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JOY STREATER
COMAL COUNTY CLERK

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

THE STATE OF TEXAS
COUNTY OF TRAVIS
I hereby certify that this is a true and correct copy of a Texas Commission on Environmental Quality document, which is filed in the permanent records of the Commission. Given under my hand and the seal of office on
OCT 01 2009
LaDonna Castanuela, Chief Clerk
Texas Commission on Environmental Quality

AN ORDER GRANTING THE CONVERSION OF COMAL COUNTY WATER CONTROL AND IMPROVMENT DISRICT NO. 1 INTO A MUNICIPAL UTILITY DISTRICT; THE ACQUSITION OF ROAD POWERS; AND TO CHANGE THE NAME OF THE DISTRICT

DOCKET NO. 2008-1743-DIS

On August 12, 2009, and on September 23, 2009, the Texas Commission on Environmental Quality (Commission) met in regular session at its offices in Austin, Texas, to consider the application of Comal County Water Control & Improvement District No. 1 (District) for conversion into a municipal utility district pursuant to TEX. WATER CODE ANN. §§ 54.030 - 54.036 and 30 TEX. ADMIN. CODE § 293.15; the acquisition of road powers pursuant to TEX. WATER CODE § 54.234 and 30 Tex. Admin. Code §§ 293.201 and 293.202; and to change the name of the District pursuant to TEX. WATER CODE §§ 49.071 and 30 TEX. ADMIN. CODE § 293.102.

The Commission has jurisdiction to consider this matter and the following Findings of Fact and Conclusions of Law are appropriate after examining the application and supporting documentation:

FINDINGS OF FACT

1. On July 22, 2008, an application (including the District's Resolution) requesting the conversion of the District into a municipal utility district; the acquisition of road powers; and to change the name of the District was filed with the Commission pursuant to TEX. WATER CODE Chapters 49 and 54 and 30 TEX. ADMIN. CODE chapter 293.

2. The Resolution adopted by the governing body of the District on May 27, 2008, declares that in the judgment of the governing body, conversion of the District into a municipal utility district, acquiring road powers, and changing the name of the District will serve the best interests of the District and will be of benefit to the land and property within its boundaries, and the governing body requests that the Commission hold a hearing on the question of the conversion of the District pursuant to TEX. WATER CODE ANN. § 54.030, acquisition of road powers pursuant to TEX. WATER CODE § 54.234, and to change the name of the District pursuant to TEX. WATER CODE § 49.071.

3. The Commission reviewed the application and found that conversion to a municipal utility district would serve the best interest of the District and would be a benefit to the land and property included in the District; that the District's acquisition of road powers met the requirements under Commission rules in effect at the time the District submitted its application and at the time the application was declared administratively complete; and that the District showed reasonable grounds for the requested name change.

4. Proper notice of the application was given by publication on July 12, 2009, and July 22, 2009, in the Herald-Zeitung newspaper regularly published and generally circulated in Comal County, where the District is located, pursuant to TEX. WATER CODE ANN. § 54.032 and 30 TEX. ADMIN. CODE §293.15.

5. The appropriate and necessary deposits and fees associated with the filing of the petition have been paid to the Commission.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction to consider the application and is authorized to make and enter its Findings of Fact, Conclusions of Law, and Orders with respect to the request for conversion of the District into a municipal utility district.

2. The application of the District conforms in all respects to TEX. WATER CODE §§ 54.030 and 49.071 and 30 Tex. Admin. Code §§ 293.102, 293.15, and 293.201 - 293.202, is in proper and legal form, and the purposes thereof are lawful.

3. All statutory and regulatory requirements for conversion of the District into a municipal utility district; acquisition of road powers; and to change the name of the District have been fulfilled pursuant to TEX. WATER CODE §§ 54.030 - 54.036 and 49.074 and 30 TEX. ADMIN. CODE §§ 293.201, 293.15, and 293.201. - 293.202.

NOW THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that the Utilities and District's Section's memorandum dated July 1, 2009, is hereby attached as Exhibit "A" and incorporated as part of this order. The District's request for conversion of the District from a water control and improvement district operating under TEX. WATER CODE Chapters 49 and 51 to a municipal utility district (MUD) operating under TEX. WATER CODE Chapters 49 and 54 is hereby approved. The District's request for the acquisition of road powers in accordance with TEX. WATER CODE § 54.234 and 30 TEX. ADMIN. CODE §§ 293.201 and 293.202 is hereby approved subject to the requirements imposed by the Commission and general laws of the State of Texas relating to the exercise of such powers. The District's request to change the name of the District in accordance with TEX. WATER CODE § 49.071 and 30 TEX. ADMIN. CODE 293.102 from Comal County Water Control and Improvement District No. 1 to "Johnson Ranch Municipal Utility District" is hereby granted.

The District shall file a copy of this Commission Order in the deed records of Comal County, Texas.

The Chief Clerk of the Commission shall forward a copy of this Order to all affected persons.

If any provision, sentence, clause or phrase of this Order is, for any reason, held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

Issue Date: SEP 2 9 2009

For the Commission