



Filing Receipt

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DOCKET NO. 56608

APPLICATION OF THE ESTATE OF	§	PUBLIC UTILITY COMMISSION
HENRY M. GARZA DBA CIELO AZUL	§	
RANCH AND CIELO AZUL AGUA LLC	§	
FOR SALE, TRANSFER, OR MERGER	§	OF TEXAS
OF FACILITIES AND CERTIFICATE	§	
RIGHTS IN HAYS COUNTY		

NOTICE AFFIDAVITS

Daniel L. Garza, Executor of the Estate of Henry M. Garza DBA Cielo Azul Ranch, (“Garza Estate”) and Cielo Azul Agua LLC, (“Cielo Azul”), (together, the “Applicants”) file the attached Notice Affidavits, and other documents, in response to Order No. 6 instructing Applicants to file with the Commission signed affidavits regarding Notice on or before December 2, 2024. Therefore, this pleading is timely filed.

In accordance with the foregoing, please find attached the following documents evidencing the notice provided to all affected parties on November 6, 2024:

ATTACHED DOCUMENTS

- 1. Affidavit of Notice to Current Customers, Neighboring Utilities, and Affected Parties;**
 - a. Exhibit A – List of Customers, Entities and Affected Parties – Filed concurrently herewith as a separate CONFIDENTIAL FILING.
- 2. Copy of Notice Form and Maps; and**
- 3. Affidavit of Notice to Landowners.**

Dated: November 8, 2024

Respectfully submitted on behalf of
Applicants

By: /s/ Gregory M Klipp
Gregory M. Klipp
State Bar No. 24070065
The Jones Law Firm PC
3724 Jefferson Street; Suite 310
Austin, Texas 78731
(512) 651-5401
(866) 511-5961 (fax)

CERTIFICATE OF SERVICE

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on November 8, 2024, in accordance with the Second Order Suspending Rules, issued in Project No. 50664.

/s/ Gregory Klipp
Gregory Klipp

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO CURRENT CUSTOMERS, NEIGHBORING UTILITIES, AND AFFECTED PARTIES DOCKET NO. 56608

STATE OF TEXAS
COUNTY OF Hays

CIELO AZUL AGUA LLC has provided individual notice via first-class mail to the following entities, affected parties, and customers:

SEE EXHIBIT A- [Filed Confidentially]

DATE OF NOTICE
11/6/2024

LIST OF CUSTOMERS, ENTITIES & AFFECTED PARTIES

OATH

I, **Allison Chambers** being duly sworn, file this form as **Office Manager for The Garza Management Trust of 1994** (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth therein are true and correct.

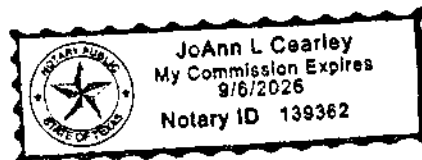
Allison Chambers
Applicant's Authorized Representative

If the applicant 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 to before me this 7th day of November 2024 to
certify which witness my hand and seal of office.

JoAnn L. Cearley
Notary Public in and for the State of Texas

JoAnn L. Cearley
Print or Type Name of Notary Public



Commission Expires 09/06/2026

Notice to Current Customers, Neighboring Systems, and Cities

CIELO AZUL AGUA LLC NOTICE OF INTENT TO ACQUIRE WATER FACILITIES, TO TRANSFER ALL OF THE WATER SERVICE AREA, AND TO TRANSFER CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) WATER NO. 12702 FROM THE ESTATE OF HENRY M. GARZA DBA CIELO AZUL RANCH (CIELO AZUL RANCH) IN HAYS COUNTY, TEXAS

To: EXAMPLE Date Notice Mailed: 11/6, 2024
 (Name of Customer, Neighboring System, or City)

 (Address)

 (City) State Zip)

<u>Cielo Azul Agua LLC</u>	<u>PO Box 1898</u>	<u>San Marcos, TX</u>	<u>78667</u>
(Purchaser's Name)	(Address)	(City), (State)	(Zip Code)

has submitted an application with the Public Utility Commission of Texas (Commission) to acquire facilities, to transfer all of the water service area, and transfer Certificate of Convenience and Necessity (CCN) number from Cielo Azul Ranch under water CCN No. 12702 in Hays County, TX from:

<u>Cielo Azul Ranch</u>	<u>PO Box 1898</u>	<u>San Marcos, TX</u>	<u>78667</u>
(Seller's Name)	(Address)	(City), (State)	(Zip Code)

The sale is scheduled to take place if approved by the Commission (Texas Water Code § 13.301). The transaction and the transfer of the CCN includes the following:

The requested area is located approximately 3.9 miles southwest of downtown Wimberley, Texas, and is generally bounded on the north by Benito Lane; on the east by Backbone Ridge; on the south by Farm to Market 32; and on the west by Dara Lane.

The requested area includes 11 customer connections and approximately 45 acres to transfer from Estate of Henry M. Garza dba Cielo Azul Ranch (CCN No. 12702) to Cielo Azul Agua LLC to retain seller's CCN No. 12702.

The application proposes the subtraction of approximately 45 acres from Estate of Henry M. Garza dba Cielo Azul Ranch (CCN No. 12702) and the addition of approximately 45 acres to Cielo Azul Agua LLC to retain seller's CCN No. 12702.

See enclosed maps showing the requested area.

This transaction will not have an effect on the current customer's rates and services.

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice,

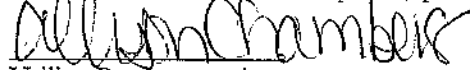
whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

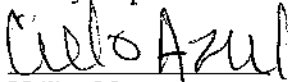
A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

A landowner that opts out from the requested area releases the applicant's obligation to provide retail water or sewer utility service to the removed land for any reason.

Si desea información en español, puede llamar al 1-888-782-8477.



Utility Representative



Utility Name


Transfer the Estate of Henry M. Garza dba Cielo Azul Ranch (CCN No. 12702) to Cielo Azul Agua LLC (CCN No. 12702) in Hays County



Detailed Map

0 650 1,300 1,950 Feet

Legend

 Requested Area to Transfer

Transfer the Estate of Henry M. Garza dba Cielo Azul Ranch (CCN No. 12702) to Cielo Azul Agua LLC (CCN No. 12702) in Hays County



General Location Map

0 4,000 8,000 12,000 Feet

Legend

 Requested Area to Transfer

PUBLIC UTILITY COMMISSION OF TEXAS



AFFIDAVIT OF NOTICE TO LANDOWNERS DOCKET NO 56608

STATE OF TEXAS
COUNTY OF HAYS

CIELO AZUL AGUA LLC has

- ☒ Determined that there are no landowners owning tracts of land over 25 acres wholly or partly inside the requested CCN area.
- ☐ Provided individual notice via first-class mail to the following landowners owning tracts of land over 25 acres wholly or partly inside the requested area to be added.

LANDOWNER NAME	# OF ACRES	DATE OF NOTICE

OATH

I, **Allison Chambers** being duly sworn, file this form as **Office Manager for The Garza Management Trust of 1994** (indicate relationship to applicant, that is, owner, member of partnership, title of officer of corporation, or other authorized representative of applicant); that in such capacity, I am qualified and authorized to file and verify such form, am personally familiar with the notices given with this application, and have complied with all notice requirements in the application and application acceptance letter; and that all such statements made and matters set forth therein are true and correct.

Allison Chambers

Applicant's Authorized Representative

If the applicant 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 to before me this 7th day of November 2024 to certify which witness my hand and seal of office.

JoAnn L. Cearley

Notary Public in and for the State of Texas

JoAnn L. Cearley

Print or Type Name of Notary Public

Commission Expires 09/06/2024

