

LITTLE PRINCESS'S INVESTMENT CO.

Jeffrey D. Lochore, General Partner
P.O. Box 1762 Porter, Texas 77365
Phone: (281) 354-2550, (281) 354-6184 Fax

2007 JAN 11 PM 3:30

CHIEF CLERKS OFFICE

January 8, 2007

Ms. LaDonna Castanuela
Texas Commission on Environmental Quality
Office of Chief Clerk MC-105
P. O. Box 13087
Austin, TX 78711-3087

Express Mail #111830

OPA

JAN 11 2007

RE: Motion to Overturn
Elan Development, LP
Permit WQ0014694001

2007-0012-MWD

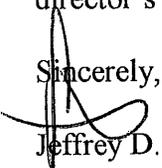
Dear LaDonna:

This is my official motion to overturn the permit issued to Elan Development, WQ0014694001.

As you are aware, we contested their application late (12/1/06) due to the fact that we were not notified by the applicant during the normal notification period. The applicant's Engineer, David Warner, admitted to me that his property owner's list was not up to date and did not mail me notification. I received my copy from an adjoining property owner late in November and immediately (12/1/06) filed a request for a contested case hearing.

Per your letter of 12/18/06, this is my request to overturn. I am including 11 copies to you plus sending copies to the applicant, the Executive Director's attorney and Public Interest Counsel at the addresses you have listed. I have also attached a copy of my original request for a contested case hearing that spells out why the Commission should review the TCEQ executive director's action.

Sincerely,


Jeffrey D. Lochore

- cc: M. G. Manners, Elan Development, L.P.
- cc: David Warner, P.E., Montgomery & Associates
- cc: Tom A. Martin, President, Crystal Springs Water Company, Inc.
- cc: Kerrie Qualtrough, Senior Attorney, TCEQ, Environmental Quality
- cc: David U. Akoma, Technical Staff, TCEQ, Water Quality Division, MC-148
- ✓ cc: Ms. Jodena Henneke, Director, TCEQ, Office of Public Assistance, MC-108
- cc: Mr. Blas J. Coy, Jr. Attorney, TCEQ, Public Interest Counsel, MC-103
- cc: Mark Zeppa, Attorney, Austin, Texas
- cc: William Fowler, Attorney, Conroe, Texas

Little Princess's Investment Company

P.O. Box 1762
Porter, Texas 77365

(713) 354-2550

November 30, 2006

Texas Commission on Environmental Quality
Office of the Chief Clerk MC105
P.O. Box 13087
Austin, Texas 78311-3087

RE: Proposed TPDES Permit
Municipal Wastewater, WQ0014694001
Elan Development L.P.
211 Highland Cross Drive, Suite 101
Houston, Texas 77073-1700

Sirs,

I request a contested case hearing on the Elan Development Application, WQ0014694001. I did not receive a notice of application from Elan Development and the discharge route proposed crosses the middle of my property where there is no ditch or tributary, thus creating a "sheetflow" of sewer discharge over much of my property.

The notice I just got from the utility company that has the water CCN on the lower part of this proposed wastewater facility has a vague description of its location (almost 1.5 miles from my property) and didn't describe the discharge route properly. I refuse to allow sewer discharge to cross my property when there is no drainage channel of any sort on my property, nor any drainage easement.

My name is Jeffrey D. Lochore, Partner in Little Princess Investment Company, owner of 79 acres adjacent to the eastern boundary (my property is on the east side of Old Houston Road) of the Elan Development property. My address is P.O. Box 1762 Porter, Texas 77365, my physical address is 1395 Northpark Drive Kingwood, Texas 77339 and my phone number is 281-354-2550.

My property is approximately 1-mile southeast of the proposed wastewater treatment facility, but directly in the path of the proposed discharge route. I am currently platting my property into residential tracts that will be available for sale early in 2007. This illegal discharge would render several hundred thousand dollars worth of property worthless.

I request a contested case hearing.

Sincerely,

Jeffrey D. Lochore