

**MAXWELL WATER SUPPLY CORPORATION
PO BOX 158
MAXWELL, TX 78656
(512) 357-6253 Fax (512)357-0152**

Feasibility Study Request Form

Please note: as provided for in Maxwell Water Supply Corporation's (MWSC) Tariff (on pages 24 – 25), MWSC's engineer shall perform a Feasibility Study for review and approval by MWSC's General Manager and Board of Directors prior to MWSC's acknowledgement by way of signing a plat, plat application or in any other format that water is available to any specific tract of land. The associated fee schedule is set forth in MWSC's Tariff on page 25 and is also included on page 2 of this form. The applicable fee is due and payable at the time a feasibility request is submitted to MWSC.

Applicant Name _____ Date _____

Address _____

Phone _____

Do you own the property on which service is being requested? yes no contract

If no, please explain interest in inquiry. _____

Proposed project or development name _____

County _____ Road and Highway #s nearest tract _____

Is Plat available? yes no Number of requested living unit equivalents _____

Projected meter (s) size (s) required _____

Pages 2 through 4 of this request form contain a copies of *Section F.12 – Feasibility Study* from Maxwell Water Supply Corporation's Tariff and from *Section III, Process to Identify Water Availability to Subdivision*, from Maxwell Water Supply Corporation's APPENDIX B: RULES AND REGULATIONS CONCERNING MAXWELL'S SERVICE TO SUBDIVISIONS. BY SIGNING THIS FEASIBILITY STUDY REQUEST, APPLICANT REPRESENTS THAT THEY HAVE READ AND ARE FAMILIAR WITH THE PROCESS AND REQUIREMENTS OUTLINED IN PAGES 2 THROUGH 4 OF THIS REQUEST.

Applicant Signature _____ Date _____

Section F.12 – Feasibility Study (from Maxwell Water Supply Corporation’s Tariff)

Any person seeking Large Volume Service and/or multiple connection service, such as apartments, manufactured housing parks, or multi-unit residential structures such as duplexes or commercial water service, shall submit a written request that Maxwell perform a Feasibility Study to determine if there exists sufficient capacity in Maxwell’s System to serve the number of dwelling units or water volume for the commercial operations proposed to be located on the tract of land, or if a need exists for an expansion to the capacity of the production and storage or general purpose transmission facilities, or a combination of both, to serve the proposed connection. Each request for a Feasibility Study shall include the following:

- a. Two copies of a map or plat showing the property indicating the location of said property within Maxwell’s CCN, and the proposed improvements to be constructed to connect such facilities to the Maxwell Water Supply Corporation system. The map or plat must show the legal description and the dimensions of the property. The map or plat must be signed and sealed by a licensed surveyor or registered professional engineer.
- b. The intended land use of the property, including detailed information concerning the types of land uses or commercial operations proposed.
- c. The proposed number of LUEs and the projected water demand of the connection, including average and peak demands in gallons per minute. (GPM). A projected growth schedule tied to the demand for water.
- d. A proposed calendar of events, including design, construction phasing and initial occupancy, and the approximate date on which service will first be needed.
- e. Information concerning on-site storage and pressurization facilities to reduce peak demand.

Because of factors such as unique topographic features, after initial review of the request Maxwell’s Engineer may determine that additional information will facilitate evaluating the proposed project. The Developer shall submit such additional information as specified by Maxwell’s Engineer on a case-by-case basis.

All requests for a Feasibility Study shall be accompanied by a non-refundable fee according to the following schedule.

<u>Proposed Number of LUE’s</u>	<u>Fee</u>
1-10	\$1,000.00
11-250	\$1,500.00
251-or more	\$2,500.00 plus any additional cost to Maxwell

Process to Identify Water Availability to Subdivision – Feasibility Study (from Maxwell Water Supply Corporation’s APPENDIX B to the Tariff)

- A. To begin the process of reserving water capacity and the subsequent provision of water service to a proposed Subdivision, Developer must file a request in writing for Maxwell to prepare a Feasibility Study at Developer’s expense for the proposed Subdivision to determine whether there is sufficient capacity in Maxwell’s System to serve the proposed Subdivision, or whether a need exists for an expansion to the capacity of the production, treatment and storage or General Purpose Transmission Facilities, or a combination of both to serve the proposed Subdivision. In addition to the payment of the fees set out in Paragraph B, a request for a Feasibility Study shall include the following:
 - 1. Four (4) copies of a map or plat showing the proposed Subdivision, indicating the location of said Subdivision within Maxwell’s CCN, and the proposed improvements to be constructed by Developer necessary to connect to Maxwell’s System. The map or plat must show the dimensions of the lots or tracts that result from the subdivision of the property. The map or plat, and any revisions, amendments, or supplements thereto, must be signed and sealed by a licensed surveyor or registered professional engineer.
 - 2. The intended land use of the Subdivision, including detailed information concerning the types of land uses proposed.
 - 3. The projected water demand of the Subdivision when fully built out and occupied, the anticipated water demands for each type of land use, and a projected schedule of build-out for the Subdivision and associated water demand schedule of events leading up to the approximate date upon which service from Maxwell will first be needed.
 - 4. A proposed calendar of events, including design, plat approval, construction phasing and initial occupancy, and the approximate date upon which service from Maxwell will first be needed.
 - 5. Any other information required by Maxwell to facilitate the evaluation of water service for the proposed Subdivision.
- B. All requests for a Feasibility Study shall be accompanied by a non-refundable fee according to the following schedule:

Proposed Number of LUEs	Fee
1-10	\$1,000.00
11-250	\$1,500.00
251 or more	\$2,500.00 plus any additional cost to Maxwell
- C. The request for a Feasibility Study will be submitted by the General Manager to Maxwell’s Engineer for review and evaluation. Under normal circumstances and where sufficient information is submitted with the request, Maxwell’s Engineer will complete the Feasibility Study within 30 days of Maxwell’s receipt of the request and payment of the required fee. The Feasibility Study will include the cost of additional facilities, if any, needed by Maxwell to provide water service to the proposed Subdivision based on current material and labor prices and preliminary site and engineering information. A copy of the Feasibility Study will be provided to the Developer upon payment of all fees listed above.
- D. Upon the request of Developer and payment of all applicable fees, the Feasibility Study shall be submitted to the Board of Directors for its consideration at the next regular Board meeting, provided that the next Board meeting is at least 10 days following the date the request is received. If the request is received less than 10 days prior to the next Board meeting, the request will be on the agenda for the following month’s meeting. If the Board of

Directors determines that providing water service to the proposed subdivision is feasible, the Board shall adopt a resolution indicating Maxwell's ability to provide water service to the Subdivision subject to special terms and conditions to such service identified in the Feasibility Study and to be incorporated in a Nonstandard Water Service Agreement. Maxwell's General Manager shall provide the Developer with the final Feasibility Study identifying the estimated cost to the Developer for Maxwell to provide water service to the proposed Subdivision and Maxwell's fees to reserve capacity in Maxwell's System. The Developer's share of the actual cost to construct the facilities necessary to provide water service to the proposed Subdivision will be determined at the time Maxwell receives quotations from contractors based on final detail design of the facilities. In addition, Maxwell will provide the Developer with the amount of expenses, such as attorneys' fees, estimated to be incurred by Maxwell in negotiating and drafting the Nonstandard Water Service Agreement. The Developer must pay Maxwell a deposit in the amount of estimated expenses and provide Maxwell with a copy of the warranty deed conveying title to the Developer prior to the drafting of the Nonstandard Water Service Agreement. If there are any funds remaining after payment is made to cover all such expenses, then Maxwell will refund the amount of surplus funds to the Developer. If the deposit is insufficient to cover such expenses, then the Developer shall immediately pay Maxwell additional funds in the amount of the balance.

- E. A determination that providing water service to a proposed Subdivision is feasible does not reserve capacity for use with the proposed Subdivision. Uncommitted water supply capacity that exists in Maxwell's System is available on a first come, first served basis and may be reserved only in accordance with Section V of this Tariff. Developer shall not have any rights to water supply capacity until after the Nonstandard Water Service Agreement is fully executed and capacity reservation fees have been paid.
- F. Maxwell recognizes that a developer may desire to determine the feasibility of providing water supply to a proposed Subdivision prior to the purchase of the property. When a request for a Feasibility Study has been submitted by a Developer who does not own the subject property and service to the property has been determined to be feasible, the subject capacity may be held for the proposed Subdivision until the next regularly scheduled meeting of the Board of Directors. Existing water supply capacity may be held for a proposed Subdivision for a period of 120 days by payment of the greater of \$2500 or 10% of the total capacity reservation fee, which payment shall be nonrefundable. A request to hold capacity must be written and hand delivered or sent by certified mail to Maxwell's General Manager accompanied by the appropriate fee. The request to hold capacity must be received by Maxwell within 30 days after the date of the meeting of the Board of Directors at which service to the proposed Subdivision is determined to be feasible.
- G. In order to maintain the right to utilize the capacity held under Subsection IV.A, the Developer must execute the Non Standard Water Service Agreement required under Subsection III. E and pay in full the capacity reservation fees required under Section V, prior to the expiration of the holding period. The capacity reservation fees shall be payable in the form of a Cashier's Check or other form of payment approved by the Board of Directors or Maxwell's General Manager. If all requirements of this subsection are not satisfied, any capacity held for the proposed Subdivision shall revert to first come, first served availability.