

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

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

RECEIVER'S MONTHLY REPORT
BUENA VISTA WATER SYSTEM
BURNET COUNTY, TEXAS
For the Month Ending August 31, 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 August 31, 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 August 2011, copies of which are attached.
7. During the month of August, the Receiver continued to maintain communication via email and telephone with Michael Wortham, President of the Buena Vista Property Owners Association ("Buena Vista POA").
8. 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 continuous and adequate supply of water to the customers of the Water System.
9. The Receiver took the following actions during the month of August, 2011:
 - a. On or about August 1, 2011, the Receiver, through the Operator, forwarded responses to the Questionnaire regarding laboratory services to the Texas Department of State Health Services.
 - b. On or about August 1, 2011, the Receiver reviewed the Pedernales Electric Coop's 2010 end-of-year margin of capital credits allocated to the Buena Vista Water System in the amount of \$39.29 for 2010 with a total allocation of \$39.29. A follow-up for August 2012 was calendared.
 - c. On August 4, 2011, the Receiver reviewed email from Susan Roth, Engineer, who advised that a study of improvements to the Water System and costs associated with the improvements has been made in preparation of the possible regionalization of water in Burnet County, Texas. The Engineer provided the online link to results of the study regarding the Buena Vista Water System.
 - d. On August 25, 2011, the Receiver received a request from the insurance agency for an updated list of assets of the Buena Vista Water System to be insured. The Receiver forwarded the request to the Operator for input.
 - e. On August 29, 2011, the Receiver received the updated licensing or registration information regarding operators Charles Gaspar and Steven Lance. The License Detail is available and on file in the Receiver's office.
 - f. On or about August 29, 2011, the Receiver reviewed correspondence dated August 23, 2011, from the Lower Colorado River Authority ("LCRA") requesting notification to customers of the implementation of Stage 3 Drought Contingency Plan in the Water System. The Receiver forwarded the request to the Operator for action.

- g. On August 30, 2011, the Receiver, through the Operator, drafted the Notice to Customers of the Stage 3 Mandatory Water Use Restrictions under the Drought Contingency Plan to be mailed with the customer's statements for the month of August, 2011.
10. The Operator performed the tasks shown on the attached work orders for the reporting month.
11. The Receiver will continue to operate the System through the Operator.

This concludes the Receiver's Monthly Report for the month ending August 31, 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 August, 2011, for the Buena Vista Water System, was forwarded via email on the 9 day of November 2011, 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



John M. Fultz

System Totals Report

BUENA VISTA WATER SYSTEM

Water Pumped This Month 1,011,000 Gallons

Water Sold This Month 908,790 Gallons

Water Loss 102,210 Gallons

Water Loss (%) 10.11 %

	Amount (\$)	# Of Accounts
Total Water	6,689.85	123
Total Late Charge	42.00	4
Total Adjustments		
Total Contract Op	2,232.00	123
Total Receiver Fees	1,519.00	123
Total Regulatory Assess	66.88	123
Total Debt Repayment	3,382.72	123
Total Current Charges	13,932.45	123
Amount Past Due 1-30 Days	287.56	3
Amount Past Due 31-60 Days	135.63	1
Amount Past Due Over 60 Days	777.32	2
Amount Of Overpayments/Prepayments	-12,410.74	114
Total Receivables	2,722.22	22

Total Receipts On Account	13,724.33	114
Net Change in Deposits	0.00	0
Amount of All Deposits	300.00	6

Turned Off Accounts (Amount Owed)	83.55	7
Collection Accounts (Amount Owed)	212.57	7
Number Of Unread (Turned On) Meters		

Average Usage For Active Meters	7,389	123
Average Water Charge For Active Meters	54.39	123

Usage Groups	Gallons	# Of Accounts	Usage	Gallons	% Of Usage	% Of Sales
Over 50,000		2	116,990		12.87	6.93
40,001-50,000		3	129,170		14.21	8.83
30,001-40,000		0	0		0.00	0.00
20,001-30,000		3	68,240		7.51	5.19
10,001-20,000		15	221,170		24.34	18.77
8,001-10,000		8	72,970		8.03	7.32
6,001-8,000		12	82,540		9.08	9.37
4,001-6,000		21	105,910		11.65	14.09
2,001-4,000		30	85,330		9.39	16.50
1-2,000		26	26,470		2.91	11.90
Zero Usage		3	0		0.00	1.11
Total Meters		123	908,790		100.00	100.00

8/31/2011

2:11:41PM

System Totals Report

BUENA VISTA WATER SYSTEM

Monthly Reconciliation

Ending Receivables (Last Month)		2,514.10
Sales this Month	+	13,932.45
Adjustments this Month		0.00
Less Payments this Month	-	<u>13,724.33</u>
	=	2,722.22
Total Receivables		2,722.22
Ending Deposits (Last Month)		300.00
Changes this Month		<u>0.00</u>
	=	300.00
Total Memberships		300.00

PM
7/11
ual Basis

Buena Vista Water System Receivership
Profit & Loss
August 2011

	<u>Aug 11</u>
Ordinary Income/Expense	
Income	
Reconnects & Misc Adjustments	0.00
Revenue	
Contract Operations	2,228.92
Debt Repayment	3,417.19
Late Charge	45.15
Receiver Fees	1,516.90
Water Revenue	<u>6,452.31</u>
Total Revenue	<u>13,660.47</u>
Total Income	13,660.47
Cost of Goods Sold	
Management of Operations	7,982.99
Plant Utilities	
Electricity	132.65
Plant Utilities - Other	<u>345.53</u>
Total Plant Utilities	478.18
Purchased Water	<u>422.25</u>
Total COGS	<u>8,883.42</u>
Gross Profit	4,777.05
Expense	
Bank Service Charges	38.11
Professional Fees	
Receiver Assistant Fees	250.00
Receiver Fees	<u>1,519.00</u>
Total Professional Fees	1,769.00
Telephone Expense	<u>38.26</u>
Total Expense	<u>1,845.37</u>
Net Ordinary Income	2,931.68
Other Income/Expense	
Other Income	
Interest Income	<u>0.61</u>
Total Other Income	<u>0.61</u>
Net Other Income	<u>0.61</u>
Net Income	<u><u>2,932.29</u></u>

PM
8/11
Annual Basis

Buena Vista Water System Receivership
Balance Sheet
As of August 31, 2011

	<u>Aug 31, 11</u>
ASSETS	
Current Assets	
Checking/Savings	
Compass Bank	13,880.86
Total Checking/Savings	<u>13,880.86</u>
Total Current Assets	<u>13,880.86</u>
TOTAL ASSETS	<u><u>13,880.86</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	27,499.23
Total Accounts Payable	<u>27,499.23</u>
Other Current Liabilities	
John Fultz, Individually	36,671.31
Receivers Escrow	7,345.10
Regulatory Assessment	450.44
Total Other Current Liabilities	<u>44,466.85</u>
Total Current Liabilities	71,966.08
Long Term Liabilities	
Customer Water Deposit	300.00
Total Long Term Liabilities	<u>300.00</u>
Total Liabilities	72,266.08
Equity	
Retained Earnings	-42,872.41
Net Income	<u>-15,512.81</u>
Total Equity	<u>-58,385.22</u>
TOTAL LIABILITIES & EQUITY	<u><u>13,880.86</u></u>

**Buena Vista Water System Receivership
A/P Aging Detail
As of August 31, 2011**

Type	Date	Num	Name	Due Date	Aging	Open Balance
Current						
Total Current						
1 - 30						
Bill	8/1/2011	07/20...	John M. Fultz, Rece...	8/11/2011	20	911.40
Bill	8/1/2011	07/20...	Hancock, Debbie -R...	8/11/2011	20	250.00
Bill	8/1/2011	9525	Gulf Utility Service, ...	8/11/2011	20	7,982.99
Total 1 - 30						9,144.39
31 - 60						
Bill	7/1/2011	9456	Gulf Utility Service, ...	7/11/2011	51	9,384.32
Bill	7/5/2011	0630...	Fultz & Fultz, LLC	7/16/2011	47	208.09
Bill	7/12/2011	9459	Gulf Utility Service, ...	7/22/2011	40	414.99
Total 31 - 60						10,007.40
61 - 90						
Bill	6/1/2011	05/20...	John M. Fultz, Rece...	6/11/2011	81	918.75
Total 61 - 90						918.75
> 90						
Bill	9/30/2010	09/20...	John M. Fultz, Rece...	10/10/2010	325	926.10
Bill	11/1/2010	10/20...	John M. Fultz, Rece...	11/11/2010	293	911.40
Bill	12/9/2010	11/20...	John M. Fultz, Rece...	12/19/2010	265	911.40
Bill	1/1/2011	12/20...	John M. Fultz, Rece...	1/11/2011	232	911.40
Bill	2/1/2011	01/20...	John M. Fultz, Rece...	2/11/2011	201	911.40
Bill	3/1/2011	02/20...	John M. Fultz, Rece...	3/11/2011	173	918.75
Bill	3/31/2011	03/20...	John M. Fultz, Rece...	4/10/2011	143	926.10
Bill	5/1/2011	04/20...	John M. Fultz, Rece...	5/11/2011	112	904.05
Bill	5/9/2011	05/04...	Fultz & Fultz, LLC	5/19/2011	104	108.09
Total > 90						7,428.69
TOTAL						27,499.23

Wednesday, August 24, 2011
9:28:36AM

Page 1 of 1

Work order #1593

Pending

BUENA VISTA WATER SYSTEM

Start Time: 17:00 End Time: 17:50 Mileage: _____ Reading: 363640
 Requested By: alicia Date Issued: 8/24/11 To be Completed by: 8/24/2011 0:00AM
 Assigned By: Steve Date Completed: 8-25-11 By: SL
 Assigned To: Steve

Workorder Type Disconnect

Workorder Notes: Customer is requesting water off.

Account #: 87 GILMORE, SCOTT Phone: (254)690-0530
 Meter #: No Number 106 MOUNTAIN VIEW
 Route #: 1 Seq #: 599
 Last Reading 36338 Fence
 Prev Reading 36182 Last Usage: 1560 12-01 reread on meter work order not back in yet. char
 Date Last Read 7/31/11 Meter ID

1/3/11	0	3/31/11	670	7/1/11	0	9/30/10	0
1/30/11	30	5/1/11	10	7/29/10	0	11/1/10	0
3/1/11	0	5/31/11	40	9/13/10	0	11/1/10	0

Job Notes: Final Read:

PART #	USED	DESCRIPTION	ADDITIONAL PART	USED
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Field Notes:

meter # 41359340
 Reading: 363640

Wednesday, August 10, 2011
1:56:08PM

Work order #1565

Pending



BUENA VISTA WATER SYSTEM

Start Time: _____ End Time: _____ Mileage: _____ Reading: _____
 Requested By: alicia Date Issued: 8/10/11 To be Completed by: 8/10/2011 0:00AM
 Assigned By: Steve Date Completed: 8-11 + 8-18 By: S.L.
 Assigned To: Steve

Workorder Type See Notes

Workorder Notes: water pressure is very low would like for us to call him back.

Account #: 79 KIM MARSHALL Phone: (281)337-4090
 Meter #: No Number P.O.BOX 14 HWY 359 & R
 Route #: 1 Seq #: 929
 Last Reading 45843 Last Usage: 7500 Field BV LOT 28, SEC 6, 201 CR 139A (tax records)
 Prev Reading 45093
 Date Last Read 7/31/11

				Meter ID			
1/3/11	140	3/31/11	450	7/1/11	4,670	9/30/10	10,830
1/30/11	130	5/1/11	20	7/29/10	2,460	11/1/10	480
3/1/11	380	5/31/11	4,170	8/31/10	870	12/1/10	120

PART#	USED	DESCRIPTION	ADDITIONAL PART	USED
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Field Notes:

8-11 Checked pressure. Only 22 p.s.i.
 This house is on a section of the system
 with low pressure due to elevation.
 Left message at number provided.
 8-18 No response from customer. Left
 message again.

Gulf Utility Service, Inc.

Tuesday, August 2, 2011
1:55:12PM

Work order #1543

Pending

BUENA VISTA WATER SYSTEM

Start Time: _____ End Time: _____ Mileage: _____ Reading: _____
 Requested By: alicia Date Issued: 8/2/11 To be Completed by: 8/2/2011 0:00AM
 Assigned By: Steve Date Completed: 8-1-11 By: S.L.
 Assigned To: Steve

Workorder Type See Notes

Workorder Notes: customer call low wate pressure

Account #: 27 PAUL T. HULLUM Phone: 793-6219
 Meter #: No Number 119 CR 139C
 Route #: 1 Seq #: 1079
 Last Reading 3367 Side of house
 Prev Reading 2834 Last Usage: 5330 04-11 mailing inpayment
 Date Last Read 7/31/11 Meter ID

1/3/11	3,890	3/31/11	3,190	7/1/11	3,840	9/30/10	4,790
1/30/11	3,130	5/1/11	980	7/29/10	5,050	11/1/10	11,440
3/1/11	3,500	5/31/11	3,210	8/31/10	6,330	12/1/10	4,370

PART #	USED	DESCRIPTION	ADDITIONAL PART	USED
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Field Notes:

Checked with customer at 118 CR 139 ^(answering service mto)
 Pressure was back up.
 Found only one pump turned on at booster station.
 We normally run 2. All pumps o.k.
 Turned on second pump.

Fixed 8-2-11
 S.L.

8/11/2011
7:22:47AM

Disconnect List

BUENA VISTA WATER SYSTEM

ActNum	Name	Address	Meter	Sequence	Route	Rate	Balance
7	KATHIE BRYANT	HCR 4 BOX 993	No Number		1	1	944.48
Past Due \$944.48		LastPaid 7/17/10	\$84.58	Phone:(512)793-2767	170		
8	DAVID & CINDI GREEN		No Number		1	5	212.57
Past Due \$212.57		LastPaid 6/1/10	\$116.42	Phone:793-2589	0		
2 Accounts Total Due:		1,157.05					

New York

All Customers
Half Utility Service, Inc.