



## **Filing Receipt**

**Filing Date - 2023-07-14 09:11:30 AM**

**Control Number - 55238**

**Item Number - 1**

DOCKET NO. \_\_\_\_\_

PETITION OF JEFFERSON TRIANGLE	§	PUBLIC UTILITY COMMISSION
MARINE, L.P. TO AMEND MANVILLE	§	
WATER SUPPLY CORPORATION'S	§	OF TEXAS
WATER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
TRAVIS COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

**PETITION OF JEFFERSON TRIANGLE MARINE, L.P. FOR  
STREAMLINED EXPEDITED RELEASE PURSUANT TO TEXAS WATER CODE  
SECTION 13.2541**

Jefferson Triangle Marine, L.P. ("Jefferson Triangle" or "Petitioner") files this Petition to amend Manville Water Supply Corporation's ("Manville WSC") Certificate of Convenience and Necessity ("CCN") No. 11144 by Streamlined Expedited Release pursuant to Texas Water Code ("TWC") § 13.2541 and 16 Texas Administrative Code ("TAC") § 24.245(h).

Petitioner files this Petition seeking the streamlined expedited release of property owned by Petitioner in Travis County, Texas, from water CCN No. 11144 held by Manville WSC. Pursuant to TWC §13.2541 and 16 TAC § 24.245(h), the owner of a tract of land may petition the Public Utility Commission of Texas ("Commission") for streamlined expedited release of such tract from a water CCN, and is entitled to release of the property, for a tract that (1) is at least 25 acres; (2) is not receiving service of the type that the current CCN holder is authorized to provide; and (3) is at least partially within a qualifying county. Under TWC § 13.2541(c), the Commission shall grant a petition received pursuant to Section 13.2541 no later than the 60<sup>th</sup> day after the date the landowner files the petition. Additionally, 16 TAC § 24.245(h)(7) provides that the Commission will issue a decision on the petition no later than the 60th calendar day after the petition is declared administratively complete.

As fully set out herein, Petitioner meets the legal criteria supporting the requested release.

## **I. PETITIONER INFORMATION**

Petitioner is Jefferson Triangle Marine, L.P., a Texas limited partnership, registered with the Texas Secretary of State under File No. 0010741410. Petitioner is in good standing to do business in the State of Texas.

## **II. DECERTIFICATION REQUEST**

Petitioner owns one contiguous tract of land which is subject to the Petition and is approximately 62.8 acres in Travis County and is specifically described as follows (the "Property")

Being all that certain 62.8431 acre tract or parcel of land situated in the A. C. CALDWELL SURVEY NO. 52, Travis County, Texas, and being comprised of that certain 62.0890 acre tract, and that certain 0.7541 acre tract both tracts as described in Deed to Castillo and Ramos-Castillo recorded in Documents No. 2001013875, Travis County Official Public Records (TCOPR); all being out of Lot 5 of the J. W. Bitting lands as described in Deed recorded in Volume 266, page 166, TCDR; said 62.8431 acre tract being more particularly described in the Special Warranty Deed attached to this Petition as Exhibit "B".

The Property comprises the entirety of the properties described in the Special Warranty Deed attached to this Petition, as Exhibit "B".

The Property is owned by Petitioner. The Property is located entirely within the boundary of water CCN No. 11144 held by Manville WSC. None of the Property receives water service from Manville WSC, or from any other retail public utility. See, Exhibit "A" Affidavit of Chris deZevallos.

On the date this Petition was filed with the Commission, a true and correct copy of the Petition was mailed to counsel for Manville WSC, Zachariah T. Evans, by certified mail, return receipt requested, pursuant to 16 TAC § 24.245(h)(3)(F). See, Exhibit "D".

All of the criteria set forth in the TWC and Commission Substantive Rules entitling Petitioner to a release of the Property from CCN No. 11144 have been met. More specifically, the Property:

- a. is owned by Petitioner;
- b. is more than 25 acres;
- c. is not receiving water service;
- d. is within water CCN No. 11144 held by Manville WSC; and
- e. is located in Travis County, which is a qualifying county under the criteria set forth in TWC § 13.2541(b) and 16 TAC § 24.245(h)(2).

### **III. MAPPING**

Petitioner has attached as Exhibit “C” to this Petition (1) a general location map of the tract of land; (2) a detailed map of the tract of land; and (3) digital mapping shape files for the tract of land filed in native format. This mapping content conforms to the requirements regarding mapping outlined in 16 TAC § 24.245(k)(1).

### **IV. AGREEMENT REGARDING COMPENSATION**

Petitioner has attached as Exhibit “E” the meeting minutes for Manville WSC’s March 9, 2023 Board of Directors Meeting in which Manville WSC approved Petitioner’s request to decertify the tract of land. It is Petitioner’s understanding from discussion related to this petition that Manville WSC will not seek compensation for release of the tract of land. Further, it is Petitioner’s understanding that Manville WSC intends to intervene in this docket and convey the above regarding Manville WSC’s agreement to release the tract of land and not seek compensation for the release. Therefore, subject to Manville WSC’s agreement upon intervention, Petitioner

respectfully requests that a determination of compensation under 16 TAC § 24.245(i) is not necessary as Manville WSC will not seek compensation for the release of the tract of land.

#### **IV. EXHIBITS**

In support of the Petition, Petitioner has attached the following documents:

Exhibit A – Affidavit of Chris deZevallos supporting the key facts in the Petition.

Exhibit B – Special Warranty Deed for the tract of land demonstrating ownership of the Property by the Petitioner, with metes-and-bounds survey sealed by a licensed state land surveyor or registered land surveyor in compliance with 16 TAC § 24.245(k)(1)(C).

Exhibit C – Mapping Information including a (1) general location map; (2) a detailed map of the tract of land; and (3) digital mapping shape files for the tract of land filed in native format.

Exhibit D – Proof of Mailing confirming a copy of the Petition was sent to Zachariah T. Evans, counsel for Manville WSC, via certificated mail on the day of the filing.

Exhibit E – Meeting Minutes of Manville WSC's Board of Directors agreeing to allow the release of the tract of land subject to this Petition from its CCN service territory.

#### **V. CONCLUSION**

Petitioner is entitled to the streamlined expedited release of the Property described herein because the Petition meets all of the criteria in TWC § 13.2541 and 16 TAC § 24.245(h). Petitioner respectfully requests that the Commission grant this Petition, decertify the Property, and issue an order, or notice of approval, decertifying the Property from water CCN No. 11144 held by Manville WSC.

Respectfully submitted,

By: Robert Parish  
Robert Dakota Parish  
State Bar No. 24116875  
HUSCH BLACKWELL, LLP  
111 Congress Avenue, Suite 1400  
Austin, Texas 78701  
Phone: (512) 370-3318  
Fax: (512) 479-1101  
dakota.parish@huschblackwell.com

**ATTORNEY FOR:**

**JEFFERSON TRIANGLE MARINE, L.P.**

**CERTIFICATE OF SERVICE**

I hereby certify by my signature below that on July 14, 2023 a true and correct copy of the foregoing Petition for Streamlined Expedited Release was:

- i. electronically filed with the Commission in accordance with the Order Suspending Rules, issued in Project No. 50664; and
- ii. sent via postage prepaid Certified Mail to Zachariah T. Evans, counsel for Manville WSC (CCN No. 11144), in compliance with TWC § 13.2541 and 16 TAC § 24.245(h)(3)(F).

Robert Parish  
Robert Dakota Parish

# **EXHIBIT A**

DOCKET NO. \_\_\_\_\_

PETITION OF JEFFERSON TRIANGLE	§	PUBLIC UTILITY COMMISSION
MARINE, L.P. TO AMEND MANVILLE	§	
WATER SUPPLY CORPORATION'S	§	OF TEXAS
WATER CERTIFICATE OF	§	
CONVENIENCE AND NECESSITY IN	§	
TRAVIS COUNTY BY STREAMLINED	§	
EXPEDITED RELEASE	§	

STATE OF TEXAS	§
	§
COUNTY OF HARRIS	§

### AFFIDAVIT OF CHRIS DEZEVALLOS

Before me, the undersigned authority, personally appeared Chris deZevallos, who after being duly sworn, did depose, and state the following:

1. "My name is Chris deZevallos. I am the Vice President of Palmera Properties, Inc. the General Partner for Jefferson Triangle Marine, L.P. I am over 18 years of age and am fully competent and authorized to make this Affidavit. I have personal knowledge of the facts stated in this affidavit and they are true and correct.

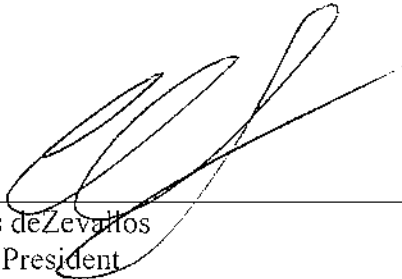
2. I am an authorized representative for Jefferson Triangle Marine, L.P., a Texas limited partnership. In that capacity I have full authority to make this affidavit and to act for Jefferson Triangle Marine, L.P.

3. Jefferson Triangle Marine, L.P. is the owner of one contiguous tract of land that is approximately 62.8 acres located in Travis County, Texas (the "Property"), which is described in the Special Warranty Deed, a copy of which is included with the Petition to which this Affidavit is attached. The Property is located wholly within Manville Water Supply Corporation's ("Manville WSC") Certificate of Convenience and Necessity ("CCN") No. 11144.

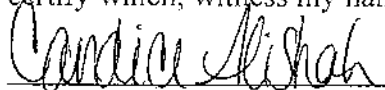


4. Based upon my knowledge of the Property and after investigation and due inquiry, the Property is not receiving water service from Manville WSC or any other entity. Further, the owner of the Property, Jefferson Triangle Marine, L.P. has not received any invoices from Manville WSC for water service at the Property.

Further, Affiant says not.

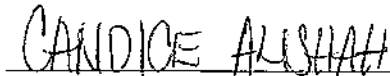
  
Chris deZevallos  
Vice President  
Palmera Properties, General Partner for  
Jefferson Triangle Marine, L.P.

SWORN TO AND SUBSCRIBED before me, Notary Public, on this 13<sup>th</sup> day of July 2023, to certify which, witness my hand and seal of office.

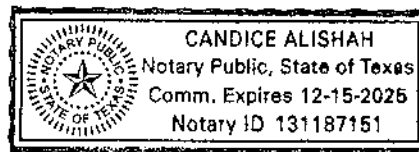


Notary Public, State of Texas

Notary's printed name:



My commission expires: 12/15/25



## **EXHIBIT B**

F3/26

TTT # 10631

4

10631/DB  
File No. 9500-432



WD 2008096315  
4 PGS

### General Warranty Deed

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER**

Date: June 3, 2008

Grantor: FIDENCIO CASTILLO and wife, REBECCA RAMOS-CASTILLO

Grantor's Mailing Address: (include county)

12905 Kimbro Road, Manor, Travis County, Texas 78653

Grantee: JEFFERSON TRIANGLE MARINE, L.P., a Texas limited partnership

Grantee's Mailing Address: (include county)

5930 Star Lane, Suite A, Houston, Harris County, Texas 77057

Consideration:

Ten and No/100 Dollars and other good and valuable consideration the receipt of which is hereby acknowledged

Property (including any improvements):

Being all that certain 62.8431 acre tract or parcel of land situated in the A. C. CALDWELL SURVEY NO. 52, Travis County, Texas, and being comprised of that certain 62.0890 acre tract (called 62.089 acres), and that certain 0.7541 acre tract (called 0.757 acre tract) both tracts as described in Deed to Castillo and Ramos-Castillo recorded in Documents No. 2001013875, Travis County Official Public Records (TCOPR); all being out of Lot 5 of the J. W. Bitting lands as described in Deed recorded in Volume 266, page 166, TCDR; said 62.8431 acre tract being more particularly described by metes and bounds as set out on Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

1

**AFTER RECORDING RETURN TO:**

Trinity Title of Texas  
1250 S. Capital of Texas Hwy.  
Bldg. 1, Suite 100  
Austin, TX 78746

Subject to the easements, assessments, restrictions, mineral interests and covenants of record against the hereinbefore described property, if any.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

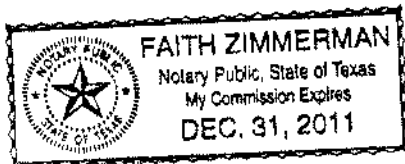
  
FIDENCIO CASTILLO

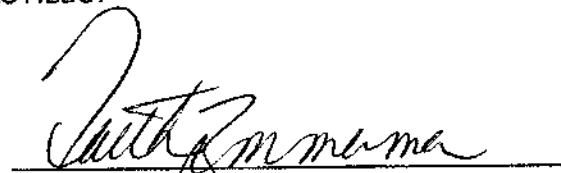
  
REBECCA RAMOS-CASTILLO

THE STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 3 day of June, 2008 by FIDENCIO CASTILLO and REBECCA RAMOS-CASTILLO.



  
Notary Public, State of Texas

**PREPARED IN THE LAW OFFICE OF:**  
Wilson, Sterling & Russell, L.L.P.  
9951 Anderson Mill Road, Suite 200  
Austin, Texas 78750

**AFTER RECORDING RETURN TO:**

**AFTER RECORDING RETURN TO:**

Trinity Title of Texas  
1250 S. Capital of Texas Hwy.  
Bldg. 1, Suite 100  
Austin, TX 78746

Exhibit "A"

METES AND BOUNDS DESCRIPTION

Being all that certain 62.8431 acre tract or parcel of land situated in the A. C. CALDWELL SURVEY NO. 52, Travis County, Texas, and being comprised of that certain 62.089 acre tract (called 62.089 acres) and that certain 0.7541 acre tract (called 0.757 acre tract), both tracts as described in Deed to Castillo and Ramos-Castillo recorded in Document No. 2001013875, Travis County Official Public Records (TCOPR); all being out of Lot 5 of the J. W. Bitting lands as described in Deed recorded in Volume 266, Page 166, TCDR; said 62.8431 acre tract being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron rod found marking the Southwest corner of the herein described tract, same being the Northwest corner of that certain 55.665 acre tract as conveyed to Ann Weaver by Deed recorded in Volume 11828, Page 1101, Travis County Real Property Records (TCRPR), same being located in the existing Easterly right-of-way line of Kimbro Road, and being further located North 30 37'55" East-611.11 feet from an iron rod found marking the Southwest corner of said Weaver Tract, and being further located South 29 37'10" West-1403.05 feet from an iron rod found marking the Northwest corner hereof;

THENCE, North 29 37'10" East, with the Westerly line hereof and the said Easterly right-of-way line of Kimbro Road passing at a distance of 15.22 feet an iron rod found, passing at a distance of 86.89 feet an iron rod found marking the Southwest corner of said Internal 0.7541 acre tract, passing at a distance of 230.34 feet an iron rod found marking the Northwest corner of said Internal 0.7541 acre tract, and continuing a total distance of 1403.05 feet to an iron rod found marking the Northwest corner hereof, same being located in the South right-of-way line of U.S. Highway 290;

THENCE, with the Northerly line of the herein described tract the following five (5) courses and distances:

- (1) South 59 48'45" East, with the South line of that certain 4.382 acre tract as described in Deed recorded in Document No. 2003038912, TCOPR, a distance of 671.29 feet to an iron rod found for angle point;
- (2) South 59 44'10" East, with the South line of that certain 1.00 acre tract as described in Deed recorded in Volume 9072, Page 996, TCRPR, a distance of 208.73 feet to an iron rod found for angle point;
- (3) South 59 47'30" East, with the South line of that certain 5.565 acre tract as described in Deed recorded in Volume 12863, Page 23, TCRPR, a distance of 490.54 feet to an iron rod found for angle point;
- (4) South 59 25'25" East, with the South line of that certain 15.71 acre tract, as described in Deed recorded in Document No. 1999140888, TCOPR, a distance of 362.42 feet to an iron rod found for angle point; and
- (5) South 60 16'40" East, with the South line of said 15.71 acre tract, a distance of 221.08 feet to an iron rod found marking the Northeast corner hereof, same being in the West line of that certain 81.169 acre tract as described in Deed recorded in Volume 13140, Page 2304, TCRPR;

THENCE, with the Easterly line of the herein described tract and the Westerly line of said 81.169 acre tract, the following eight (8) courses and distances:

- (1) South 35 19' West- 12.98 feet to an iron rod found;
- (2) South 29 46' West-304.79 feet to a nail found in tree;
- (3) South 33 07' West- 79.94 feet to a nail found in fence post;
- (4) South 30 23' West-190.42 feet to a nail found in tree;
- (5) South 30 53' West-105.84 feet to an iron rod found;
- (6) South 29 41' West-143.94 feet to a nail found in fence post;
- (7) South 29 55'15" West-243.98 feet to a nail found in fence; and
- (8) South 29 56'40" West-330.60 feet to an iron rod found marking the Southeast corner hereof, same being located in the Northerly line of said Weaver Tract;

THENCE, North 59 30'15" West, with the Agreed Boundary Line between the herein described tract and said Weaver Tract, as described in instrument recorded in Document No. 2001007355, TCOPR, a distance of 1939.04 feet to the POINT OF BEGINNING and containing 62.8431 acres of land.

BASIS OF BEARINGS: Vol. 11828, Pg. 1101, TCRPR.

Compiled By:

Robert M. Sherrod, R.P.L.S.  
GEO, A Geographical Land Services Co.  
4412 Spicewood Springs Road, #104  
Austin, Texas 78759  
December 15, 2000  
Revised: January 17, 2001  
May 12, 2008/June 2, 2008  
GEO Job No. 009032  
Trinity Title of Texas  
GF No. 10631



Page 3 of 3 Pages

## FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

2008 Jun 09 12:47 PM 2008096315

CLARKMM \$28.00

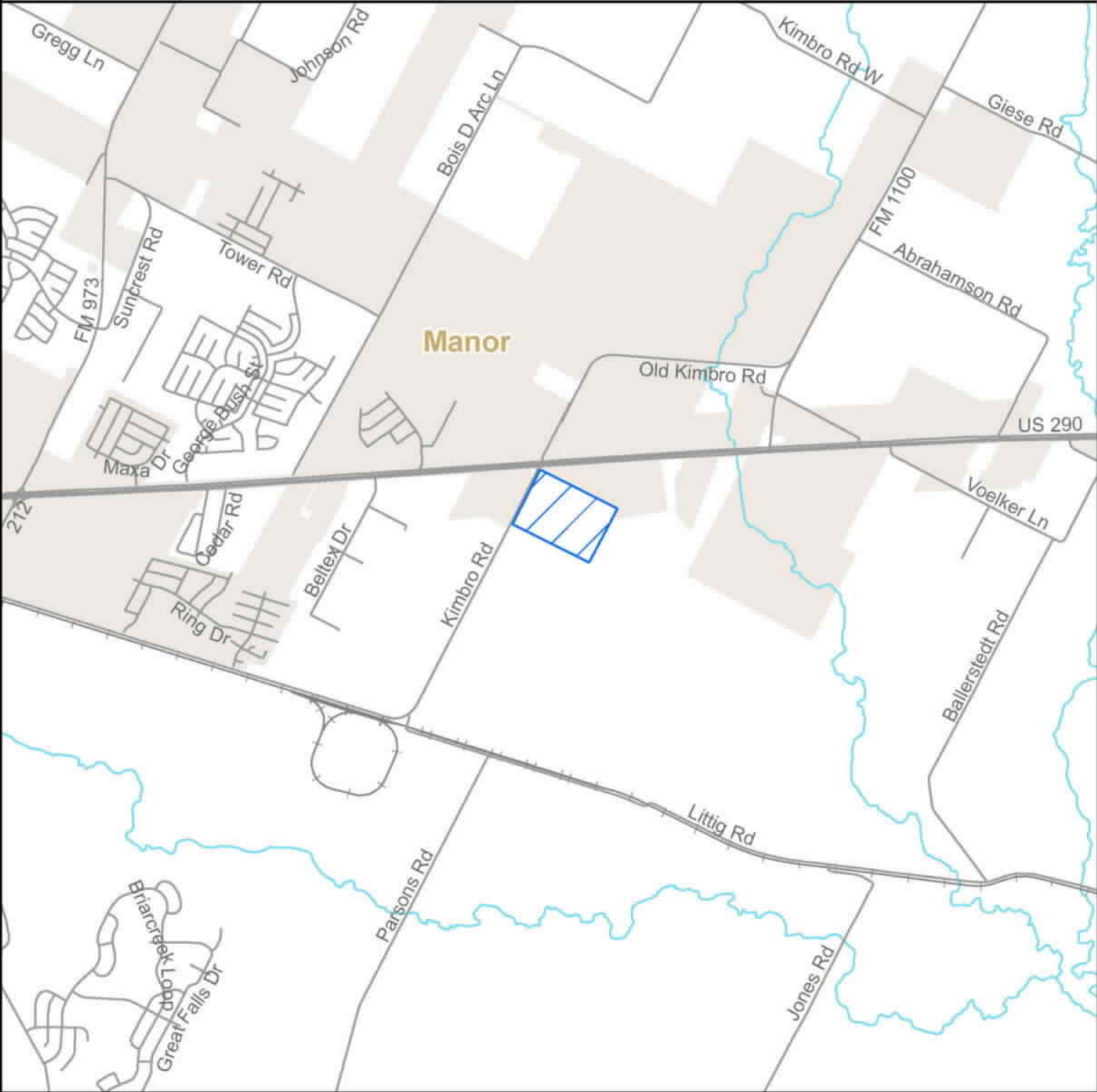
DANA DEBEAUVOIR COUNTY CLERK  
TRAVIS COUNTY TEXAS

AFTER RECORDING RETURN TO:

Trinity Title of Texas  
1250 S. Capital of Texas Hwy.  
Bldg. 1, Suite 100  
Austin, TX 78746

## **EXHIBIT C(1)**

**Jefferson Triangle Marine, L.P. to Amend Water Utility (CCN No. 11144)  
by Streamlined Expedited Release in Travis County**



General Location Map



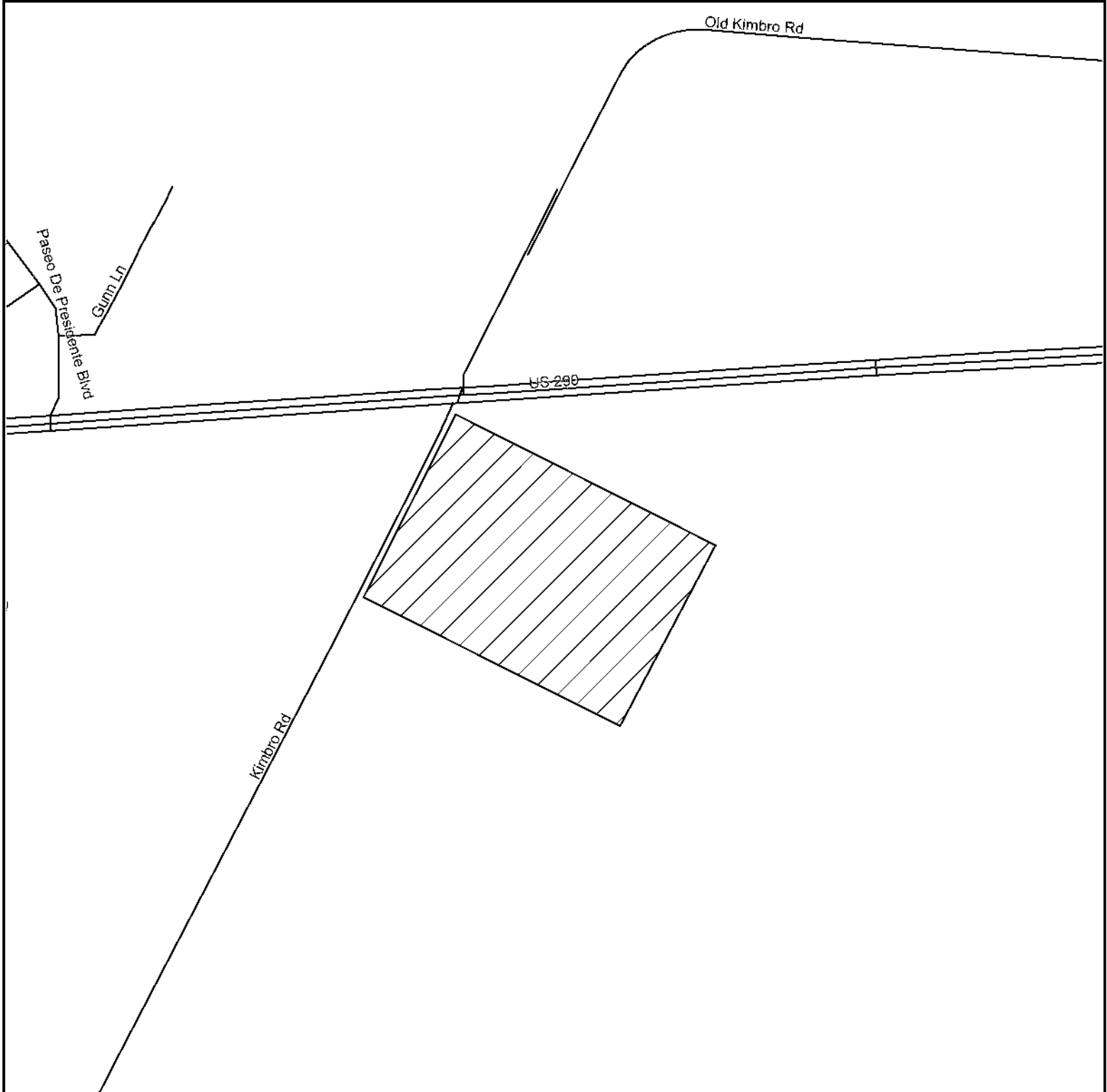
**Legend**

 Tract of Land



## **EXHIBIT C(2)**

**Jefferson Triangle Marine, L.P. to Amend Water Utility (CCN No. 11144)  
by Streamlined Expedited Release in Travis County**



Detailed Map



**Legend**



Tract of Land

Created by: CHRISTINA NICK  
Date Created: 7/5/2023

Feet 0 530 1,060

## **EXHIBIT C(3)**

**This exhibit can be found on the PUCT Interchange filed in native format**

## **EXHIBIT D**

# HUSCH BLACKWELL

**Dakota Parish**  
Associate

111 Congress Avenue  
Suite 1400  
Austin, TX 78701  
Direct: 512.370.3318  
Fax: 512.479.1101  
dakota.parish@huschblackwell.com

July 14, 2023

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

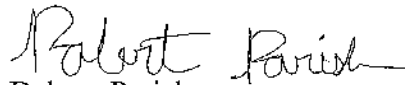
Zachariah T. Evans  
Counsel for Manville Water Supply Corporation  
13359 N. Hwy. 183, #406-1329  
Austin, Texas 78750

Re: Petition of Jefferson Triangle Marine, L.P. to Amend Manville Water Supply Corporation's Water Certificate of Convenience and Necessity in Travis County by Streamlined Expedited Release

Dear Mr. Evans:

I have enclosed a copy of the Petition filed today at the Public Utility Commission of Texas on behalf of Jefferson Triangle Marine, L.P for streamlined expedited release of its tract of land from the water Certificate of Convenience and Necessity No. 11144 held by Manville Water Supply Corporation in Travis County, Texas. The Petition is filed pursuant to Texas Water Code § 13.2541 and 16 Tex. Admin Code § 24.245(h).

Sincerely,

  
Dakota Parish

ATTORNEY FOR JEFFERSON TRIANGLE  
MARINE, L.P.

Enclosure – Petition

# **EXHIBIT E**

# MANVILLE WATER SUPPLY CORPORATION

P. O. Box 248  
Coupland, TX 78615

Toll Free (1-888) 856-2488 • (512) 856-2488  
Fax (1-888) 856-2242 • (512) 856- 2029

A meeting of the Manville Water Supply Corporation Board of Directors was held on March 9, 2023, at Manville's office in Coupland.

## Meeting Minutes

### Board of Directors present:

Jack Atterstrom, President  
George Tolleson, Vice President  
Larry Hodde, Secretary  
Tracy Spellings, Treasurer  
Steve Mares  
Joe Coffey  
Sam Jones  
Jeff Monzingo  
Larry Bradley

### Manville Representatives and Staff present:

Tony Graf, General Manager  
Rexanne Pilkenton, Assistant GM  
Erik Prinz, Assistant GM  
Sharon Kreidel, Finance Specialist  
Jerry Fontaine - Engineer  
Sean Conner- Engineer

**Visitors:** Robert Johnson & Morgan Bender, Heritage Lakes Senior Living, Tracey Merino, Alliance Residential  
Chris & Ed deZevallos, Jefferson Triangle Marine, Rachel Shanks, Okra Land, Jesse Pena & Ryan LaMarre, Quiddity Engineering, Jared Whittier, Westwood & Ryan Pokorney

### 1. Call Meeting to Order

Jack Atterstrom, President, called the meeting to order at 6:03 p.m.

### 2. Approval of Minutes

George Tolleson made a motion to approve the minutes as submitted to the Directors. Larry Hodde seconded the motion; motion carried.

### 3. Citizens Communication

Robert Johnson with Heritage Lakes Senior Living addressed the Board about LUE fees he has reserved for the Heritage Lakes Independent Living development and asked to re-allocate the LUE's to the Assisted Living proposed addition located on a separate lot. Staff had informed Mr. Johnson that per the Manville Tariff, LUE fees are not subject to transfer and convey with the land they were allocated to. Jack noted that his request was not an action item so no decision could be made, and that legal counsel would be consulted. Robert added that he feels that his development demand does not meet the LUE's he is required to obtain. Jack noted that the LUE fee is a capital recovery fee that includes water supply, piping, and other infrastructure costs.

Tracey Merino, with Alliance Residential addressed the Board and explained that he had submitted a feasibility study application in September and was informed in October, that on advice of the engineering staff, the Board of Directors suspended the acceptance of applications for feasibility studies and water commitments to new developments. Tracey noted that they have spent a lot of money moving forward with this project, as they had been in contact with the staff in prior months and was not informed of capacity issues. It was stated that staff does not determine capacity and that no obligation for service is considered until the feasibility study is completed by the engineer to determine capacity and Board approved. Jack stated that Manville is not out of water however due to the unprecedented growth and the number of LUE's requested by applicants being ten (10) times more than three (3) years ago, the Board placed a suspension while the independent water audit/capital improvement study is being completed and additional water sources are obtained. He added that the Board is actively pursuing additional water sources, though that takes time.

4. Manager's Report – Tony Graf

Report on:

- Annual Meeting Scheduled April 25, 2023, S.P.J.S.T. Hall 6 p.m.  
Tony advised that the Annual is scheduled for April 25<sup>th</sup> at the S.P.J.S.T. Hall
- Easement Acquisition Update  
Tony reported that EAS sent out 62 final offer letters and have approximately 8 more to send, pending surveys and appraisals. To date, EAS has acquired easements on 49 tracts (41.9%), 12 tracts are pending landowner signature and 56 tracts are being worked on.
- Lost Pines Ground Water District Application  
Tony stated that Manville received a notice for supplement information for the Blue Well 8 & 9 Operating permit applications. Lost Pines requested; an additional table showing the distances between the proposed Manville wells and wells on neighboring properties, annual production in both acre feet and gallons per year, and confirm that on the applications an exemption under District Rule 3.1 (that does not apply) was checked in error. Jerry prepared the supplement information requested for both applications and Tony hand delivered the documents to the Lost Pines office. District staff will complete its technical review of the applications and will notify Manville in writing if the applications have been declared administratively complete.
- Aquifer Report (4<sup>th</sup> quarter)  
Tony presented the above noted report which was distributed to the Board.
- Monthly System Activities  
Tony reported that the field techs are locating a lot of water lines due to road widening projects in the area. He added that Well 1 (that is currently capped) is being evaluated for use with a camera however a rock is blocking the casing that will have to be removed to complete the evaluation. Erik noted that Well 4A on Royston Lane (capped) is pending TCEQ approval. Once approved, Manville will need to install the necessary equipment to begin operating this well. The pump test shows it will produce 350 gpm. Tony stated that work is nearing completion, so that the Lawrence Well can be placed back into service next month. Erik added that Fritsch Wells 1 & 2 were evaluated. The current water level is 45' and the wells are 47' deep, revealing that 2' of water is available.

5. Brief Board on Recent Meetings and Committee Report(s)- No action, report only

Jack reported that the Committee and staff met with Recharge to discuss a counteroffer to an offer Recharge presented to the committee in 2022. It was discussed that Manville would agree to contract water on a "take or pay" basis and potentially contract a larger quantity than discussed originally. Jack added that there would be no reservation fee and Recharge would deliver the water at the Blue treatment plant. Manville would begin purchasing water once the 36" water line is completed. He noted that the Recharge group will seriously consider the counteroffer and the Committee expects to have a response in a couple of weeks.

Jack stated he spoke with Ross Cummings and the Gatehouse attorneys are still working with Lost Pines attorneys on the permitted water issues.

Jack added that he received a call from landowner, Mr. Baker, about a meeting that Erik, Sean and EAS staff had with him to discuss the easement location for the 36" water line on his property. He was very satisfied with the staffs handling of this matter and the proposed location they presented.

6. Discuss and Take Action

- a. Consider CCN Decertification Request - Okra Land Inc, 1448 Old Manor-Taylor Road, Manor

George Tolleson made a motion to Approve Okra Land Inc, 1448 Old Manor-Taylor Road, Manor , Decertification Request for the 136 Acre Tract located in the Manor City Limits with Applicants Responsible for CCN Decertification with the PUC. Jeff Monzingo seconded the motion; motion carried.



b. Consider CCN Decertification Request – Jefferson Triangle Marine, LP, 62.84 Acre Tract, 12905 Old Kimbro Road, Manor

Sam Jones made a motion to Approve Jefferson Triangle Marine, LP, 62.84 Acre Tract, 12905 Old Kimbro Road, Manor, Decertification Request for the 62.84 Acre Tract with Applicants Responsible for CCN Decertification with the PUC. Jeff Monzingo seconded the motion; motion carried.

c. Adopt Resolution Declaring Unopposed Directors Elected and Canceling Election

George Tolleson made a motion to Adopt a Resolution Declaring Unopposed Directors Elected and Canceling Election. Tracy Spellings seconded the motion; motion carried.

d. Consider Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's.

George Tolleson made a motion to Table Considering Current Suspension of Acceptance of Applications for Feasibility Studies and Water Commitments to New Developments, for Commitments over 2 LUE's until next month. Sam Jones seconded the motion; motion carried.

e. Approve Bid and Consider Awarding Contract - Noack Facility Improvements

Sam Jones made a motion to Approve the Bid and Award the Contract for the Noack Facility Improvements project to the low bidder, Verde Electric/ J&K Utilities, for \$349,761. Joe Coffey seconded the motion; motion carried.

f. Approve Bid and Consider Awarding Contract – McSheppard Ranches (Catfish Bend) - 4" Water Line Relocation

Joe Coffey made a motion to Approve the Bid and Award the Contract for the McSheppard Ranches (Catfish Bend) - 4" Water Line Relocation project to the low bidder, Ankr Construction, for \$206,400. Larry Bradley seconded the motion; motion carried.

g. Financial Report – Sharon Kreidel

- Approve Balance Sheet and Income Statement
- Discuss LUE and Committed Funds Report

Sharon presented the above noted reports which were distributed to the Board.

Larry Hodde made a motion to accept the Financial Reports as presented. Jeff Monzingo seconded the motion; motion carried.

h. Manville W.S.C. – Water Report, Rolling 12 Month Efficiency Report, Meters Set Report and Delinquent Accounts – Rexanne Pilkenton

Rexanne presented the above noted reports which were distributed to the Board.

#### 7. Engineer's Report – Jerry Fontaine

a. Report on Construction Projects

Sean reported; the 16" water line from FM 973 to Blake-Manor is complete, the Gregg-Manor 16" water line project is 98% completed as the gas line crossing is still pending, the SWWC interconnect contractor continues to work on installing the meter vault, piping, electrical, Scada etc. and is on scheduled for completion by end of April, the Eastwood Booster Station project concrete pads for electrical, generator, building etc. will begin once grading is complete with pumps and piping to follow, the Type Elevated Tank project is complete and close-out documents have been provided to Manville, and the Type Plant Improvement project contracts have been signed, a meeting with the contractor has been conducted, and the notice to proceed issued.

1  
2  
3 b. Report on 36" Water Line Project

4 Sean stated they are very close to having a complete set of plans for the 36" water line design  
5 for review, pending the survey of the tract that staff met with the landowner this week. Within  
6 the next couple of months plans will be submitted to the required entities for permitting review,  
7 begin the pre bid process and be ready for bid by August or September. Bluebonnet Electric  
8 has begun staking for the future power upgrades and extensions for the Blue Wells 7, 8 & 9 as  
9 well as the new Blue treatment plant. The design of the transfer station is under way and  
10 negotiations to purchase the land continue.

11 8. Next Board Meeting – Thursday, April 13, 2023

12 9. Adjourn

13 Larry Hodde made a motion the meeting adjourn. Jeff Monzingo seconded the motion, meeting  
14 adjourned.  
15  
16

The following files are not convertible:

Tract of Land.prj  
Tract of Land.sbn  
Tract of Land.sbx  
Tract of Land.shp  
Tract of Land.shp.xml  
Tract of Land.shx  
Tract of Land.dbf

Please see the ZIP file for this Filing on the PUC Interchange in order to access these files.

Contact [centralrecords@puc.texas.gov](mailto:centralrecords@puc.texas.gov) if you have any questions.