

CAUSE NO. D-1-GV-09-002065

STATE OF TEXAS, Plaintiff,	§	IN THE DISTRICT COURT OF
	§	
VS.	§	
	§	
KATHIE BRYANT, dba BUENA VISTA WATER SYSTEM, Defendant.	§	TRAVIS COUNTY, TEXAS
	§	
	§	250 th JUDICIAL DISTRICT

RECEIVER'S MONTHLY REPORT
BUENA VISTA WATER SYSTEM
BURNET COUNTY, TEXAS
For the Month Ending November 30, 2011

COMES NOW, JOHN M. FULTZ, duly appointed Receiver for Buena Vista Water System (the "Water System"), and files this Receiver's Monthly Report for the month ending November 30, 2011, and would show this Court the following:


1. John M. Fultz was appointed Receiver of the Water System by Receivership Order signed by this Court on July 8, 2010 (the "Order").
2. The Water System is alleged to be owned by Kathie Bryant, individually, d/b/a Buena Vista Water System.
3. The Order authorized the Receiver to take possession and control of the Water System located in Burnet County, Texas.
4. The Receiver employed Gulf Utility Service, Inc., (the "Operator"), on July 12, 2010. The Operating Agreement between the Receiver and Gulf Utility Service, Inc. is available and on file in the Receiver's office. The resume and operator's license are available and on file in the Receiver's office.
5. The Receiver operates the Water System through the Operator. The Operator has maintained the Water System, performed monthly maintenance of the Water System, filed the appropriate monthly water reports, read the meters, billed the customers, collected and deposited the funds received in payment, and prepared checks for payment of the monthly bills and returned the same to the Receiver for review and payment to the appropriate vendors.
6. The Receiver reviewed the Operator's Buena Vista Water System's Systems Totals Report, Profit & Loss Report, Balance Sheet and A/P Aging Detail for November

2011, copies of which are attached.

7. The Receiver confirmed through the Operator that the plant at the Water System was running well and that repairs continue to be made on an as needed basis to provide the continuous and adequate supply of water to the customers of the Water System.
8. The Receiver took the following actions during the month of November, 2011:
 - a. On November 1, 2011, the Receiver prepared the Receiver's Amended Inventory and efiled same with the Travis County District Clerk. The Amended Inventory was filed to make a report of the equipment or improvements made to the Water System since the onset of the receivership.
 - b. On November 1, 2011, the Receiver reviewed the proposed policy for renewal of insurance coverage for the assets of the Buena Vista Water System. The coverage was approved and the invoice was forwarded to the Operator for payment.
 - c. On November 1, 2011, the Receiver received a copy of the Power of Attorney of Kathie Bryant from her agent, Tracy Killebrew. The Receiver forwarded a request to Keith Kebodeaux, Attorney for Kathie Bryant, requesting permission to communicate directly with the Bryant's attorney-in-fact.
 - d. On November 9, 2011, the Receiver forwarded a follow-up to his prior request to Keith Kebodeaux, Attorney for Kathie Bryant, requesting permission to communicate directly with the Bryant's attorney-in-fact under a Power of Attorney. Permission was granted.
 - e. On November 11, 2011, the Receiver prepared correspondence to Tracy Killebrew, agent for Kathie Bryant, forwarding copies of the Receiver's Amended Inventory filed November 1, 2011. Copies of the Receiver's Monthly Reports for the months of August and September for 2011, were forwarded as well.
 - f. The Receiver continues to gather information and confer with the Operator and engineers in formulating options for the future of the Water System to be included in the Status Report.
9. The Operator performed the tasks shown on the attached work orders for the reporting month.
10. The Receiver will continue to operate the System through the Operator.

This concludes the Receiver's Monthly Report for the month ending November 30, 2011.

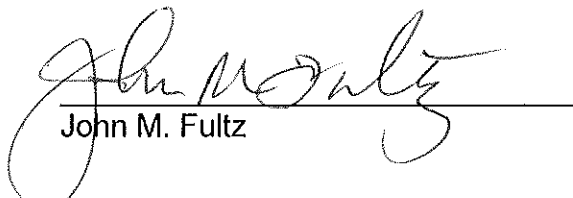
Respectfully Submitted,


John M. Fultz, Receiver
P. O. Box 868
Navasota, Texas 77868
936-825-7833
936-825-2354 fax

Certificate of Service

I, John M. Fultz, Receiver, certify that a copy of the foregoing Receiver's Monthly Report for the month of November, 2011, for the Buena Vista Water System, was forwarded via email on the 21st day of March 2012, to the following:

Mr. George Thomas "Tom" Bohl, Assistant Attorney General
Mr. Terence Webb, Receivership Coordinator
Mr. Keith Kebodeaux, Attorney for Kathy Bryant
Mr. Roger Borgelt, Attorney for the Buena Vista Property Owners Association
Ms. Tracy Killebrew, Attorney-in-fact for Kathie Bryant


John M. Fultz

12/1/2011
 BUENA VISTA
NOV 2011

9:30:30AM

System Totals Report

Sold This Month

586,940

This Month's Billing

	Amount (\$)	# Of Accounts
Total Water	5,397.99	122
Total Late Charge	75.82	8
Total Adjustments		2
Total Contract Op	2,196.00	122
Total Receiver Fees	1,494.50	122
Total Regulatory Assess	54.03	122
Total Debt Repayment	3,383.06	122
Total Current Charges	12,601.40	122

Receivables, Current Payments and Credit Balances

	Amount (\$)	# Of Accounts
Amount Past Due 1-30 Days	110.58	4
Amount Past Due 31-60 Days	122.82	1
Amount Past Due Over 60 Days	1,157.05	2
Amount Of Overpayments/Prepayments	-11,173.73	109
Prepayments	-11,173.73	
Amount of Credit Balances	0.00	
Total Receivables Outstanding	2,818.12	27

	Amount \$	# Of Accounts
Total Receipts This Month	12,010.13	108
Average Usage For Active Meters	Gals. Used 4,810	122
Average Charge For Active Meters	Amount \$ 44.25	122

Usage Groups	# Of Accounts	Usage	% Of Usage	% Of Sales
Over 50,000	1	126,330	21.52	9.82
40,001-50,000	0	0	0.00	0.00
30,001-40,000	0	0	0.00	0.00
20,001-30,000	1	26,610	4.53	2.43
10,001-20,000	7	118,650	20.22	11.98
8,001-10,000	4	36,990	6.30	4.80
6,001-8,000	9	63,000	10.73	8.79
4,001-6,000	20	95,160	16.21	16.21
2,001-4,000	30	90,390	15.40	20.44
1-2,000	44	29,810	5.08	22.79
Zero Usage	6	0	0.00	2.75
Total Meters	122	586,940	100.00	100.00

12/1/2011

9:30:30AM

NOV 2011

System Totals Report

(Buena Vista)

Monthly Reconciliation

Ending Receivables (Last Month)		2,226.85
Sales this Month	+	12,601.40
Adjustments this Month		0.00
Less Payments this Month	-	<u>12,010.13</u>
	=	2,818.12
Total Receivables		2,818.12

1 AM
6/11
ual Basis

Buena Vista Water System Receivership
Profit & Loss
November 2011

	<u>Nov 11</u>
Ordinary Income/Expense	
Income	
Revenue	
Water Revenue	12,010.13
Total Revenue	<u>12,010.13</u>
Total Income	12,010.13
Cost of Goods Sold	
Lab Fees	314.00
Legal Expenses	20.60
Management of Operations	11,067.60
Plant Utilities	
Electricity	327.67
Total Plant Utilities	<u>327.67</u>
Purchased Water	889.22
Total COGS	<u>12,619.09</u>
Gross Profit	-608.96
Expense	
Bank Service Charges	38.56
Business Licenses and Permits	175.00
Insurance Expense	
Property Insurance	1,061.69
Total Insurance Expense	<u>1,061.69</u>
Telephone Expense	50.90
Total Expense	<u>1,326.15</u>
Net Ordinary Income	-1,935.11
Other Income/Expense	
Other Income	
Interest Income	0.15
Total Other Income	<u>0.15</u>
Net Other Income	<u>0.15</u>
Net Income	<u><u>-1,934.96</u></u>

2 AM
8/11
ual Basis

Buena Vista Water System Receivership
Balance Sheet
As of November 30, 2011

	<u>Nov 30, 11</u>
ASSETS	
Current Assets	
Checking/Savings	
Compass Bank	22,533.31
Total Checking/Savings	<u>22,533.31</u>
Total Current Assets	<u>22,533.31</u>
TOTAL ASSETS	<u><u>22,533.31</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	35,349.19
Total Accounts Payable	<u>35,349.19</u>
Other Current Liabilities	
John Fultz, Individually	36,671.31
Receivers Escrow	9,746.10
Regulatory Assessment	618.03
Total Other Current Liabilities	<u>47,035.44</u>
Total Current Liabilities	82,384.63
Long Term Liabilities	
Customer Water Deposit	300.00
Total Long Term Liabilities	<u>300.00</u>
Total Liabilities	82,684.63
Equity	
Retained Earnings	-42,872.41
Net Income	-17,278.91
Total Equity	<u>-60,151.32</u>
TOTAL LIABILITIES & EQUITY	<u><u>22,533.31</u></u>

12 AM
8/11

Buena Vista Water System Receivlership A/P Aging Detail As of November 30, 2011

Type	Date	Num	Name	Due Date	Aging	Open Balance
Current						
Bill	11/21/2011	10/31...	Fultz & Fultz, LLC	12/1/2011		20.80
Total Current						20.80
1 - 30						
Bill	10/31/2011	2011-...	John M. Fultz, Rece...	11/10/2011	20	896.70
Bill	11/1/2011	9722	Gulf Utility Service, ...	11/11/2011	19	11,067.60
Total 1 - 30						11,964.30
31 - 60						
Bill	9/28/2011	09/20...	John M. Fultz, Rece...	10/8/2011	53	896.70
Bill	10/19/2011	09/30...	Fultz & Fultz, LLC	10/20/2011	41	29.66
Bill	10/20/2011	9651	Gulf Utility Service, ...	10/30/2011	31	11,270.99
Total 31 - 60						12,197.35
61 - 90						
Bill	9/1/2011	08/20...	John M. Fultz, Rece...	9/11/2011	80	904.05
Total 61 - 90						904.05
> 90						
Bill	9/30/2010	09/20...	John M. Fultz, Rece...	10/10/2010	416	926.10
Bill	11/1/2010	10/20...	John M. Fultz, Rece...	11/11/2010	384	911.40
Bill	12/9/2010	11/20...	John M. Fultz, Rece...	12/19/2010	346	911.40
Bill	1/1/2011	12/20...	John M. Fultz, Rece...	1/11/2011	323	911.40
Bill	2/1/2011	01/20...	John M. Fultz, Rece...	2/11/2011	292	911.40
Bill	3/1/2011	02/20...	John M. Fultz, Rece...	3/11/2011	264	918.75
Bill	3/31/2011	03/20...	John M. Fultz, Rece...	4/10/2011	234	926.10
Bill	5/1/2011	04/20...	John M. Fultz, Rece...	5/11/2011	203	904.05
Bill	5/9/2011	05/04...	Fultz & Fultz, LLC	5/19/2011	195	108.09
Bill	6/1/2011	05/20...	John M. Fultz, Rece...	6/11/2011	172	918.75
Bill	7/1/2011	06/20...	John M. Fultz, Rece...	7/11/2011	142	904.05
Bill	7/5/2011	0630...	Fultz & Fultz, LLC	7/15/2011	138	100.00
Bill	8/1/2011	07/20...	John M. Fultz, Rece...	8/11/2011	111	911.40
Total > 90						10,262.89
TOTAL						35,349.19

Gulf Utility Service, Inc. (GUS)

PO Box 1629 • Spring, TX 77383-1629

Ph 281-355-1312 • Fx 281-288-4844

WORK ORDER - SERVICE REPORT

BVNOV1

REF:

Customer <i>Buena Vista</i>	Account No.	Jobsite/Ship To	Key Map No.
Address 1	Address 3		
Address 2	Address 4		
City 1	State 1	Zip 1	City 2 State 2 Zip 2
Call Taken By <i>JMK</i>	Date 1 <i>11-1-11</i>	Time 1	Person Calling Phone 1
Assigned To <i>Steve Lance</i>	Date 2 <i>11-1-11</i>	Time 2	Contact Phone 2

DATELOG

Pump sludge to the decant pond at Buena Vista.

* MATERIALS AND OTHER EXPENSES		CHARGES	
		Flat Rate	= \$
		Reg Labor Hrs. @ <i>1 hr</i>	= \$ <i>55.00</i>
		OT Labor Hrs. @	= \$
		Reg Travel Hrs. @	= \$
		OT Travel Hrs. @	= \$
		Miles @	= \$
		*Materials & Other Expenses	= \$
		Subtotal From List at Left...	= \$
		Subtotal Labor, Travel & Materials	= \$
		Sales Taxes %	= \$
Job Complete?	Job Pending?	Total Charges	<i>55.00</i>
GUS Signature <i>JMK</i>	Date <i>11-1-11</i>	Customer Signature <i>JMK</i>	Date

Gulf Utility Service, Inc. (GUS)
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 Ph 281-355-1312 • Fx 281-288-4844

WORK ORDER - SERVICE REPORT

BV NOV 2

REF:

Customer <i>Buena Vista</i>		Account No.	Jobsite/Ship To	Key Map No.
Address 1		Address 3		
Address 2		Address 4		
City 1	State 1	Zip 1	City 2	State 2 Zip 2
Call Taken By <i>JMK</i>	Date 1 <i>11-2-11</i>	Time 1	Person Calling	Phone 1
Assigned To <i>Steve Lance</i>	Date 2	Time 2	Contact	Phone 2

DATELOG

Pump sludge to the Decant Pond @ Buena Vista

* MATERIALS AND OTHER EXPENSES		CHARGES	
		Flat Rate	\$ =
		Reg Labor Hrs. <i>1.5 @</i>	\$ <i>55.00</i> = <i>82.50</i>
		OT Labor Hrs. @	\$ =
		Reg Travel Hrs. @	\$ =
		OT Travel Hrs. @	\$ =
		Miles @	\$ =
		*Materials & Other Expenses	\$ =
		Subtotal From List at Left...	\$ =
		Subtotal Labor, Travel & Materials	\$ =
		Sales Taxes	% = \$
Job Complete?	Job Pending?	Total Charges	\$ <i>82.50</i>
GUS Signature <i>Steve Lance</i>	Date <i>11-2-11</i>	Customer Signature <i>JMK</i>	Date

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WORK ORDER - SERVICE REPORT

BU NOV 3

REF:

Customer <i>Buena Vista</i>	Account No.	Jobsite/Shlp To	Key Map No.
Address 1	Address 3		
Address 2	Address 4		
City 1	State 1	Zip 1	City 2 State 2 Zip 2
Call Taken By <i>JMK</i>	Date 1 <i>11-10-11</i>	Time 1	Person Calling Phone 1
Assigned To <i>Steve + Alan</i>	Date 2	Time 2	Contact Phone 2

DATELOG

Repair leak on #1 filter manifold at Buena Vista

* MATERIALS AND OTHER EXPENSES	CHARGES
	Flat Rate = \$
	Reg Labor Hrs. <i>4</i> @ \$ <i>55.00</i> = \$ <i>220.00</i>
	OT Labor Hrs. @ \$
	Reg Travel Hrs. @ \$
	OT Travel Hrs. @ \$
	Miles @ \$
	*Materials & Other Expenses \$
	Subtotal From List at Left... = \$
	Subtotal Labor, Travel & Materials = \$
	Sales Taxes % = \$
Job Complete? <input type="checkbox"/> Job Pending? <input type="checkbox"/>	Total Charges = \$ <i>220.00</i>
GUS Signature <i>JMK</i>	Customer Signature <i>JMK</i>
Date	Date <i>11-10-11</i>

Gulf Utility Service, Inc. (GUS)

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WORK ORDER - SERVICE REPORT

#BVNOU4

REF:

Customer <i>Buena Vista</i>			Account No.			Jobsite/Ship To			Key Map No.		
Address 1						Address 3					
Address 2						Address 4					
City 1			State 1		Zip 1	City 2			State 2		Zip 2
Call Taken By <i>[Signature]</i>			Date 1 <i>11-19-11</i>		Time 1	Person Calling			Phone 1		
Assigned To <i>Steve + Alan</i>			Date 2		Time 2	Contact			Phone 2		

DATELOG

Remove and install Booster Pump #1 at Booster station.

* MATERIALS AND OTHER EXPENSES		CHARGES	
	Flat Rate		\$ =
	Reg Labor Hrs. <i>4</i>	@ <i>\$ 55.00</i>	\$ = <i>220.00</i>
	OT Labor Hrs.	@	\$ =
	Reg Travel Hrs.	@	\$ =
	OT Travel Hrs.	@	\$ =
	Miles	@	\$ =
	*Materials & Other Expenses		\$ =
	Subtotal From List at Left...		\$ =
	Subtotal Labor, Travel & Materials		\$ =
	Sales Taxes	%	\$ =
Job Completes?	Job Pending?	Total Charges	\$ = <i>220.00</i>
GUS Signature <i>[Signature]</i>	Date <i>11-19-11</i>	Customer Signature <i>[Signature]</i>	Date <i>11-19-11</i>

Gulf Utility Service, Inc. (GUS)

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WORK ORDER - SERVICE REPORT

BN005

REF:

Customer <i>Buena Vista</i>	Account No.	Jobsite/Ship To	Key Map No.
Address 1	Address 3		
Address 2	Address 4		
City 1	State 1	Zip 1	City 2 State 2 Zip 2
Call Taken By <i>AK Kresse</i>	Date 1 <i>11-28-11</i>	Time 1	Person Calling Phone 1
Assigned To <i>Alan B.</i>	Date 2 <i>11-28-11</i>	Time 2	Contact Phone 2

DATELOG

Restore loss of communications on the Dialer at Buena Vista

* MATERIALS AND OTHER EXPENSES		CHARGES	
	Flat Rate	\$	=
	Reg Labor Hrs. <i>1</i>	@ \$ <i>55.00</i>	= \$ <i>55.00</i>
	OT Labor Hrs.	@ \$	= \$
	Reg Travel Hrs.	@ \$	= \$
	OT Travel Hrs.	@ \$	= \$
	Miles	@ \$	= \$
	*Materials & Other Expenses	\$	= \$
	Subtotal From List at Left...	=	= \$
	Subtotal Labor, Travel & Materials	=	= \$
	Sales Taxes	% =	= \$
Job Complete?	Job Pending?	Total Charges	<i>\$ 55.00</i>
GUS Signature <i>Alan Kresse</i>	Date <i>11-28-11</i>	Customer Signature <i>[Signature]</i>	Date <i>11-28-11</i>

Gulf Utility Service, Inc. (GUS)

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WORK ORDER - SERVICE REPORT

BUNOV 6

REF:

Customer <i>Buena Vista</i>		Account No.	Jobsite/Ship To	Key Map No.
Address 1		Address 3		
Address 2		Address 4		
City 1	State 1	Zip 1	City 2	State 2 Zip 2
Call Taken By <i>JMK</i>	Date 1 <i>11-30-11</i>	Time 1	Person Calling	Phone 1
Assigned To <i>Steve Lane</i>	Date 2	Time 2	Contact	Phone 2

DATELOG

Pump the sludge to the decant pond at Buena Vista.

* MATERIALS AND OTHER EXPENSES		CHARGES	
	Flat Rate	\$	=
	Reg Labor Hrs. <i>2</i>	@ <i>\$ 55.00</i>	= <i>\$ 110.00</i>
	OT Labor Hrs.	@	=
	Reg Travel Hrs.	@	=
	OT Travel Hrs.	@	=
	Miles	@	=
	*Materials & Other Expenses	\$	=
	Subtotal From List at Left..	=	=
	Subtotal Labor, Travel & Materials	=	=
	Sales Taxes	%	=
Job Complete?	Job Pending?	Total Charges	<i>\$ 110.00</i>
GUS Signature <i>John Kress</i>	Date <i>11-30-11</i>	Customer Signature <i>JMK</i>	Date

Gulf Utility Service, Inc. (GUS)

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WORK ORDER - SERVICE REPORT

BV NOV 17

REF:

Customer <i>Buena Vista</i>	Account No.	Jobsite/Ship To	Key Map No.
Address	Address 3		
Address 2	Address 4		
City 1	State 1	Zip 1	City 2 State 2 Zip 2
Call Taken By <i>JMK</i>	Date 1 <i>11-2-11</i>	Time 1	Person Calling Phone 1
Assigned To <i>monte</i>	Date 2 <i>11-2-11</i>	Time 2	Contact Phone 2

DATELOG

* Purchase / ^(55gal) Drum of Alum - Tech
Grade + fuel surcharge
for Clarifier at Buena Vista.
(from Allica Corp. - Inv # 213019)

* MATERIALS AND OTHER EXPENSES		CHARGES	
	Flat Rate		\$ =
	Reg Labor Hrs.	@ \$	\$ =
	OT Labor Hrs.	@ \$	\$ =
	Reg Travel Hrs.	@ \$	\$ =
	OT Travel Hrs.	@ \$	\$ =
	Miles	@ \$	\$ =
	*Materials & Other Expenses		\$ =
	Subtotal From List at Left...		\$ =
	Subtotal Labor, Travel & Materials		\$ =
	Sales Taxes	% =	\$ =
Job Complete?	Job Pending?	Total Charges	\$ 250.18
GUS Signature <i>JMK</i>	Date <i>11-2-11</i>	Customer Signature	Date

Gulf Utility Service, Inc. (GUS)

PO Box 1629 • Spring, TX 77383-1629

Ph 281-355-1312 • Fx 281-288-4844

WORK ORDER - SERVICE REPORT

BU NOV8

REF:

Customer Buena Vista	Account No.	Jobsite/Ship To	Key Map No.
Address 1	Address 3		
Address 2	Address 4		
City 1	State 1	Zip 1	City 2 State 2 Zip 2
Call Taken By <i>[Signature]</i>	Date 1 11-15-11	Time 1	Person Calling Phone 1
Assigned To Britt Anderwald	Date 2 11-15-11	Time 2	Contact Phone 2

DATELOG

90-Meter reads at Buena Vista for the month of Nov 2011.

Inv # 116

* MATERIALS AND OTHER EXPENSES	CHARGES	
	Flat Rate	\$ = 103.50
	Reg Labor Hrs. @	\$ =
	OT Labor Hrs. @	\$ =
	Reg Travel Hrs. @	\$ =
	OT Travel Hrs. @	\$ =
	Miles @	\$ =
	*Materials & Other Expenses	\$ =
	Subtotal From List at Left...	\$ =
	Subtotal Labor, Travel & Materials	\$ =
Job Complete? <input type="checkbox"/>	Job Pending? <input type="checkbox"/>	Sales Taxes % = \$
GUS Signature <i>[Signature]</i>	Date	Total Charges \$ 103.50
	Customer Signature	Date