



Filing Receipt

Received - 2022-03-18 10:43:05 AM

Control Number - 52532

ItemNumber - 23

PETITION BY E REAL ESTATE, LLC § BEFORE THE
FOR EXPEDITED RELEASE FROM §
WATER CCN NO. 10150 § PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY §
DISTRICT IN COLLIN COUNTY (TRACT 3) § OF TEXAS

E REAL ESTATE, LLC'S RESPONSE TO ORDER NO. 8

TO THE PUBLIC UTILITY COMMISSION OF TEXAS:

E Real Estate, LLC ("Petitioner") files its Response to Order No. 8 and shows as follows:

I. Procedural Background

On September 8, 2021, Petitioner filed its Petition for streamlined expedited release of approximately 146.75 acres of land (the "Property") from Marilee's Certificate of Convenience and Necessity ("CCN") No. 10150. The Petition was found administratively complete on January 14, 2022. Marilee filed its Response to the Petition on February 3, 2022. On February 17, 2022, Commission Staff filed its Recommendation on Final Disposition. On February 24, 2022, Petitioner filed its Reply to Marilee SUD's Verified Response, Motion to Dismiss and Commission Staff's Recommendation on Final Disposition. Pursuant to Order No. 7, Staff was to file a proposed map and certificate no later than March 15, 2022. On March 3, 2022, Commission Staff filed its Response to Order No. 7 and Notice of Intent to Change Recommendation to Standard Procedural Schedule for Streamlined Expedited Release Dockets. On March 3, 2022 Order No. 8 was issued directing Petitioner to address additional structures and water meter on the Property.

Commission Staff questioned whether the structures on Exhibit B-1 attached to Petitioner's Response are being served by any of Marilee SUD's active meters. Petitioner files the attached updated mapping and photographs, supported by Affidavit of Leah Stout, Property Manager, identifying all current structures on the property, and reiterates that there are no active water meters

within the boundaries of the Requested Area. *See* Exhibits A and B and Exhibits 1 through 5. Staff further raises the question, if the northernmost structure is being served by either meters nos. 812 or 1080. Meter No. 812 is serves the Harper tract, which is owned by a third party, and not part of this decertification. Meter No. 1080 is outside the boundary of the Requested Area. *See* Affidavit of Leah Stout, Ranch Manager of the Property, attached as Exhibit B.

WHEREFORE, Petitioner respectfully requests that the Commission grant the Petition and remove the Requested Area from water CCN number 10150.

Respectfully submitted,

COATS | ROSE

By: 

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ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of March, 2022, a true and correct copy of the foregoing document was sent, via electronic mail to all parties of record, in accordance with the Order Suspending Rules, issued in Project No. 50664.

Attorneys for Marilee SUD:

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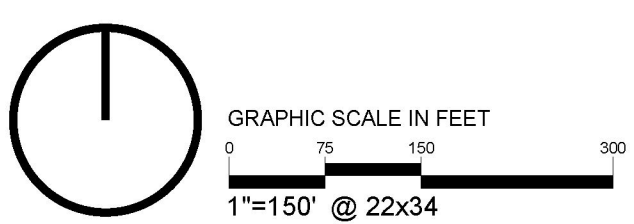
Natalie B. Scott

EXHIBIT A



LEGEND

- # PHOTOGRAPH NUMBER
- WATER METER LOCATION



- NOTES:
1. THIS PLAN IS CONCEPTUAL IN NATURE AND MAY HAVE BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY OR CONTACT WITH THE CITY, COUNTY, ETC.
 2. FLOOD PLAN SHOWN IS SUBJECT TO CHANGE BASED ON A MORE DETAILED FULLY DEVELOPED FLOOD STUDY ANALYSIS.
 3. AERIAL IMAGE BY NEARMAP, COPYRIGHT 2022.

DWG NAME: K:\FRL_CIVIL\19101618_KRRK_RANCH - ONCALL\DWG\EXHIBIT\PLANSHEET\SCCN52532_AERIAL_EXHIBIT.DWG
 LAST SAVED: 3/14/2022 8:55 AM

METER LOCATION EXHIBIT

E REAL ESTATE
Eland Ranch
 DOCKET #52532
 Celina, Texas
 March 2022

Kimley»Horn

100 West Oak Street, Suite 203
 Denton, Texas 76201
 940-287-3620
 State of Texas Registration No. F-928

EXHIBIT B

PUC DOCKET NO. 52532

PETITION BY E REAL ESTATE, LLC	§	BEFORE THE
FOR EXPEDITED RELEASE FROM	§	
WATER CCN NO. 10150	§	PUBLIC UTILITY COMMISSION
HELD BY MARILEE SPECIAL UTILITY	§	
DISTRICT IN COLLIN COUNTY	§	OF TEXAS

AFFIDAVIT OF LEAH STOUT

STATE OF TEXAS §
COUNTY OF Collin §

BEFORE ME, the undersigned notary, personally appeared Leah Stout, the affiant, a person who is known to me. After administering an oath, the affiant testified that:

1. “My name is Leah Stout. I am over the age of eighteen years, of sound mind, and am capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I started working for Jesse and Milo Kirk, who were the prior owners of the E Real Estate, LLC (“E Real Estate”) property, the Petitioner, in this matter. I provided support for their horse training and breeding program, managed the upkeep of the ranch, help supervise employees and was a personal assistant to Mr. and Mrs. Kirk. I am now employed by E Real Estate and serve as its property manager.

3. I have reviewed the aerial map attached hereto as Exhibit “B,” and it is an accurate representation of all structures located on the E Real Estate property. I currently rent the house marked on Exhibit B, which is served by meter number 1080. This meter serves the house only. There is no other water line from my meter that serves any other buildings, including the shooting hut and covered bench, or parcels of land surrounding the property. Neither my house nor the meter number 1080 are located on the areas requested for decertification.

4. The attached photographs also reflect five loafing sheds. See Exhibits 1 through 5 attached hereto. These sheds were built for shelter for the horses and are not served by water. Specifically, loafing shed number 5, the most northern structure, is not served by water.

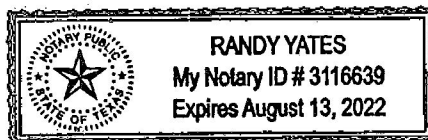
5. The Harper home, is located west of the house I am renting, and is served by meter number 812.

FURTHER AFFIANT SAYETH NOT.

By: Leah Stout
Leah Stout

SWORN TO AND SUBSCRIBED TO BEFORE ME by Leah Stout on the 11 day of
March, 2022.

Randy Yates
Notary Public, State of Texas

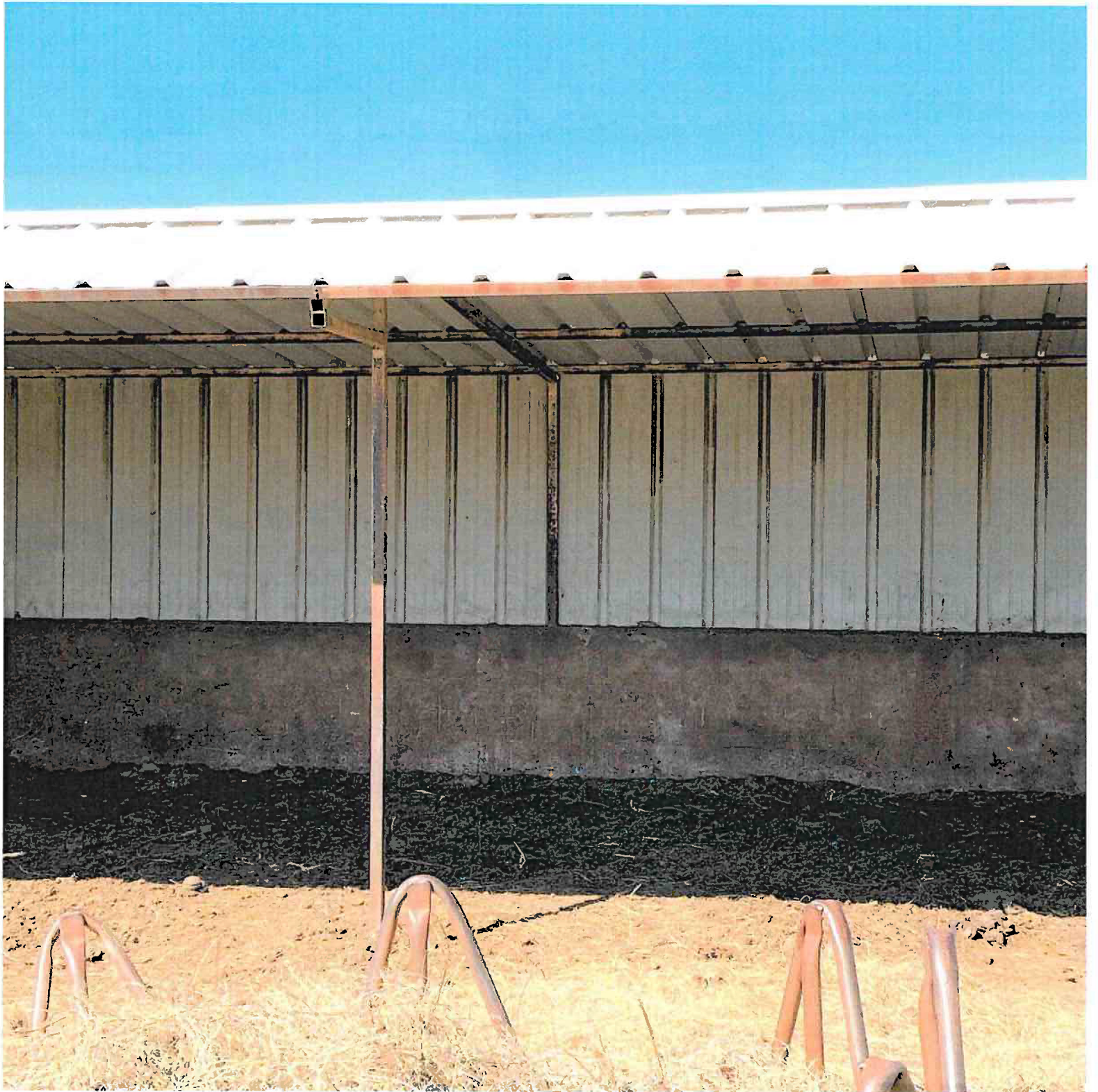


EXHIBITS 1 through5

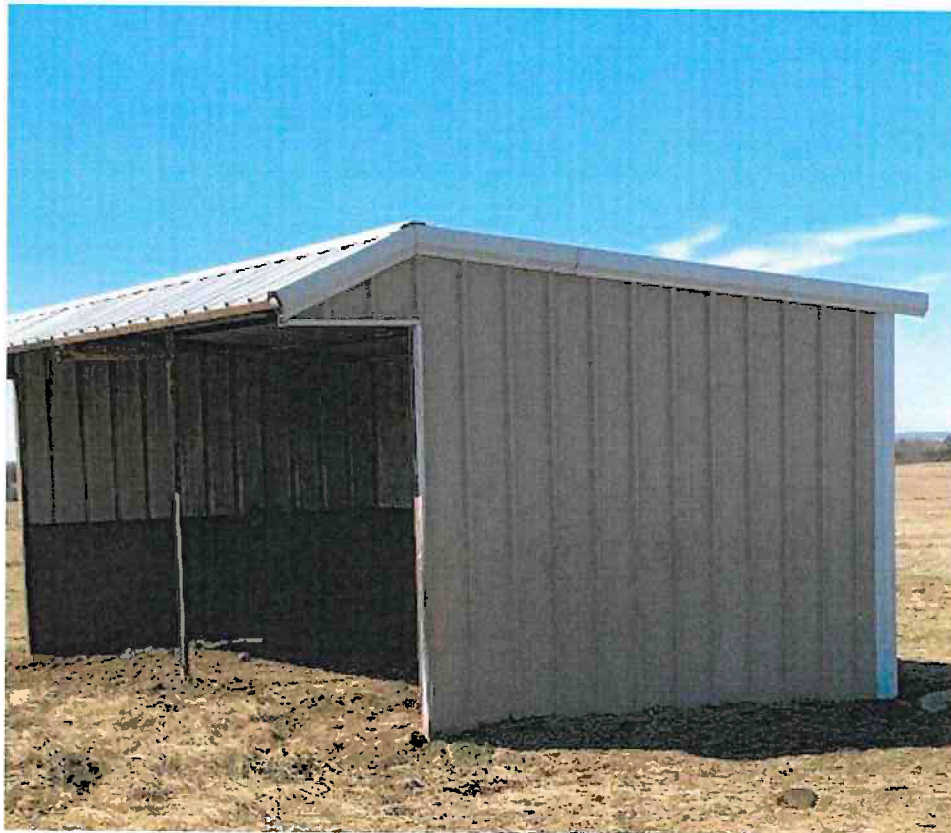
#1 West Side



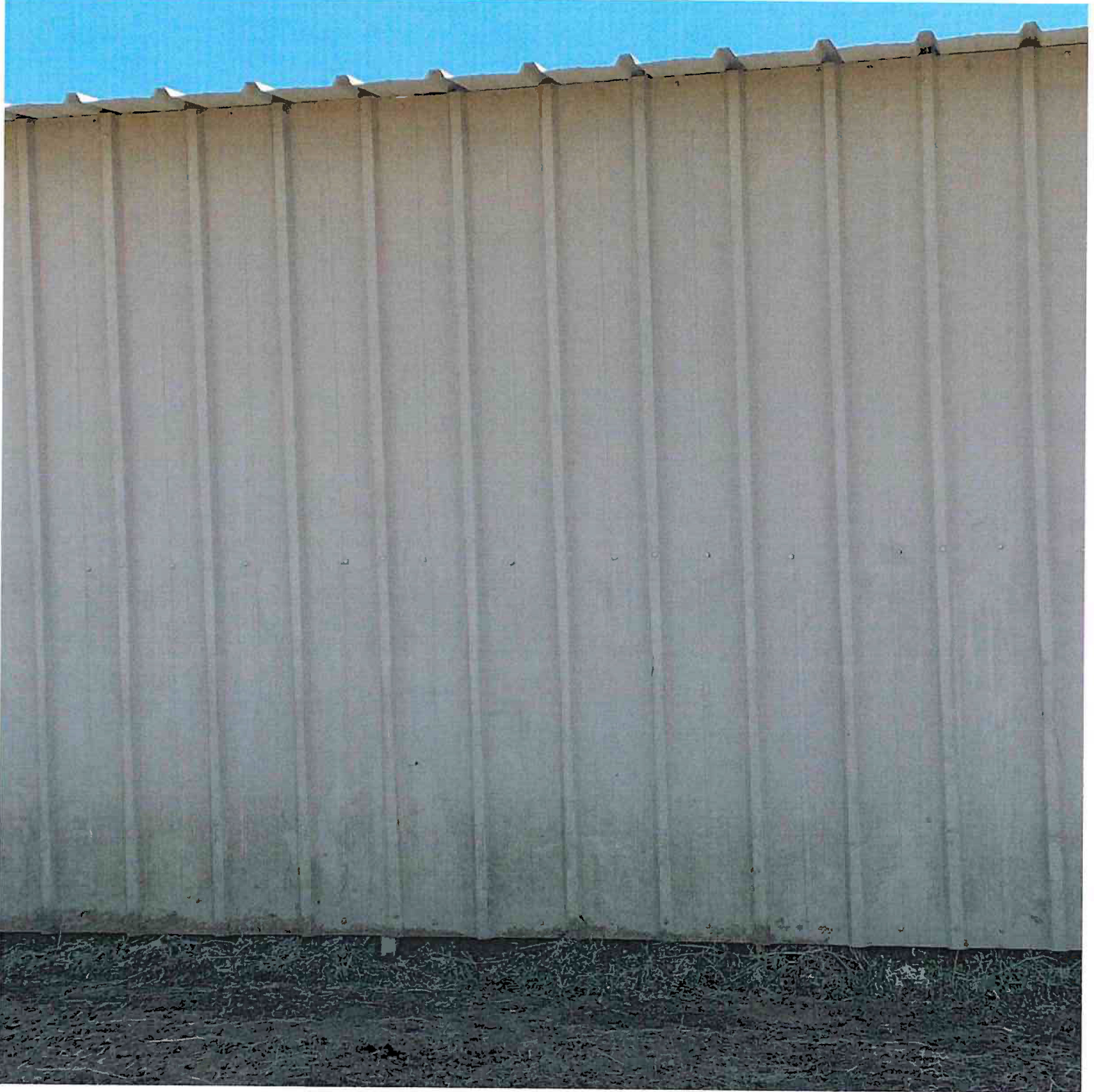
#1 South Side



#1 East Side



#1 North Side



#2 West Side



#2 NORTH Side





#2 South Side



#2 - East Side

#3 East Side



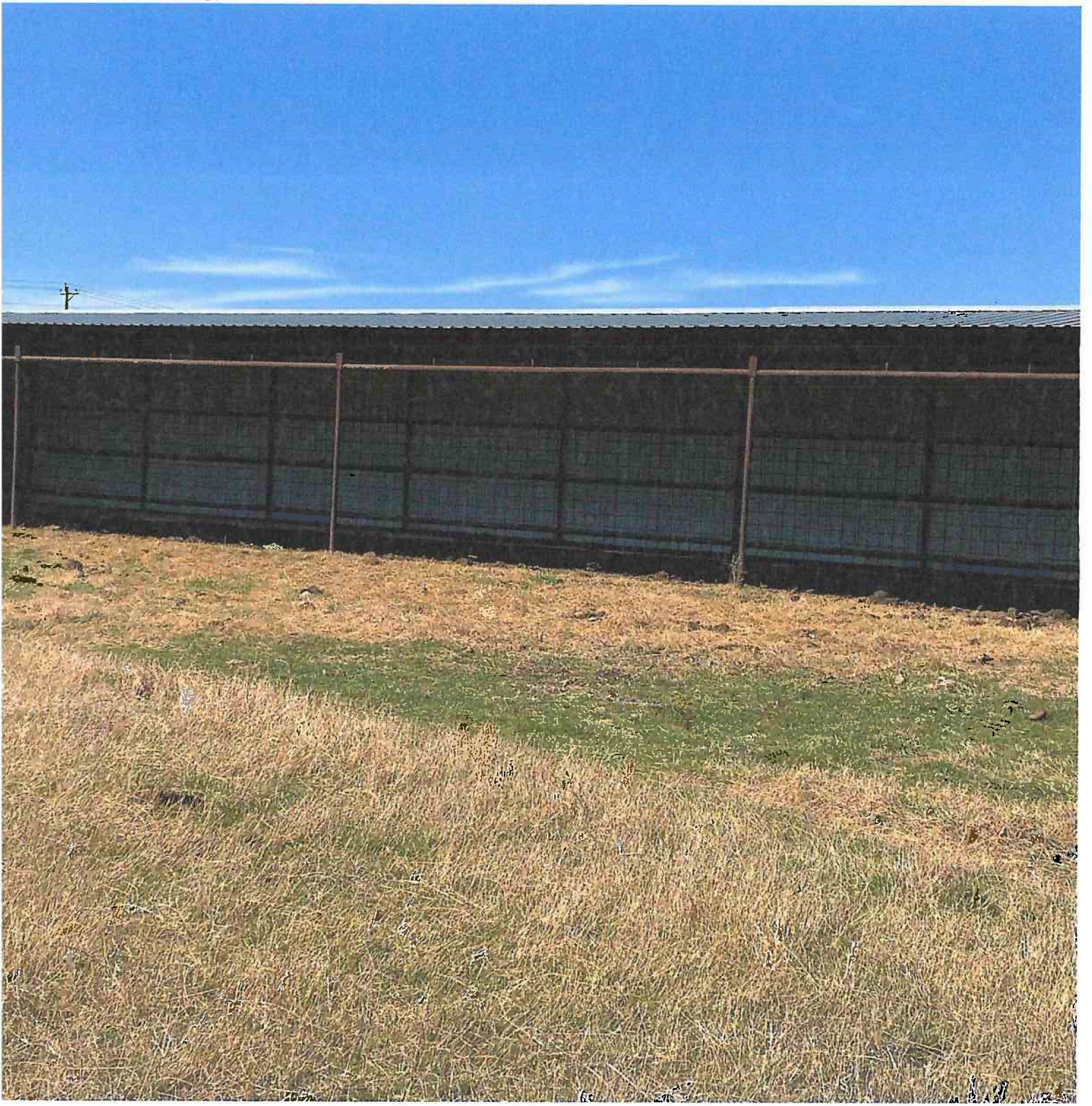
#3 West Side



#3 North Side



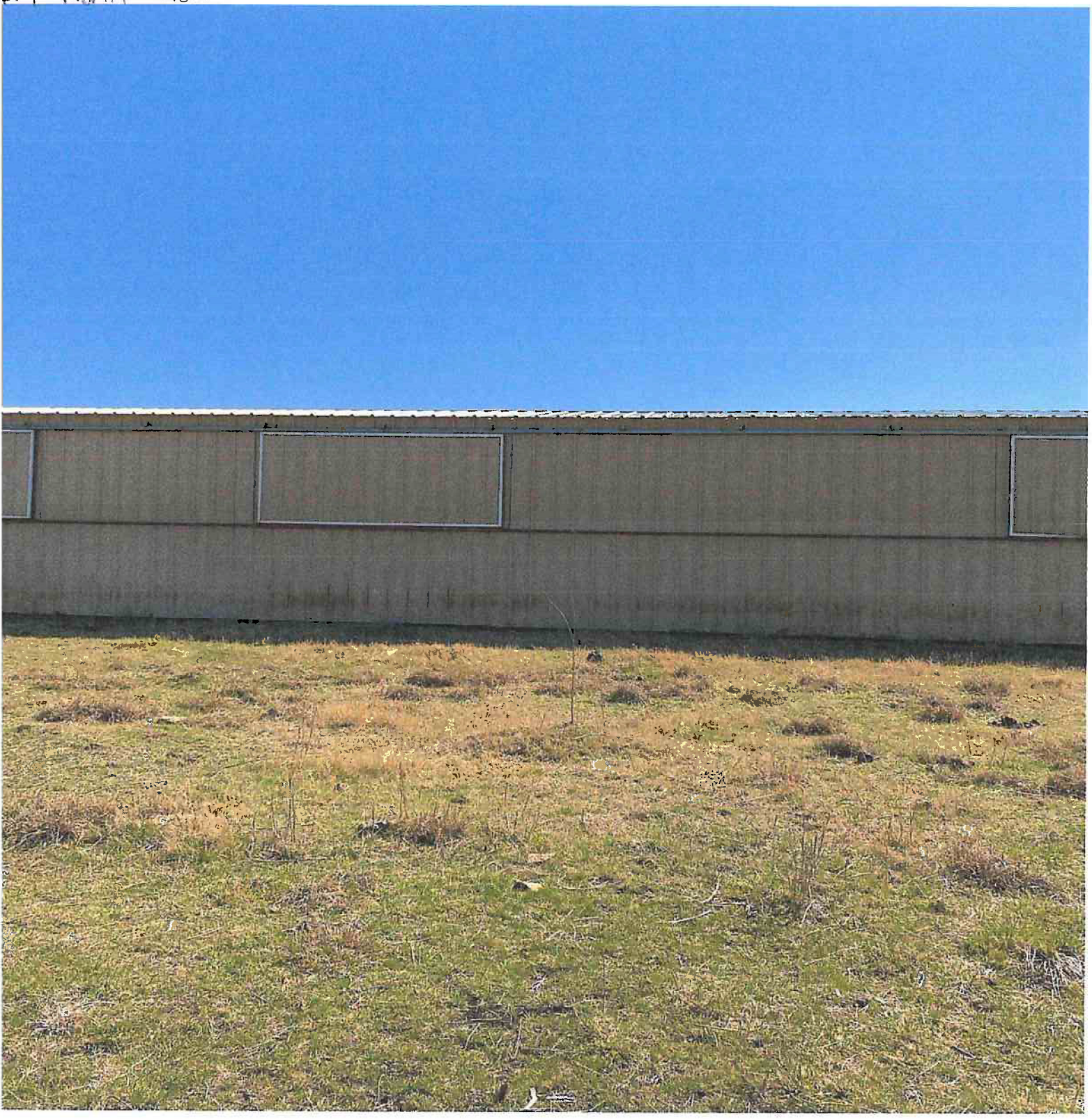
#3 South Side



#4 East Side



H4 North Side



#4 South Side



#4 West Side



#5 North Side



#5 East Side



#5 South Side



#5 West Side

