

In reply to the written responses received from Pranjali M. Mehta, Attorney, Assistant Public Interest Counsel, and Linda Horng, Staff Attorney, Environmental Law Division, and Andrew Barrett, Attorney for Petitioners, I submit the following:

Pranjali M Mehta makes note that I describe my property as being “adjacent” to the proposed district. I have attached a revised map which not only shows my proximity to the proposed district, but also points out other key factors which directly affects me, my family and my land in a manner not common to members of the general public; In essence, my point of controversy.

Linda Horng states again that I have not established that I am an affected person, following along the same thought process as Mr. Mehta. Perhaps there is some confusion as to the definition of the word “adjacent”, which Merriam-Webster defines as; “close or near: sharing a border, wall, or point”. This is a definition that should be understood without confusion, but to help add clarity, the attached map will allow the respondents to visualize what those words explicitly mean in this situation.

Mrs. Horng included a map of the proposed MUD boundary represented by a yellow line, along with a marker for “Corey Henderson” represented as a small solid yellow circle. Mrs. Horng’s map appears to be technically accurate with regards to the boundary of the MUD, but was grossly inaccurate with regards to “Corey Henderson” and the volume of land represented as such.

The map I have attached has the same yellow bordered proposed MUD area, with a solid yellow circle representing Corey Henderson’s mail box, and a RED boundary representing the volume of land representing “Corey Henderson” as an affected party. The solid black circle is a locator for Corey Henderson’s residence.

Of particular note on this more complete map of these two bodies of land, is the vast majority of shared property boundaries, or the “adjacency” of these areas. When over ¼ of the MUD boundary is shared with my property line, I feel that constitutes a level of “affected party” above and beyond that of the general public. Furthermore, the solid BLUE line represents the location of the GBRA pipe line traversing my property. Under the heading of “Subsidence” in the Technical Memorandum from Ren Berra, Districts Creation Review Team, it is stated that the proposed district will receive water from the Canyon Regional Water Authority which will be surface water from Canyon Lake.

Using the skills acquired during my early development years, let me connect the dots and attempt to help everyone visualize what this means for me once the proposed MUD is established. The unchecked and unregulated powers provided to the MUD by the state of Texas allow the developer to dictate what they want, not only inside but OUTSIDE the boundaries of the MUD. This includes the power of eminent domain. With the water line intended to supply this development occupying space under the surface of my property, and the shortest distance between two points being a straight line, the

developers will undoubtedly try to use those powers of eminent domain to access said water source. Even considering a best case scenario where an easement is mandated providing access, the restrictions and limitations imposed will permanently impact the use of the land. To add insult to injury, if a case of eminent domain is utilized, forcing the sale of land that is otherwise NOT FOR SALE, having the purchase price of that land dictated by an outside source referencing fair market value, is unjust, unacceptable, and unethical and in my opinion inexcusable behavior. The price difference between property for sale, and property not for sale should be differentiated by orders of magnitude.

With regards to Andrew Barrett's response for the petitioner, I feel the above expansion upon what "adjacent" means with regards to how I, vs the general public, will be effected has been clearly stated.

Mr. Barrett's reference to my included letters from Senator Donna Campbell, State Representative Doug Miller and Comal County Commissioner Donna Eccleston as being inconsequential and inadequately differentiating me from the general public is subject to discussion. Not only am I a member of the general public of Comal County, my great grandfather initiated ownership of the very land I live on in 1933 making me 4th generation Texan, and resident of Comal County, with my two children establishing lineage of a 5th generation. For 83 years, growth and "progress" has flourished all around this county, and more recently in the direct vicinity of my property. Never has the threat of change, intervention or encroachment from the surrounding world been as great as it is now.

The impact of the now permanently denied WCID application via the Comal County commissioners Court would have greatly affected the general public, but to a greater degree THIS member of the general public, just as a MUD would impact me and my land by virtue of state implemented power granted to a special interest taxing entity, regardless of its acronym. Commissioners have began restricting the eminent domain powers of WCID's requiring them to come back to County Commissioners and receive approval before exercising eminent domain powers. A MUD approved by the TCEQ will not restrict eminent domain powers, allowing the Meyer Ranch MUD, and the developer pulling it's strings, to illegally usurp Comal County's governmental powers and illegally harass citizens outside the boundaries of the MUD with unmitigated and unreasonable impacts on property and property owners. If the Comal County Commissioners Court denied an application for a WCID given their ability to restrict that WCID's powers and reach, ultimately determining it was unnecessary, why would the TCEQ even consider or entertain the possibility of an UNRESTRICTED special interest taxing entity as any more necessary?

Mr. Barrett's questions with regards to property ownership are noted, and will be addressed with an attached letter from Jacquelyn Couser, who is not only the property owner of record, but my mother. You will find that she and I speak as one, and she will be present for any and all meetings, hearings, mediations etc. concerning these matters.

In summary, considering my properties proximity to the proposed MUD boundaries as well as the presence of the water line intended to feed said MUD, the implications of which poses a real threat to the current function and operation of my land above and beyond that which would apply to the general public, I once again formally request a contested case hearing in the event that the TCEQ fails to deny the approval is this MUD application.



Meyer Ranch MUD

Corey Henderson relative to MUD

Location of GBRA water line

Location of Corey Henderson's Mail Box

Location of Corey Henderson's Residence

My name is Jacquelyn Sahm Couser, and I am Corey Henderson's mother. Corey and his family live on our ranch, the ranch my grandfather purchased in 1933, and the ranch we both grew up loving and protecting. While Corey's name is not formally on the deed to the property, he is as much an owner, and he is as much a part of that ranch as I am. Together, we have nurtured, built, repaired, and sweated blood for that land for his entire life. He began by riding with my father and with our rancher as a baby, so yes, he IS an owner of the ranch. I have granted him a limited power of attorney so that he can represent our interests pertaining to the ranch and any other of our businesses. While many landowners are all too eager to sell out to developers, we are fighting to preserve the land, and our heritage for my children's children and hopefully, for my children's grandchildren.

The mere presence of a high density subdivision along more than a mile of my fence line, threatens the tranquility and the quality of my "life in the country". It also restricts my ability to generate income from the property. We currently lease the property for hunting, and those damages to my income will have to be addressed.

It is stated in the Meyer Ranch MUD application that water supply services will be provided by Canyon Regional Water Authority. It describes the water distribution improvements that will be made within the boundaries of the proposed MUD, however, description of how the water will get from the Canyon Regional Water Authority access point to the proposed Meyer Ranch distribution center is conspicuously absent from the proposal. This is of great concern to me since the main pipeline runs along my property line on FM3159. I would very much like to determine if those plans include any use of my property outside of the EXISTING easement to connect the proposed MUD to the proposed access point. MY LAND IS NOT FOR SALE. And if it is the intent of the MUD to use the powers of eminent domain to claim part of my land, then the MUD itself does represent a potential damage to my property, my property value, my use of the property, and my rights as a property owner. Therefore a hearing should be granted before consideration of the creation of a MUD. If you already have engineering plans that do NOT include use of my land, they should be presented as part of the application, and as a matter of public record, since my property and the proposed MUD share a common border representing 25% of the MUD's border. For the TCEQ to approve the application for the Meyer Ranch MUD without the complete plans for supplying water to the development, represents a grave threat to my rights as a property owner, to the rights of other adjacent property owners, and to the future enjoyment and use of my land.