B. Mailing Address: 455 FM 2296  
Huntsville, TX 77340  
Phone No.: (936) 295-4809 Email: dosaguaswater@hotmail.com
- C. Contact Person. Please provide information about the person to be contacted regarding this application. Indicate if this person is the owner, operator, engineer, attorney, accountant, or other title.  
Name: Roark Rohe Title: President  
Mailing Address: 455 FM 2296 Huntsville, Tx 77340  
Phone No.: (936) 295-4809 Email: dosaguaswater@hotmail.com
2. If the Applicant is someone other than a municipality, is the Applicant currently paid in full on the Regulatory Assessment Fees (RAF) remitted to the TCEQ?  
☐ Yes ☐ No ☒ N/A
3. If the Applicant is an Investor Owned Utility (IOU), is the Applicant current on Annual Report filings with the Commission?  
☐ Yes ☒ No If no, please state the last date an Annual Report was filed: \_\_\_\_\_
4. The legal status of the Applicant is:  
☐ Individual or sole proprietorship  
☒ Partnership or limited partnership (*attach* Partnership agreement)  
☐ Corporation: Charter number (recorded with the Texas Secretary of State): \_\_\_\_\_  
☐ Non-profit, member-owned, member controlled Cooperative Corporation [Article 1434(a) Water Supply or Sewer Service Corporation, incorporated under TWC Chapter 67]  
Charter number (as recorded with the Texas Secretary of State): \_\_\_\_\_  
☐ Articles of Incorporation and By-Laws established (*attach*)  
☐ Municipally-owned utility  
☐ District (MUD, SUD, WCID, FWSD, PUD, etc.)  
☐ County  
☐ Affected County (a county to which Subchapter B, Chapter 232, Local Government Code, applies)  
☐ Other (please explain): \_\_\_\_\_
5. If the Applicant operates under an assumed name (i.e., any d/b/a), provide the name below:  
Name: \_\_\_\_\_



Part B: Requested Area Information

6. Provide details on the existing or expected land use in the requested area, including details on requested actions such as dual certification or decertification of service area.

The portion in Walker County is to be developed into 292 1 acre lots. The portion in Montgomery County is to be developed into 1800 - 1900 1 1/2 to 2 Acre lots

7. The requested area (check all applicable):

- ☐ Currently receives service from the Applicant ☒ Is being developed with no current customers  
☐ Overlaps or is within municipal boundaries ☐ Overlaps or is within district boundaries

Municipality: \_\_\_\_\_ District: \_\_\_\_\_

Provide a copy of any franchise, permit, or consent granted by the city or district. If not available please explain:

As the entire development is outside of any district or municipality boundaries, there are no permits to be obtained. Neither Walker or Montgomery County require a permit

8. Describe the circumstances (economic, environmental, etc.) driving the need for service in the requested area:

Major growth in Area approximately 14 miles west, Texas Grand Ranch, developed by the same developer is selling out with over 1000 lots sold. As this is a little closer to Houston, they expect it to develop quicker

Letter: Rec DEV AGD

9. Has the Applicant received any requests for service within the requested area?

☐ Yes\* ☒ No \*Attach copies of all applicable requests for service and show locations on a map

10. Is there existing or anticipated growth in the requested area?

☒ Yes\* ☐ No \*Attach copies of any reports and market studies supporting growth

11. A. Will construction of any facilities be necessary to provide service to the requested area?

☒ Yes\* ☐ No \*Attach copies of TCEQ approval letters

B. Date Plans & Specifications or Discharge Permit App. submitted to TCEQ: \_\_\_\_\_





C. Summarize an estimated timeline for construction for any required facilities to serve the requested area:

We will be building two plant sites with wells in the first stage of the project. One on North end and one on South end. Depending on TCEQ & PUC Approval, we hope to be able to sell water in 9-12 months. Construction of the distribution system is expected to begin in September 2020

D. Describe the source and availability of funds for any required facilities to serve the requested area:

Dos Aguas partners will self fund the construction of the first two sites entirely. In addition, the partners will have a combined \$1,000,000 letter of credit to fund operations for at least 4 years and to fund the construction of a third well site and plant if growth warrants it.

**Note: Failure to provide applicable TCEQ construction or permit approvals, or evidence showing that the construction or permit approval has been filed with the TCEQ may result in the delay or possible dismissal of the application.**

12. A. If construction of a physically separate water or sewer system is necessary, provide a list of all retail public water and/or sewer utilities within one half mile from the outer boundary of the requested area below:

One Five O Water Supply 12339  
Crystal Springs Water Co 11373

B. Did the Applicant request service from each of the above water or sewer utilities?

☒ Yes\*

☐ No

\*Attach copies of written requests and copies of the written response

C. Attach a statement or provide documentation explaining why it is not economically feasible to obtain retail service from the water or sewer retail public utilities listed above.

D. If a neighboring retail public utility agreed to provide service to the requested area, attach documentation addressing the following information:

- (A) A description of the type of service that the neighboring retail public utility is willing to provide and comparison with service the applicant is proposing;
- (B) An analysis of all necessary costs for constructing, operating, and maintaining the new facilities for at least the first five years of operations, including such items as taxes and insurance; and
- (C) An analysis of all necessary costs for acquiring and continuing to receive service from the neighboring retail public utility for at least the first five years of operations.

13. Explain the effect of granting the CCN request on the Applicant, any retail public utility of the same kind serving in the proximate area, and any landowners in the requested area. The statement should address, but is not limited to, regionalization, compliance, and economic effects.



There are only two landowners in the requested area. They are also the developers that have asked us to supply water to their lots. We have signed developers agreements with both of them stipulating that Dos Aguas be the only water provider and that they will fund construction of all water lines to aid in that construction. I do not believe there are any constraints that would interfere with this project.

#### Part C: CCN Obtain or Amend Criteria Considerations

14. Describe the anticipated impact and changes in the quality of retail utility service for the requested area:

At the present time, this is raw land with no one living on it. When complete, it will have approximately 2200 lots with a water system that exceeds TCEQ requirements and has fire protection and paved roads.

15. Describe the experience and qualifications of the Applicant in providing continuous and adequate retail service:

Phelps Special Utility District CCN 10129 PWS 2360009 650 meters. Manager 1978 to present. 42 years experience. Watson Lakes WSC CCN 12437 PWS 2360024 131 meters. Manager 1998 to present. C Water license WG0011586 CSI license CI0007776. I have administered and inspected construction of wells and a standpipe, many miles of water lines with valves fire hydrants and flush plugs and have installed hundreds of meters. On the administrative side, I have had several sanitary surveys by the TCEQ over the last 12 - 15 years with 0 violations. Phelps SUD has been rated by the state as a Superior Water System since 1993.

16. Has the Applicant been under an enforcement action by the Commission, TCEQ, Texas Department of Health (TDH), the Office of the Attorney General (OAG), or the Environmental Protection Agency (EPA) in the past five (5) years for non-compliance with rules, orders, or state statutes?

☐ Yes\* ☒ No

\*Attach copies of any correspondence with the applicable regulatory agency concerning any enforcement actions, and attach a description of any actions or efforts the Applicant has taken to comply with these requirements.

17. Explain how the environmental integrity of the land will or will not be impacted or disrupted as a result of granting the CCN as requested:

At the present time, this is unimproved brush land with no structures and dirt trails. When completed, there will be \$400,000 to \$1,000,000 homes with paved streets, fiber optic cable, electricity and water. All plans will be reviewed by the respective counties and all flood plain and drainage requirements met. Our engineer has worked with both counties over the years and is well versed in the requirements necessary. The property will be in much improved condition when complete

18. Has the Applicant made efforts to extend retail water or sewer utility service to any economically distressed area located within the requested area?

On Five O has told us they couldn't serve us and Crystal Springs is very small with no capacity



19. List all neighboring water or sewer retail public utilities, cities, districts (including ground water conservation districts), counties, or other political subdivisions (including river authorities) providing the same service located within two (2) miles from the outer boundary of the requested area:

One Five O WSC CCN 12339  
Crystal Springs water Co 11373

**Part D: TCEQ Public Water System or Sewer (Wastewater) Information**

20. A. Complete the following for all Public Water Systems (PWS) associated with the Applicant's CCN:

TCEQ PWS ID:	Name of PWS:	Date of TCEQ inspection*:	Subdivisions served:

\*Attach evidence of compliance with TCEQ for each PWS

- B. Complete the following for all TCEQ Water Quality (WQ) discharge permits associated with the Applicant's CCN:

TCEQ Discharge Permit No:	Date Permit expires:	Date of TCEQ inspection*:	Subdivisions served:
WQ-			
WQ-			
WQ-			
WQ-			

\*Attach evidence of compliance with TCEQ for each Discharge Permit

- C. The requested CCN service area will be served via: PWS ID:  
WQ -

21. List the number of existing connections for the PWS & Discharge Permit indicated above (Question 20. C.):

Water				Sewer	
	Non-metered		2"		Residential
	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:				Total Sewer Connections:	

22. List the number of additional connections projected for the requested CCN area:

Water				Sewer	
	Non-metered		2"		Residential
2,200	5/8" or 3/4"		3"		Commercial
	1"		4"		Industrial
	1 1/2"		Other		Other
Total Water Connections:				Total Sewer Connections:	



23. A. Will the system serving the requested area purchase water or sewer treatment capacity from another source?

☐ Yes\*

☒ No

\*Attach a copy of purchase agreement or contract.

Capacity is purchased from:

Water: \_\_\_\_\_

Sewer: \_\_\_\_\_

- B. Are any of the Applicants PWS's required to purchase water to meet the TCEQ's minimum capacity requirements or TCEQ's drinking water standards?

☐ Yes

☒ No

- C. What is the amount of supply or treatment purchased, per the agreement or contract? What is the percent of overall demand supplied by purchased water or sewer treatment (if any)?

	Amount in Gallons	Percent of demand
Water:		0%
Sewer:		0%

24. Does the PWS or sewer treatment plant have adequate capacity to meet the current and projected demands in the requested area?

☒ Yes

☐ No

25. List the name, class, and TCEQ license number of the operators that will be responsible for the operations of the water or sewer utility service provided to the requested area:

Name (as it appears on license)	Class	License No.	Water/Sewer
Roark Rohe	C	WG0011586	Water

26. A. Are any improvements required for the existing PWS or sewer treatment plant to meet TCEQ or Commission standards?

☐ Yes

☒ No

- B. Provide details on each required major capital improvement necessary to correct deficiencies to meet the TCEQ or Commission standards (attach any engineering reports or TCEQ approval letters):

Description of the Capital Improvement:	Estimated Completion Date:	Estimated Cost:

27. Provide a map (or maps) showing all facilities for production, transmission, and distribution, and the location of existing or proposed customer connections, in the requested area. Facilities should be identified on subdivision plats, engineering planning maps, or other large scale maps. Color coding can be used, and is encouraged, to distinguish types of facilities.





**Part E: Financial Information**

28. If the Applicant seeking to obtain a CCN for the first time is an Investor Owned Utility (IOU) and under the original rate jurisdiction of the Commission, a proposed tariff must be attached to the application. The proposed rates must be supported by a rate study, which provides all calculations and assumptions made. Once a CCN is granted, the Applicant must submit a rate filing package with the Commission within 18 months from the date service begins. The purpose of this rate filing package is to revise a utility's tariff to adjust the rates to a historic test year and to true up the new tariff rates to the historic test year. It is the Applicant's responsibility in any future rate proceeding to provide written evidence and support for the original cost and installation date of all facilities used and useful for providing utility service. Any dollar amount collected under the rates charged during the test year in excess of the revenue requirement established by the Commission during the rate change proceeding shall be reflected as customer contributed capital going forward as an offset to rate base for ratemaking purposes.

29. If the Applicant is an existing IOU, please attach a copy of the current tariff and indicate:

A. Effective date for most recent rates: \_\_\_\_\_

B. Was notice of this increase provided to the Commission or a predecessor regulatory authority?

☐

No

☐

Yes

Application or Docket Number: \_\_\_\_\_

C. If notice was not provided to the Commission, please explain why ( ex: rates are under the jurisdiction of a municipality)

**If the Applicant is a Water Supply or Sewer Service Corporation (WSC/SSC) and seeking to obtain a CCN, attach a copy of the current tariff.**

30. **Financial Information**

Applicants must provide accounting information typically included within a balance sheet, income statement, and statement of cash flows. If the Applicant is an existing retail public utility, this must include historical financial information and projected financial information. However, projected financial information is only required if the Applicant proposes new service connections and new investment in plant, or if requested by Commission Staff. If the Applicant is a new market entrant and does not have its own historical balance sheet, income statement, and statement of cash flows information, then the Applicant should establish a five-year projection.

**Historical Financial Information** may be shown by providing any combination of the following that includes necessary information found in a balance sheet, income statement, and statement of cash flows:

1. Completed Appendix A;
2. Documentation that includes all of the information required in Appendix A in a concise format; or
3. Audited financial statements issued within 18 months of the application filing date. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.



Projected Financial Information may be shown by providing any of the following:

1. Completed Appendix B;
2. Documentation that includes all of the information required in Appendix B in a concise format;
3. A detailed budget or capital improvement plan, which indicates sources and uses of funds required, including improvements to the system being transferred; or
4. A recent budget and capital improvements plan that includes information needed for analysis of the operations test for the system being transferred and any operations combined with the system. This may be provided electronically by providing a uniform resource locator (URL) or a link to a website portal.

31. Attach a disclosure of any affiliated interest or affiliate. Include a description of the business relationship between all affiliated interests and the Applicant.

**DO NOT INCLUDE ATTACHMENTS A OR B IF LEFT BLANK**

**Part F: Mapping & Affidavits**

32. Provide the following mapping information with each of the seven (7) copies of the application:

1. A general location (small scale) map identifying the requested area in reference to the nearest county boundary, city, or town. The Applicant should adhere to the following guidance:
  - i. If the application includes an amendment for both water and sewer certificated service areas, separate maps must be provided for each.
  - ii. A hand drawn map, graphic, or diagram of the requested area is not considered an acceptable mapping document.
  - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
2. A detailed (large scale) map identifying the requested area in reference to verifiable man-made or natural landmarks such as roads, rivers, and railroads. The Applicant should adhere to the following guidance:
  - i. The map should be clearly labeled and the outer boundary of the requested area should be marked in reference to the verifiable man-made or natural landmarks. These verifiable man-made and/or natural landmarks must be labeled and marked on the map as well.
  - ii. If the application includes an amendment for both water and sewer certificated service area, separate maps need to be provided for each.
  - iii. To maintain the integrity of the scale and quality of the map, copies must be exact duplicates of the original map. Therefore, copies of maps cannot be reduced or enlarged from the original map, or in black and white if the original map is in color.
3. One of the following identifying the requested area:
  - i. A metes and bounds survey sealed or embossed by either a licensed state land surveyor or a registered professional land surveyor. Please refer to the mapping guidance in part 2 (above);



- ii. A recorded plat. If the plat does not provide sufficient detail, Staff may request additional mapping information. Please refer to the mapping guidance in part 2 (above); or
- iii. Digital mapping data in a shapefile (SHP) format georeferenced in either NAD 83 Texas State Plane Coordinate System (US Feet) or in NAD 83 Texas Statewide Mapping System (Meters). The digital mapping data shall include a single, continuous polygon record. The following guidance should be adhered to:
  - a. The digital mapping data must correspond to the same requested area as shown on the general location and detailed maps. The requested area must be clearly labeled as either the water or sewer requested area.
  - b. A shapefile should include six files (.dbf, .shp, .shx, .sbx, .sbn, and the projection (.prj) file).
  - c. The digital mapping data shall be filed on a data disk (CD or USB drives), clearly labeled, and filed with Central Records. Seven (7) copies of the digital mapping data is also required.

#### Part G. Notice Information

The following information will be used to generate the proposed notice for the application.  
DO NOT provide notice until the application is deemed sufficient for filing and the Applicant is ordered to provide notice.

33. Complete the following using verifiable man-made and/or natural landmarks such as roads, rivers, or railroads to describe the requested area (to be stated in the notice documents). Measurements should be approximated from the outermost boundary of the requested area:

The total acreage of the requested area is approximately: 5386 acres

Number of customer connections in the requested area: 2200

The closest city or town: Willis

Approximate mileage to closest city or town center: 6 miles

Direction to closest city or town: South West

The requested area is generally bounded on the North by: SHwy 150

on the East by: peach creek

on the South by: Tanyard Rd

on the West by: FM 1097

34. A copy of the proposed map will be available at \_\_\_\_\_



## Applicant's Oath

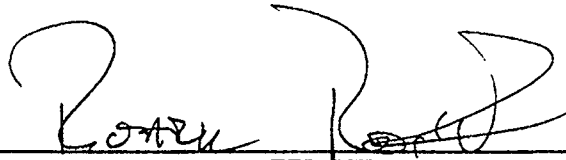
STATE OF Texas

COUNTY OF Walker

I, Roark Rohe being duly sworn, file this application to  
obtain or amend a water or sewer CCN, as President of Dos Aguas LLC  
(owner, member of partnership, title as officer of corporation, or authorized representative)

I attest that, in such capacity, I am qualified and authorized to file and verify such application, am personally familiar with the documents filed with this application, and have complied with all the requirements contained in the application; and, that all such statements made and matters set forth therein with respect to Applicant are true and correct. Statements about other parties are made on information and belief. I further state that the application is made in good faith and that this application does not duplicate any filing presently before the Commission.

I further represent that the application form has not been changed, altered, or amended from its original form.  
I further represent that the Applicant will provide continuous and adequate service to all customers and qualified applicants within its certificated service area should its request to obtain or amend its CCN be granted.

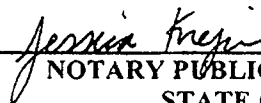
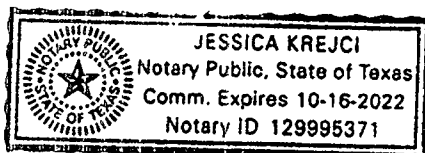


**AFFIANT**  
(Utility's Authorized Representative)

If the Affiant to this form is any person other than the sole owner, partner, officer of the Applicant, or its attorney, a properly verified Power of Attorney must be enclosed.

SUBSCRIBED AND SWORN BEFORE ME, a Notary Public in and for the State of Texas  
this day the 20<sup>th</sup> of August, 20 20

SEAL



**NOTARY PUBLIC IN AND FOR THE  
STATE OF TEXAS**

Jessica Krejci

**PRINT OR TYPE NAME OF NOTARY**

My commission expires: 10-16-2022







# Partnership Agreement



**EXHIBIT A**  
**MEMBERS OF DOS AGUAS, LLC**

<b><u>Member's Name and Address</u></b>	<b><u>Initial Capital Contribution</u></b>	<b><u>Capital Commitment</u></b>	<b><u>Percentage Interest</u></b>
Jacob Slott PO Box 381 New Waverly, Texas 77358	\$490	N/A	49%
Roark Rohe 455 FM 2296 Huntsville, Texas 77340	\$260	N/A	26%
Scott Rohe 321 Dorrell Road Huntsville, Texas 77340	\$250	N/A	25%





## Office of the Secretary of State

### CERTIFICATE OF FILING OF

Dos Aguas LLC  
File Number: 803354857

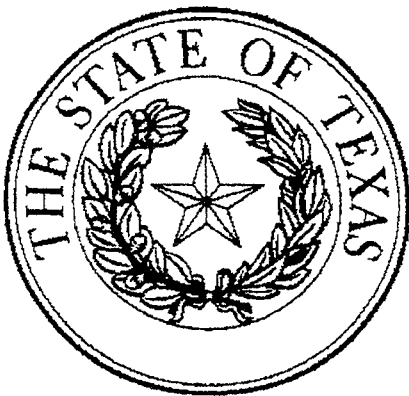
The undersigned, as Deputy Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Deputy Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 06/27/2019

Effective: 06/27/2019



A handwritten signature of Jose A. Esparza, consisting of stylized initials and a long horizontal stroke.

Jose A. Esparza  
Deputy Secretary of State

*Come visit us on the internet at <http://www.sos.state.tx.us/>*



Secretary of State  
P.O. Box 13697  
Austin, TX 78711-3697  
FAX: 512/463-5709



**Certificate of Formation  
Limited Liability Company**

Filed in the Office of the  
Secretary of State of Texas  
Filing #: 803354857 06/27/2019  
Document #: 897958320002  
Image Generated Electronically  
for Web Filing

Filing Fee: \$300

**Article 1 - Entity Name and Type**

The filing entity being formed is a limited liability company. The name of the entity is:

**Dos Aguas LLC**

**Article 2 - Registered Agent and Registered Office**

☒ A. The initial registered agent is an organization (cannot be company named above) by the name of:

**Dossey & Jones, PLLC**

OR

☐ B. The initial registered agent is an individual resident of the state whose name is set forth below:

C. The business address of the registered agent and the registered office address is:

**Street Address:**

**25025 I45 North, Suite 575 The Woodlands TX 77380**

**Consent of Registered Agent**

☐ A. A copy of the consent of registered agent is attached.

OR

☒ B. The consent of the registered agent is maintained by the entity.

**Article 3 - Governing Authority**

☒ A. The limited liability company is to be managed by managers.

OR

☐ B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Manager 1: **Roark Rohe**

Title: **Manager**

Address: **455 FM 2296 Huntsville TX, USA 77340**

Manager 2: **Jacob Slott**

Title: **Manager**

Address: **PO Box 381 New Waverly TX, USA 77358**

Manager 3: **Scott Rohe**

Title: **Manager**

Address: **321 Dorrell Road Huntsville TX, USA 77340**

**Article 4 - Purpose**

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.





[The attached addendum, if any, is incorporated herein by reference.]

**Organizer**

The name and address of the organizer are set forth below.

**James P. Dossey**      **25025 145 North, Suite 575, The Woodlands, Texas 77380**

**Effectiveness of Filing**

☒ A. This document becomes effective when the document is filed by the secretary of state.

**OR**

☐ B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

**Execution**

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

**James P. Dossey**

Signature of Organizer

**FILING OFFICE COPY**





# Certificate of Account Status







## TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Comptroller.Texas.Gov

August 18, 2020

DOS AGUAS LLC  
25025 INTERSTATE 45 STE 575  
THE WOODLANDS TX 77380-3399

### **Certificate of Account Status**

THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, Glenn Hegar, Comptroller of Public Accounts of the State of Texas, DO HEREBY CERTIFY that according to the current records of this office

**DOS AGUAS LLC**

has filed all required reports for taxes administered by the Comptroller under Title 2, Tax Code, and taxes reported due on those reports have been paid. This certificate must be filed with the Texas Secretary of State to legally end the entity's existence in Texas. This certificate is valid through 12/31/2020.

GIVEN UNDER MY HAND AND  
SEAL OF OFFICE in the City of  
Austin, this 18th day of  
August, 2020 A.D.

A handwritten signature in black ink, appearing to read "Glenn Hegar", is written over the printed name and title.

Glenn Hegar  
Texas Comptroller

Taxpayer number: 32071184090  
File number: 0803354857

NOTE: Failure by registered Texas entities to legally end existence with the Texas Secretary of State on or before the expiration of this certificate, will result in additional franchise tax responsibilities. Texas entities not registered with the Texas Secretary of State and all out-of-state entities are responsible for franchise tax through the last date of business in this state.



●

Franchise, Permit,  
Or Consent Letter

●

●







## Franchise Tax Account Status

As of : 07/29/2020 13:01:37

This page is valid for most business transactions but is not sufficient for filings with the Secretary of State

### DOS AGUAS LLC

**Texas Taxpayer Number** 32071184090

**Mailing Address** 25025 INTERSTATE 45 STE 575 THE WOODLANDS, TX  
77380-3399

**Right to Transact Business in Texas** ACTIVE

**State of Formation** TX

**Effective SOS Registration Date** 06/27/2019

**Texas SOS File Number** 0803354857

**Registered Agent Name** DOSSEY & JONES, PLLC

**Registered Office Street Address** 25025 I45 NORTH, SUITE 575 THE WOODLANDS, TX  
77380



Customer Requests  
For Service in  
requested area



# Population Growth Report or Market Study





Part B, Question 9

As this is raw land at this time, there has been no individual requests for service. However, the two subdivisions, Deer Forest and Republic Grand Ranch have requested we serve them with water. We have signed developers agreements with both entities to do so.

Part B, Question 10

While there have been no formal marketing studies done for this property, the developer of Republic Grand Ranch is just about to finish another subdivision, Texas Grand Ranch, approximately 13 miles west of here that comprises almost 3,000 acres. Out of more than 900 lots, they only have 12 left for sale. As this is a little closer to Houston, they expect the same rapid development here







# TCEQ Engineering Approvals





**Spear Point Engineering, LLC**

TBPE Firm No. 18904

204 W. Montgomery St., Willis, TX 77378

[www.SPETexas.com](http://www.SPETexas.com)

October 1, 2020

Public Utility Commission of Texas

PO Box 13326

Austin, TX 78711-3326

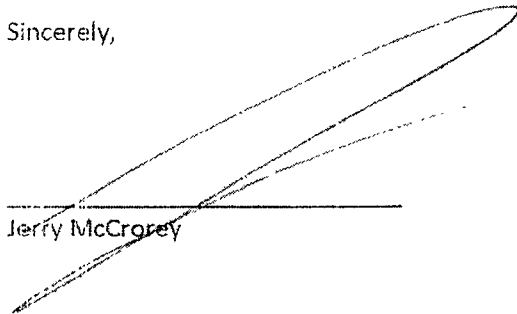
Whom it may concern,

Spear Point Engineering, LLC (SPE) designed two water plants for Dos Aguas, LLC to be submitted and reviewed by the Texas Commission on Environmental Quality (TCEQ). In order to move forward with the TCEQ permitting process, the following information is required from the Public Utility Commission of Texas (PUC):

1. A copy of the Certificate of Convenience and Necessity (CCN) application letter or an application number with the filing date from the PUC.

Should you have any additional questions or concerns please contact me at [Jerry@SPETexas.com](mailto:Jerry@SPETexas.com) or (936) 718-1998.

Sincerely,



Jerry McCrorey



- 

# Requests & Responses

## For Service to ½ mile

- Utility providers





### Systems adjacent to new subdivision

There are 6 systems within five miles of our boundaries. Four within two miles and two within one half mile. They are:

Within  $\frac{1}{2}$  mile:

One Five O WSC CCN 12339

Crystal Springs Water Co. Inc. CCN 11373

Within 2 Miles:

Quadvest LP CCN 11612

C & R Water Supply CCN 13098

Within 5 miles:

Aqua Utilities Inc. CCN 11157

T & W Water Service Co. CCN 12892

We have sent letters to One Five O and Crystal Springs asking if they wish to serve. One Five O has replied and said they did not, so far Crystal Springs has not replied



455 FM 2296 Huntsville TX 77340







July 27, 2020

One Five O WSC  
ATTN: Randy Baker  
100 FM 2693 W  
New Waverly, TX 77358

RE: Water service to new subdivision

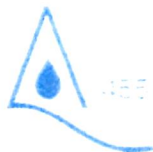
Dear Sir,

Two Subdivisions, Deer Forest, 292 acres in Walker County and Republic Grand Ranch, 5500 acres in Montgomery County have asked us to serve them. When completed, they plan to sell over 2200 lots. Part of the CCN process is to ask neighboring systems if they wish to serve the new subdivisions. The agreements with the developers would require you to provide 2 - 175 gpm wells with ground storage, chlorination and booster pumps as your contribution to start and other wells as they are required.

I do not think you would want to serve these new subdivisions; however, we are required to ask. I am enclosing a stamped envelope. If you would reply, I would appreciate it.

Sincerely Yours

  
Roark Rohe



100 FM 2693 W Huntsville TX 77340



ONE-FIVE-O (1-5-0) WATER SUPPLY CORP.  
100 FM 2693 RD WEST  
NEW WAVERLY, TEXAS 77358  
PHONE: (936) 767-8212/FAX (936) 767-4009  
E-mail Address: [150wsc@eastex.net](mailto:150wsc@eastex.net)  
Website: [www.onefiveowsc.myruralwater.com](http://www.onefiveowsc.myruralwater.com)

AUGUST 7, 2020

ROARK ROHE  
455 FM 2296  
HUNTSVILLE, TEXAS 77340

RE: WATER SERVICE TO NEW SUBDIVISION

DEAR MR. ROHE,

We received your letter dated July 27, 2020 concerning water service for the new subdivision. I appreciate and thank you for inquiring if 150 Water Supply Corporation would be interested in servicing the new subdivision. The subdivisions would be out of our service area so I am declining your offer. Thank you again.

Yours truly,



Randy Baker, System and Operations  
Manager for One Five Water Supply

RB/SR





August 17, 2020

Crystal Springs Water Company, Inc.  
23449 US-59  
Porter, TX 77365

RE: Water service to new subdivision

Dear Sir,

Two Subdivisions, Deer Forest, 292 acres in Walker County and Republic Grand Ranch, 5100 acres in Montgomery County have asked us to serve them. When completed, they plan to sell over 2200 lots. Part of the CCN process is to ask neighboring systems if they wish to serve. That is what we are doing here. The agreements with the developers would require you to provide water plants with 2 - 175 gpm wells with ground storage, chlorination and booster pumps as your contribution.

I do not think you would want to serve these new subdivisions, however, as you are within 2 miles of the boundaries of the subdivision, we are required to ask. I am enclosing a stamped envelope. If you would reply, I would appreciate it.

Sincerely Yours

  
Roark Rohe



455 FM 2296 Huntsville TX 77340





August 17, 2020

Quadvest, LP  
Dept. # 41993  
P.O. Box 650020  
Dallas, TX 75265-0020.

RE: Water service to new subdivision

Dear Sir,

Two Subdivisions, Deer Forest, 292 acres in Walker County and Republic Grand Ranch, 5100 acres in Montgomery County have asked us to serve them. When completed, they plan to sell over 2200 lots. Part of the CCN process is to ask neighboring systems if they wish to serve. That is what we are doing here. The agreements with the developers would require you to provide water plants with 2 - 175 gpm wells with ground storage, chlorination and booster pumps as your contribution.

I do not think you would want to serve these new subdivisions, however, as you are within 2 miles of the boundaries of the subdivision, we are required to ask. I am enclosing a stamped envelope. If you would reply, I would appreciate it.

Sincerely Yours

  
Roark Rohe



455 FM 2296 Huntsville TX 77340





# Economic Feasibility Statement





Part B, Question 12 - C

We sent requests to both of the systems within  $\frac{1}{2}$  mile of our boundaries. They are attached. One Five O, which might have been large enough to serve, immediately sent back a letter declining to serve. Crystal Springs has yet to reply. As they only serve about 70 connections, I doubt they would even consider it.







Part B Question 13

All of the land located within the boundaries of the CCN being requested are owned by two developers. Both of these developers have contracted with Dos Aguas to serve them with water. There are no other landowners impacted by this. All of the land at this date is raw agricultural land. There are no structures on the 5200 + acres at this time.

There are no retail public utilities close that are willing to serve and as there are no occupants, it is the Developer's wishes that should govern who does.

As to economic effects, at this time, the county, school district and any other taxing jurisdiction are only receiving taxes based on the agricultural value of this land. When complete, there could be as many as 2,200 homes in the price range of \$400,000 to \$1,000,000. This is the buyers they are attracting. Property taxes will be exponentially higher and with the new population all other sales taxes will be much higher.

This is a high-end project being built by developers with deep pockets and the business acumen to build it. There is a very fine example of this in Texas Grand Ranch which they are completing in western Walker County. This will be very good for Walker and Montgomery counties.





August 12, 2020

## PUC

Dear

This letter is in reference to applying for a new public water system for the Deer Forest Subdivision and Republic Grand Ranch Subdivision. Dos Aguas, LLC. will own and operate the public water system. The subdivision is being developed by Republic Grand Ranch LLC. A Developers Agreement from both Entities has been signed to convey the water distribution system and water plant facilities free and clear of all liens and encumbrances to Dos Aguas upon completion of the systems construction.

The proposed water system will serve a 292 subdivision called Deer Forest located in Walker County and a 1800 lot subdivision Called Republic Grand Ranch in Montgomery County between the cities of New Waverly and Willis on the east side of the intersection of State Highway 150 and FM 1097. The potable water system will consist of constructing 2 water wells, 2 treatment plants, and the installation of a distribution system. The public water system will be built, operated, and monitored in accordance with TCEQ Chapter 290 - Public Drinking Water Rules and Regulations.

The location of the public water well satisfies the following requirements set forth by TCEQ Rules and Regulations presented in 30 TAC Section 290.41(c)(1). The location of the new public water system is NOT located within the following:

- ¼ of a mile of abandoned or inoperative wells and existing or potential pollution hazards.
- 500 feet of sewage treatment plants, land on which sewage plant or septic tank sludge is applied, lands irrigated by sewage plant effluent, livestock and animal feed lots, solid waste disposal sites.
- 300 feet of sewage wet wells, sewage pump stations, ditches containing sewage treatment waste or industrial waste
- 150 feet of septic tank perforated drain fields, areas irrigated by low dosage, low angle spray on-site sewage facilities, absorption beds, evapotranspiration beds, water wells that do not meet Public Drinking Water Standards, or underground petrochemical storage tanks or pipelines.
- 50 feet of tile or concrete sanitary sewers, sewage appurtenances, septic tanks, storm sewer, cemeteries or livestock in pastures.

The location of the water treatment facility satisfies the following requirements set forth by TCEQ Rules and Regulations presented in 30 TAC Section 290.42(a)(2). The location of the new public water system is NOT located within the following:

- ® 500 feet of a sewage treatment plant or lands irrigated with sewage effluent.





# Business Plan



DOS AGUAS WATER

# BUSINESS PLAN //2020

LATEST INFORMATION  
TO THE EXISTING  
STATUS OF A PROJECT









July 27, 2020

TO WHOM IT MAY CONCERN:

I, Roark Rohe, President of Dos Aguas, LLC. affirm that the attached business plan for operating a water system for Deer Forest and Republic Grand Ranch subdivisions in Walker and Montgomery counties has been prepared under my direction. I further affirm that the information in this plan is accurate and correct.

Roark Rohe

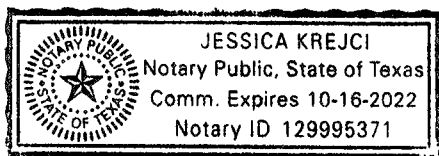
ACKNOWLEDGEMENT

STATE OF TEXAS

COUNTY OF WALKER

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared Roark Rohe, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 20<sup>th</sup> day of 8, 2020.



\_\_\_\_\_  
Notary Public in and for Walker County,  
Texas



455 FM 2296 • Huntsville TX 77340



## DEMONSTRATION OF ADEQUATE FINANCIAL ABILITY

TCEQ Plan Review Log # P-\_\_\_\_\_ (if known)

Financial Responsible Individual or Company Information:

Name: \_\_\_\_\_ Roark Rohe\_\_\_\_\_

Signature of Company Officer (if applicable): \_\_\_\_\_



Address: \_\_\_455 FM 2296 Huntsville, Texas 77340\_\_\_\_\_

Phone Number: \_\_\_\_\_936-295-4809\_\_\_\_\_

Contact Person: \_\_\_\_\_Roark Rohe\_\_\_\_\_

This Financial Responsible Individual or Company has funds available to operate the proposed public water system for at least one year and/or plug the well or appropriately close down operations, if legal and necessary, in compliance with TCEQ rules and regulations.

Please check both the boxes. The form is sufficient for a Non-Community, Transient System only. In case of a Community or Non-Community, Non-Transient System, additional financial information will be needed, along with the form.

X

This Financial Responsible Individual or Company has net assets (Assets minus Liabilities), at market value, in excess of \$100,000

X

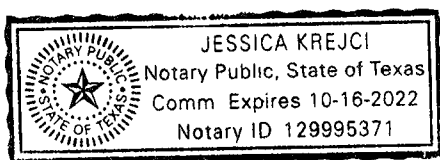
This Financial Responsible Individual or Company has liquid assets (cash or near cash investments) in excess of \$10,000, and the financial capability to install and operate the system

*\*If you are an entity registered with the Texas Secretary of State's Office, please provide your filing number and/or Tax ID number.*

I, \_\_\_Roark Rohe\_\_\_\_\_, am a responsible officer/individual of the entity listed on this form. I swear to the best of my knowledge that the information contained on this form is true and correct, and this form contains no false or misleading statements or errors.

SUBSCRIBED AND SWORN TO BEFORE ME,

\_\_\_\_\_  
Jessica Krejci\_\_\_\_\_, a Notary Public in and for the State of  
Texas this 23<sup>rd</sup> (day) of July, 2020









# EXECUTIVE SUMMARY

Dos Aguas LLC will serve the water needs of our customers. Dos Aguas LLC will focus on the residential construction boom in Walker County, Montgomery County, and surrounding counties. The area has been growing by 7% annually for the past 10 years.

Dos Aguas LLC is well positioned to capture a vast share of the water service business in this growing residential area.



## 1.1 OBJECTIVES

The objectives of Dos Aguas LCC are:

- Capture the majority of the water service business in the New Waverly, and North Montgomery County areas.
- Offer our customers a superior service, at an economical price.



## 1.2 MISSION

Dos Aguas LLC' emphasis will always be customer satisfaction. Putting our customers needs first, we will build our customer base.



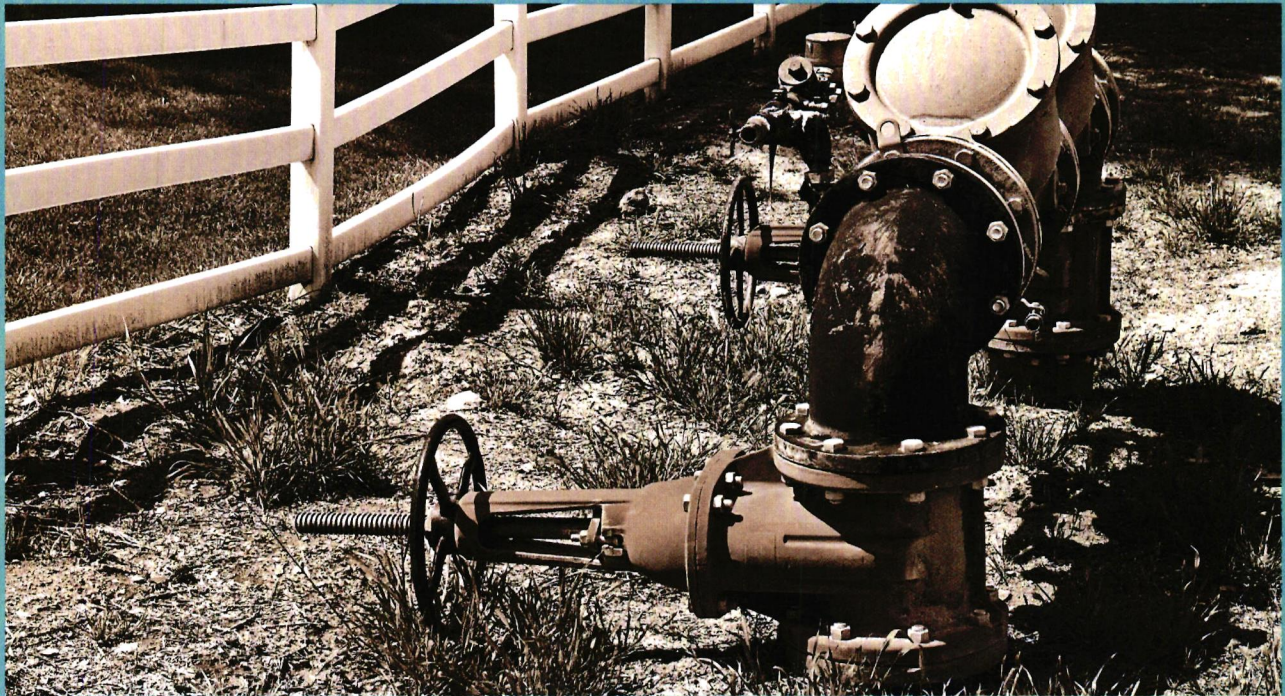
## 1.3 KEYS TO SUCCESS

The keys to success for Dos Aguas LLC are:

- Prompt and coureous service;
- Wealth of knowledge and expertise;
- Competitive pricing







## COMPANY SUMMARY

Dos Aguas LLC has forty-five plus years of combined history, knowledge, and experience of providing consultation, construction and operation of utility systems for commercial and residential customers. The leadership team prides itself on values and working directly with the community, and developers. Tailoring solutions to the customer's needs.

*Located at 455 FM 2296  
Hunstville, Texas 77340*

## SERVICES

- Private Water Utility Solutions
- Own and Operate
- Water Operations
- Utility Construction





## *About Us*

This privately-owned water company was formed by long time operator and manager Roark Rohe, son second- generation Scott Rohe, and construction business owner Jacob Slott.

The team has continued experience in developing small subdivisions and installing and maintaining water systems. With their combined background of experiences they have developed an efficient process for land development water utility systems. Their operation is committed to the community, and the betterment of the environment. Dos Aguas LLC is regulated by the Texas Commission on Environment Quality (TCEQ), and Public Utility Commission of Texas (PUC).









## **ROARK ROHE**

### **PRESIDENT**

*Recognized as an industry leader. Began his proficiency in the water business in 1978 to the present. Specializing in Water Utility Safety, Pumps and Motors, Chlorination, back flow prevention, distribution and groundwater production. He currently manages two water systems, servicing over 800 plus connections, five wells, and numerous extensions over the service area. Responsible for the strategic planning process, new product development initiatives, and providing guidance on operations.*

C Groundwater License W'G0011586  
CSI C10007776

## **SCOTT ROHE**

### **CHIEF OPERATING OFFICER**

*Continuing the heritage of the water business Scott started reading meters at the age of ten. With his continued passion for the industry, he became strategically aligned for establishing his own utility contracting company in 2003. Scott also is the on-call contractor for numerous surrounding SUD's. As COO, he will assist with the growth of the company, and strategic execution of Dos Aguas mission and execute goals.*

## **JACOB SLOTT**

### **CHIEF FINANCIAL OFFICER**

*Bringing decades of experience, and reputation for quality work and excellent customer skills has been a hallmark of his work history in land management and owning his own construction company established in 2003. Jacob has a wealth of knowledge, of partnering and collaborating with real estate developers and landowners.*

*He is responsible for Dos Aguas strategic financial planning, and business operating logistics within the company. He thrives on commitment and integrity.*







## *About Us*

This privately-owned water company was formed by long time operator and manager Roark Rohe, son second- generation Scott Rohe, and construction business owner Jacob Slott.

The team has continued experience in developing small subdivisions and installing and maintaining water systems. With their combined background of experiences they have developed an efficient process for land development water utility systems. Their operation is committed to the community, and the betterment of the environment. Dos Aguas LLC is regulated by the Texas Commission on Environment Quality (TCEQ), and Public Utility Commission of Texas (PUC).







DOS AGUAS LLC

SEPTEMBER 2020

# IMPLEMENTATION

## and Management

- Dos Aguas strategy is simple and ambitious. First, build its base with residential/home developers within the area.
- Roark Rohe will manage Dos Aguas LLC. He is an experienced project manager, and has many years of supervisory experience in the water services industry.

### PERSONNEL PLAN

- MANAGER
- 2 INSTALLER STAFF
- OFFICE MANAGER









# COST ANALYSIS

Dos Aguas LLC is a wholly self-funded company that plans to provide water in parts of Montgomery and Walker County. When completed, the development will comprise more than 5,286 acres, and serve over 2,200 homes. There are two developers involved in the project. Deer Forest LLC and Republic Grand Ranch LLC. Dos Aguas has gotten developers agreements with both entities that guarantees we have the sole right to provide water to them. In addition they agree to pay for all of the distribution system.

In the first phase of the operation, we will build two water plants. During that time period, we will drill wells of sufficient production to supply all of the water necessary. We will also build booster stations, ground storage tanks and chlorination systems. Dos Aguas estimated investment expenditures are \$1,437,280. At the beginning, not only are we going to self fund both water plants in its entirety, we also will fund operations for the next five years. We are hopeful, all operations will be profitable in the next forecasted two to five years. *See attached rate study for details.* The sole partners are Dos Aguas. They are willing to invest heavily in this new company, and their accumulated experience will ensure success for the new venture. We plan to fund all growth and development, without securing any loans or debt. At the beginning, they will be able to operate the system until it starts becoming profitable, but to guarantee that, they have also procured lines of credit in the amount of \$1,000,000.





# TCEQ §290.39 General Provisions Submissions

§290.39(f)(1) description of areas and population to be served by the potential system;

The proposed service area will be a residential development. The anticipated population of the proposed service area will be middle to high income households. The proposed project vicinity is mostly rural with un-developed heavily forested areas. 5286 Acres and 2200 connections, Approximately 6600 people

§290.39(f)(2) description of drinking water supply systems within a two-mile radius of the proposed system, copies of written requests seeking to obtain service from each of those drinking water supply systems, and copies of the responses to the written requests;

Per Texas Public Utility Commission (PUC), there are two active water distribution providers within a ½ mile radius of the Dos Aguas proposed service area: Crystal Springs Water Company, Inc. and One Five O WSC. There two others, Quadvest LP and C & R Water Company within two miles. All water service providers were contacted with Request for Service applications and are pending official responses. All coordination between the aforementioned entities will be attached once received. Systems, letters and replies attached Per TCEQ Water District database, there is a municipal utility district, Montgomery County MUD 38, within a mile radius of the Dos Aguas proposed service area. However, the municipal district is denoted as inactive and considered a dormant utility district per TCEQ records.

