JOHNSON RADCLIFFE
PETROV & BOBBITT PLLC

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2009 MAY 15 AM 9: 52
CHIEF CLERKS OFFICE

May 14, 2009

VIA FEDERAL EXPRESS
Ms. LaDonna Castañuela
Office of the Chief Clerk, MC-105
Texas Commission on Environmental Quality
PO Box 13087
Austin, Texas 78711-3087

Re: Far Hills Utility District (the "District"); Response to Petition to Revoke Permit No. WQ00145550002 (the "Petition")

Dear Ms. Castañuela:

Attached please find an original and seven (7) copies of the Response to the Petition noted above. The District is also serving those listed on the mailing list attached to your letter to the District dated May 4, 2009. Please feel free to contact me if you have any questions or concerns.

Very truly yours,

Alan P. Petrov
Attorney for Far Hills Utility District

1001 McKinney, Suite 1000, Houston, Texas 77002-6424 • www.publiclaw.com • Phone 713.237.1221 / 800.890.3058 • Fax 713.237.1313

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2009 MAY 15 AM 9: 52

CHIEF CLERKS OFFICE

TCEQ DOCKET NO. 2009-0290-MWD

RESPONSE TO PETITION BY SUZANNE O'NEAL, JUDITH SPENCER AND EVERETT SIMMONS TO REVOKE PERMIT NO. WQ0014555002 AUTHORIZING THE CONSTRUCTION AND OPERATION OF A WASTEWATER TREATMENT PLANT BY FAR HILLS UTILITY DISTRICT AND REQUEST FOR ENFORCEMENT ACTION

Comes now, **FAR HILLS UTILITY DISTRICT** ("Permitee" or the "District"), pursuant to Title 30 Texas Administrative Code §305.66 and the Texas Commission on Environmental Quality (the "Commission") General Counsel's letter dated May 4, 2009, transmitting the briefing schedule for this matter, and files this response to the Petition by Suzanne O'Neal, Judith Spencer and Everett Simmons ("Petitioners") to Revoke Permit No. WQ0014555002 Authorizing the Construction and Operation of a Wastewater Treatment Plant by the Permit Holder (the "Permit") and Request for Enforcement Action (the "Petition"). In opposition to the Petition, the District would respectfully show the following:

I. THE PETITIONERS ARE NOT "AFFECTED PERSONS," WERE NOT REQUIRED PARTIES TO RECEIVE MAILED NOTICE AND DO NOT HAVE STANDING TO BRING THIS ACTION

30 TAC §305.66(e) requires that an affected person may bring a petition to revoke a wastewater discharge permit. Petitioners claim that they are affected persons because they are adjacent to the wastewater treatment plant site (the "Site"). It is true that an affected person would be a landowner whose property is adjacent to either the Site or the wastewater discharge route, but Petitioners fall into neither category. Accordingly, Petitioners are not affected persons, have no standing to bring this action and were not required to receive notice.

A. History and Location of the Wastewater Treatment Plant Site Acquired by the District.

Throughout the permitting process, the District intended to purchase approximately half of a 9.98 acre tract (the "Tract") and began negotiations with the seller for purchase of same prior to submitting the Permit application ("Application") to the Commission. While the size of the Site was never designated in the Application, the District has always intended for the site to be the 4.885 acres depicted on Attachment A.[1] Never has the District intended to establish a site greater than that depicted. The full 9.98-acre Tract would have been for larger than needed. Remember that in its prior application, the District had also proposed a treatment plant site of less than five acres. After the Application was submitted, reviewed and issued by the Commission on November 1, 2007[2], and due to matters outside the control of the District, the seller of the Tract determined that he would no longer sell just one-half of the Tract to the District, rather he would only sell the whole Tract. In order to obtain the half of the Tract needed for the plant site, the Board of Directors (the "Board") of the District agreed to the purchase of the entire Tract and executed the Wastewater Treatment Plant Site Lease Agreement with Option to Purchase on April 1, 2008[3] and the corresponding Agreement to Purchase Land on April 3, 2008.[4] The District leased the Tract with the option to purchase so that site work could be performed on the Site and so that the District would not be obligated to purchase the Tract unless and until the Permit was granted by the Commission.

Prior to the determination that the seller would only sell the entire Tract to the District and prior to the submission of the Application, the District began discussions regarding platting

[1] Attachment A. Current draft plat of the 9.98 acre tract depicting Restricted Reserve "A", which is the wastewater treatment plant site and Unrestricted Reserve "B", which is the remainder of the tract, that is currently for sale by the District.
[2] Attachment B. The Commission's Permit to Discharge Wastes issued to the District on November 1, 2007.
[3] Attachment C. Wastewater Treatment Plant Site Lease Agreement with Option to Purchase by and between Broussard-Christie, L.P. ("Broussard") and the District dated April 1, 2008.
[4] Attachment D. Agreement to Purchase Land by and between Broussard and the District dated April 3, 2008.

the Site.[5] After it was determined that the seller would only sell the entire Tract, and after the issuance of the Permit, the rationale of the Board and the District's consultants was that the District may chose to use the remainder of the Tract as a water plant site (if development warranted such a use) or declare it as surplus property and attempt to sell it.

At no time, from Application to present, did the footprint of actual wastewater treatment plant change. At no time did the District intend to utilize the entire Tract to serve as the wastewater treatment plant site. Since Application, the Site has always been designated as the 4.885 acres.

The District executed the First Amendment to Agreement for Purchase and Sale of Real Estate on November 26, 2008[6] and executed the Warranty Deed also on November 26, 2008,[7] for the purchase of the Tract, an entire year after the issuance of the Permit. The Board has declared the remaining 5.098 acres (the "Remainder") as surplus property[8]. The District is in the process of platting the Remainder as an unrestricted reserve[9]. The platting process began in late 2007, was put on hold for approximately one (1) year because there were other more pressing matters dealing with the Site and the wastewater treatment plant construction that needed to be attended to. The platting process began again in early 2009. The District is in the process of obtaining appraisals for the Remainder so that it may be sold. A potential purchaser has already obtained

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[5] Attachment E. Correspondence dated March 26, 2007 through April 18, 2007 and attachment of drawing of proposed plat. Note that the proposed site was actually proposed to be larger by almost an acre than it actually is today.

[6] Attachment F. First Amendment to Agreement for Purchase and Sale of Real Estate by and between Broussard and the District dated November 26, 2008.

[7] Attachment G. Warranty Deed granting the 9.98 acres to the District by Broussard dated November 26, 2008.

[8] Attachment H. Order Declaring Surplus Property and Authorizing Sale of Surplus Property dated April 9, 2009.

[9] See Attachment A.

an appraisal of the Remainder, although the layout and acreage of what was appraised does not comport with what the District intends to sell[10].

B. Petitioners Are Not Affected Persons Because They Do Not Come Under the Definition of an "Affected Person".

None of the Petitioners property is adjacent to the Site. The Site is bordered by only two (2) property owners- one of which is the District and the other received mailed notification of the Permit application.

Petitioners contend in Section V of the Petition, that,

> [t]o implement these [mailed notice] requirements, Chapter 305 of the TCEQ Rules requires that an application for a wastewater permit include a map showing the ownership of tracts of land adjacent to a proposed facility, as well as properties within a reasonable distance of the proposed discharge or activity.

This is purported by Petitioners to be a reference to 30 TAC §305.48(a)(2). To clarify, 30 TAC §305.48(a)(2) actually provides as follows:

> (a) The following shall be included in an application for a wastewater discharge permit....
>
> (2) If the application is for the disposal of any waste into or adjacent to a watercourse, the application shall show the ownership of the tracts of land adjacent to the treatment facility and ***for a reasonable distance along the watercourse from the proposed point of discharge***. [emphasis added] The applicant shall list on a map, or in a separate sheet attached to a map, the names and addresses of the owners of such tracts of land as can be determined from the current county tax rolls or other reliable sources. The application shall state the source of the information....

Petitioners have the gall to say that the District has made misrepresentations when in fact it is Petitioners' own statements that intentionally and knowingly misrepresent the facts and rules of the Commission.

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[10] Attachment I. Alliance Realty Advisors Appraisal dated February 10, 2009. Note that the Appraisal has been partially redacted as to the estimated appraisal and the name of the potential purchaser, as those matters are of no relevance to the issues contained in the Petition. Also note that the size of the portion of the property that was appraised is incorrect.

While Petitioners would have you believe otherwise, Petitioners' property does not fall within the parameters of the mailed notification requirements. Petitioners' property is not adjacent to the Site, nor is it a reasonable distance along the watercourse from the proposed point of discharge. None of the Petitioners' property is along the watercourse at all.

In an overabundance of caution, the District submitted a map and corresponding address list for notification that included the Petitioners' information in its initial application dated April 2, 2007.[11] After discussions with the Commission reviewer, Ms. Adriene McClarron, a revised map and corresponding address list was submitted to the Commission on April 18, 2007 and at that time excluded Petitioners from the map and corresponding address list.[12] By letter dated April 25, 2007, Ms. McClarron requested that further revision be made to the map and corresponding address list to include information regarding the property owner adjacent to and immediately south of the Site (such information had already been provided as the same property owner owned all of the land from that point easterly to Lake Conroe) and the property owner to the west across Cude Cemetery Road (because that property owner was an affected party in the previous contest of the previous wastewater discharge permit application referenced in the Petition.[13] The requested documentation was provided to Ms. McClarron on May 2, 2007.[14] Ms. McClarron then requested additional revisions to the map and corresponding address list via facsimile dated May 16, 2007. [15] The revisions requested were to consolidate contact information for owners of multiple properties and to renumber the map in accordance with the

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[11] Attachment J. The District's Application dated April 2, 2007 with cover letter from Langford. Note Attachments 3 and 4 of the Application.
[12] Attachment K. The Revised map and corresponding address list dated April 18, 2007 with cover letter from Langford.
[13] Attachment L. Letter from Ms. McClarron dated April 25, 2007 regarding additional or revised requested information pertaining to the Application.
[14] Attachment M. The second revised map and corresponding address list dated May 10, 2007 with cover letter from Langford.
[15] Attachment N. Facsimile from Ms McClarron dated May 16, 2007 regarding additional or revised requested information pertaining to the Application.

consolidation. Another revised map and corresponding address list was provided to Ms. McClarron on the same date.[16]

While the revisions to the map were not "convoluted" as Petitioners contend, the map and corresponding address list did go through four (4) incarnations and was reviewed by the Commission four (4) times for accuracy. The District depended on the Commission's review and verification of such documents to provide the guidance that that information contained on the map and corresponding address list was all that was necessary to provide notification to any and all affected persons. The District made no intentional or knowing misrepresentations to the Commission with regard to its Application. In fact, it provided documentation for mailed notification to the Petitioners with its initial Application documentation. The Commission could have easily required the District to notify the Petitioners, and the District would have complied with that requirement. If the District were trying to hide information from or mislead the Commission, it would have never provided that information to the Commission to begin with.

C. Petitioners Do Not Have Standing to File This Petition With the Commission.

Petitioners are clearly not affected persons, in accordance with the requirements of the Commission's Rules. Since Petitioners are not affected persons, they should not have been mailed notification of the wastewater discharge permit application and they do not have standing to file the Petition with the Commission. Therefore, the District requests that the Commission dismiss the Petition based upon the Petitioners' lack of standing.

[16] Attachment O. The third revised map and corresponding address list dated May 16, 2007 with cover letter from Langford.

II. PERMITTEE PUBLISHED NOTICE APPROPRIATELY IN ACCORDANCE WITH THE COMMISSION'S REQUEST

A. *Montgomery County News* qualifies as an Acceptable Newspaper for the Publication of Notice of the Application.

Assuming the Commission finds that Petitioners do have standing to file the Petition, there exist other reasons why the Commission should not revoke the District's Permit. Petitioners contend that the District did not publish notices in the appropriate newspaper(s). By letter dated June 15, 2007, the Commission required the District to publish the Notice of Receipt of Application and Intent to Obtain Permit within 30 calendar days after the date of administrative completeness.[17] The Instructions for Public Notice provided by the Commission stated that the District "must publish the [Notice]..., at least once in the newspaper of largest circulation within each county where the facility is or will be located or, if the facility is located or will be located in a municipality, at least once in a newspaper of general circulation in the municipality."

The District published this notice, within the required timeframe, in the *Montgomery County News*, a newspaper of general circulation in Willis, Texas, the nearest municipality to the District.[18] On July 10, 2007, Charlene Smith with the Office of the Chief Clerk at the Commission, requested, via facsimile, execution of the Commission's form affidavit of publication, as the *Montgomery County News* completed its own form of affidavit upon publication of the notice.[19] The facsimile specifically states: "[*Montgomery County News*'] form does not contain the required language (largest circulation in Montgomery County or general circulation in the municipality of Willis, Texas)." Langford then transmitted the Commission's

[17] Attachment P. The Commission's Declaration of Administrative Completeness dated June 15, 2007.
[18] Attachment Q. Correspondence from Langford transmitting Affidavits of Publication to the Commission dated July 2, 2007.
[19] Attachment R. Facsimile from Ms. Smith to Langford requesting execution of the Commission's Affidavit of Publication dated July 10, 2007.

request to the *Montgomery County News*.[20] *Montgomery County News* then completed the Commission's form of Affidavit of Publication and it was transmitted back to the Commission by Langford.[21] Montgomery County News did not complete the Affidavit of Publication correctly, but it was accepted by the Commission. Even though the Affidavit of Publication was completed incorrectly, it does not change the fact that the Commission merely required that the notice be published in a newspaper of general circulation in Willis, Texas and *Montgomery County News* is such a newspaper.[22] The District is aware that it could have published the notice in the newspaper of largest circulation in Montgomery County (the *Houston Chronicle*, not the *Conroe Courier*, as Petitioners contend)[23], but it still had the option to publish notice in a newspaper of general circulation in the municipality, which is the route the District decided to take.[24]

Petitioners contend that the District "knew" it was not using the correct newspaper for publication of notice and that, with regard to the affidavit, Langford "simply reformatted to visually resemble the form requested" by the Commission.[25] Langford sent the exact same form to *Montgomery County News* as what was sent to Langford by the Commission. There is no difference in the document whatsoever.[26]

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[20] Attachment S. Facsimile from Langford to *Montgomery County News* dated July 10, 2007.
[21] Attachment T. Letter from Langford to the Commission dated July 26, 2007 transmitting the completed Commission's form of Affidavit of Publication by *Montgomery County News*.
[22] Attachment U. Affidavit of *Montgomery County News*.
[23] Attachment V. Affidavits of *Houston Chronicle* and *Conroe Courier*. The *Houston Chronicle's* daily circulation in Montgomery County is 32,223 and it's Sunday circulation is 47,717 and the *Conroe Courier's* daily circulation is 12,450 and it's Sunday circulation is 13,117.
[24] See Attachments L, M and R relating to Willis, Texas, being the closest municipality to the District and the Commission's publication of notification requirements.
[25] See Section IIIB of the Petition.
[26] See Attachments R, S and T.

B. The Form of the Mailed and Published Notices Was Also Adequate And Was Developed By the Commission, Not the District.

Petitioners also take issue with the form of the mailed and published notices.[27] The District does not see how it can be held responsible for the standard form of notice that the Commission promulgates. The Commission creates the notice based upon the provisions in Texas Water Code §5.552(c) and mails it out to affected persons and sends it to the District to publish. The District is directed not to vary from the form, language or font of the notice. If Petitioners would like to see the form of notice changed, perhaps they should take the matter up directly with the Commission or the Texas Legislature and not attempt to use the District as a vehicle for this change.

The District was then required to publish the Notice of Application and Preliminary Decision "at least once in a newspaper regularly published or circulated within each county where the proposed facility or discharge is located and in each county affected by the discharge."[28] The District published this second notice in the *Montgomery County News*. The District is unsure as to why Petitioners find the first publication in the *Montgomery County News* so offensive, but take no issue with the second publication in the same newspaper. Indeed, the second publication would be sufficient to cure any complaint with respect to the first.

C. Petitioners Lack Standing to Complain of Published Notice.

It is a well settled principle of law that a person may not complain of notice if the person would not have been a party affected by the proceeding. As such, the District hereby restates its arguments set forth above that Petitioners are not affected persons. Accordingly, just as

[27] See Section VD of the Petition.
[28] Attachment W. Commission's letter to the District dated September 7, 2007 regarding technical review completion and publication of Notice of Application and Preliminary decision.

Petitioners have no standing to complain of mailed notice, Petitioners have no standing to complain of published notice.

III. PETITIONERS FAILED TO COMPLY WITH 30 TAC §305.66(e) IN ITS SERVICE TO PERMITTEE

In order to file a petition to revoke or suspend a permit, the Executive Director of the Commission or any affected party must first provide notice of the intention to file the petition and provide a copy of the petition to be filed by personally serving the permittee or sending same by registered or certified mail to the permittee at the last address of record with the Commission. Such notice shall be given at least 15 days before a petition for revocation or suspension is submitted to the Executive Director or filed with the Commission for further proceedings.[29]

A. Service of Petition to Permittee Was Not Timely.

The District and Langford Engineering, Inc. ("Langford"), the District's engineer, received the Petition, dated March 3, 2009, on March 5, 2009. Eric Allmon's, attorney for the Petitioners, Certificate of Service states that the District and Langford were served on March 3, 2009, at the same time as the Commission was provided with a copy of the Petition.[30] The District acknowledges that it was served on March 3, 2009. However, the District and Langford were not provided with 15 days notice of the intent to file the Petition with the Commission, nor were the District and Langford provided a copy of the Petition 15 days prior to Petitioners filing with the Commission. Although Mr. Allmon requested that processing of the Petition begin 15 days after the date of service, the Petition should not have been *submitted* to the Executive Director or *filed* with the Commission until the District and Langford had received notice of the

[29] 30 TAC §305.66(e).

[30] Attachment X. Copy of the Expedited Processing Request Letter to Ms LaDonna Castanuela, Office of the Chief Clerk of the Commission dated March 3, 2009, Copy of the Petition, dated March 3, 2009 and Certificate of Service of Eric Allmon dated March 3, 2009.

intent to file the Petition 15 days prior to such submission and/or filing. Instead, all parties, including the District and Langford, received notification of the Petition on the same day.

B. Method of Service of the Petition Was Wholly Inadequate.

30 TAC §305.66(e) requires personal delivery or registered or certified mail. The District and Langford were served by First Class U.S. Mail.

C. Petitioners Filing and Method of Service Were Procedurally Improper.

Petitioners improperly filed the Petition with the Commission and did not provide the District nor Langford adequate notice of its intent to file the Petition. Petitioners also served the District and Langford with the filing of the Petition via First Class U.S. Mail, instead of via hand delivery or registered or certified mail.

IV. CURRENT STATUS OF THE CONSTRUCTION OF THE DISTRICT'S WASTEWATER TREATMENT PLANT ON THE SITE

The District is 73% complete with the construction of the wastewater treatment plant (the "Project") as of April 30, 2009. The District anticipates completion on or about May 25, 2009. The District has expended significant bond funds and other District funds on the acquisition of the Site and the construction portion of the Project—all of which were expended after receipt of the Permit. The District has worked tirelessly to provide as little impact as possible to the residents along Cude Cemetery Road due to the Project. A berm was built around the perimeter of the structure of the wastewater treatment plant, so only the top two feet (2') of the plant itself is visible from Cude Cemetery Road or any residences along Cude Cemetery Road. The District also plans to landscape around the berm as well so as to provide additional beautification to the Site once the Project is complete.

Drainage from the Site runs south—in the opposite direction of Petitioners' properties. There is a minute chance that any overflow, outflow or treated wastewater from the Site would ever travel to any of the Petitioners' properties, because such an occurrence would go against the natural flow of any drainage from the Site.

Revoking the Permit would also cause overly burdensome financial harm, economic waste and a public health and safety hazard to the District and its taxpayers, as the District has expended significant public funds on the Project to-date. Due to capacity issues, the District can no longer utilize capacity in the Montgomery County Utility District No. 2 ("UD 2") wastewater treatment plant, as it has done for decades. The District and UD 2 have relied on the viability of the Permit to move forward with each individual districts' projects. Even without the District's wastewater flow, UD 2 is at approximately 90% capacity so it is urgent for the District to begin utilizing its own wastewater treatment plant. Otherwise, there will be nowhere for the District's wastewater to go, and this will create a major health and safety issue for the residents of the District.

V. PRAYER

For the reasons stated herein, the District prays that the Commission deny the Petition, and grant any further relief to which it may show itself to be entitled. Petitioners have no standing to bring the Petition against the District because they are not considered affected persons. The District provided proper mailed notice to all affected persons. The District also properly published both required notices in an appropriate newspaper in Montgomery County, Texas. The District did not knowingly, intentionally, negligently or inadvertently withhold, misrepresent or falsify any

statements, documents or information it provided to the Commission pertaining to the Application.

Respectfully Submitted,

JOHNSON RADCLIFFE PETROV
& BOBBITT PLLC
1001 McKinney, Suite 1000
Houston, Texas 77002
Attorneys for Far Hills Utility District

Alan P. Petrov
State Bar No. 15852900
Regina D. Adams
State Bar No. 24038733

CERTIFICATE OF SERVICE

By my signature below, I certify that on the 14th day of May, 2009, a true and correct copy of the foregoing document was served upon the following by Federal Express and/or Certified U.S. Mail.

Alan P. Petrov

2009 MAY 15 AM 9:53
CHIEF CLERKS OFFICE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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ATTACHMENT A

THE STATE OF TEXAS:
COUNTY OF MONTGOMERY:

We, Jim Haymon and Larry Blocker, President and Secretary respectively of Far Hills Utility District, owner of the property subdivided in the above and foregoing map of Cude Addition, do hereby make subdivision of said property for and on behalf of said Far Hills Utility District, according to the lines, streets, lots, alleys, parks, building lines, and easements thereon shown, and designate said subdivision as Cude Addition, located in the Elijah Collard Survey, A-7, Montgomery County, Texas, and on behalf of said Far Hills Utility District, and dedicate to public use, as such, the streets, alleys, parks, and easements shown thereon forever; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades; and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the land so dedicated.

This is to certify that we, Jim Haymon and Larry Blocker, President and Secretary respectively of Far Hills Utility District, owner of the property subdivided in the above and foregoing map of Cude Addition, have complied or will comply with all regulations heretofore on file with the Montgomery County Engineer and adopted by the Commissioners' Court of Montgomery County, Texas.

There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all utility easements shown hereon.

FURTHER, we, Far Hills Utility District, do hereby dedicate forever to the public a strip of land a minimum of fifteen (15) feet wide on each side of the centerline of any and all gullies, ravines, draws, sloughs, or other natural drainage courses located in the said subdivision, as easements for drainage purposes, giving Montgomery County and/or any other public agency the right to enter upon said easements at any and all times for the purposes of constructing and/or maintaining drainage work and/or structures.

FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the title to the property, and shall be enforceable, at the option of Montgomery County, by Montgomery County or any citizen thereof, by injunction, as follows:

1. That drainage of septic tanks into road, street, alley or other public ditches, either directly or indirectly, is strictly prohibited.
2. Drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater, and shall be a minimum of one and three-quarter (1-3/4) square feet (18" diameter pipe culvert).

FURTHER, we do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately, unless otherwise noted.

IN TESTIMONY WHEREOF, the Far Hills Utility District, has caused these presents to be signed by Jim Haymon, its President, thereunto authorized, attested by its Secretary, Larry Blocker, and its common seal hereunto affixed

this _____ day of_____, 2009.

For Hills Utility District

_____
Jim Haymon, President

ATTEST:

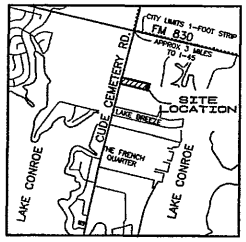
_____
Larry Blocker, Secretary

THE STATE OF TEXAS:
COUNTY OF MONTGOMERY:

BEFORE ME, the undersigned authority, on this day personally appeared Jim Haymon, President, and Larry Blocker, Secretary, of Far Hills Utility District, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of_____, 2009.

_____
Notary Public in and for
the State of Texas



—VICINITY MAP—
MONTGOMERY COUNTY KEY MAP
PAGE: 126 BLOCK: N

NOTES:

1. THIS PROPERTY LIES IN ZONE X AND IS NOT WITHIN THE 100-YEAR FLOODPLAIN AS PER FEMA PANEL NO. 48339C0220 F, EFFECTIVE DATE DECEMBER 19, 1996.
2. THE BERMS CREATED FOR SCREENING SHALL BE MAINTAINED BY FAR HILLS UTILITY DISTRICT. THE CITY OF CONROE MAY REPAIR ANY SUCH PRIVATE FACILITY IF IT DETERMINES THAT ITS CONDITION WOULD INTERFERE WITH THE PROVISION OF ANY GOVERNMENTAL SERVICE OR POSE A SIGNIFICANT THREAT OF INJURY TO PERSONS OR PROPERTY OUTSIDE THE SUBDIVISION. A REPAIR MADE BY THE CITY SHALL NOT OBLIGATE THE CITY FOR FUTURE MAINTENANCE OF THE FACILITY. THE COST OF REPAIRS BY CITY SHALL BE ASSESSED AGAINST THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION. SUCH ASSESSMENTS ARE SECURED BY A CONTINUING VENDOR'S LIEN IN FAVOR OF THE CITY THAT IS HEREBY ESTABLISHED UPON EACH LOT. THIS PROVISION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON EACH PERSON PURCHASING A LOT WITHIN THE SUBDIVISION.
3. NOTE 2 APPLIES TO THE GOVERNING BODY HAVING JURISDICTION OVER THE SUBDIVISION.
4. M.R.M.C. DENOTES MAP RECORDS MONTGOMERY COUNTY, R.P.R.M.C. DENOTES REAL PROPERTY RECORDS MONTGOMERY COUNTY, D.R.M.C. DENOTES DEED RECORDS MONTGOMERY COUNTY, CCF NO. DENOTES COUNTY CLERKS FILE NUMBER.
5. PER TITLE COMMITMENT FROM FIRST AMERICAN TITLE INSURANCE CO. G.F. NO 1264695-H043, DATED NOVEMBER 9, 2008 THIS PROPERTY IS SUBJECT TO A GULF STATES UTILITY EASEMENT RECORDED IN VOL. 928, PG. 641 D.R.M.C. AND CCF NO 9512729 R.P.R.M.C.

OWNER: For Hills Utility District
1001 McKinney, Suite 1000
Houston, Texas 77002

SURVEYOR'S CERTIFICATION

I, Hal Moyer, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods having a diameter of not less than five-eighths of an inch (5/8") and a length of not less than three feet (3') and that the plat boundary corners have been tied to the nearest survey corner.

_____
Hal Moyer, R.P.L.S.
Texas Registration No. 5656

STATE OF TEXAS REGISTERED HAL MOYER 5656 PROFESSIONAL LAND SURVEYOR

CERTIFICATE OF APPROVAL BY PLANNING COMMISSION

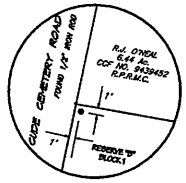
On the _____ day of _____, 2009, this plat was approved by the Planning Commission of the City of Conroe, Texas. The approval will be automatically revoked if this plat is not filed in the Map Records of Montgomey County, Texas within one year of the date of approval.

WITNESS the official signatures of the Chair and Secretary of the Planning Commission of the City of Conroe, Texas,

this _____ day of _____, 2009.

_____
Morris Eickenhorst
Chair

_____
Dana Shaw
Secretary



—BENCH MARK—
3" BRASS DISK SET IN A CONCRETE COLUMN 6" IN DIAMETER, THREE FEET DEEP AND BURIED FLUSH WITH NATURAL GROUND
STAMPED: CA 1 ELEVATION: 232.10

COUNTY ENGINEER CERTIFICATION

I, Mark J. Mooney, County Engineer of Montgomery County, Texas, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Montgomery County Commissioners' Court.

I further certify that the plat of this subdivision complies with requirements for internal subdivision drainage as adopted by Commissioners' Court; however, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or on any other area of subdivision within the watershed.

_____
Mark J. Mooney, County Engineer

COMMISSIONERS' COURT:

APPROVED by the Commissioners' Court of Montgomery County, Texas, this _____ day

of _____, 2009.

_____
Mike Meador
Commissioner Precinct 1

_____
Craig Doyal
Commissioner Precinct 2

_____
Alan B. Sadler, County Judge

_____
Ed Chance
Commissioner Precinct 3

_____
Ed Rinehart
Commissioner Precinct 4

COUNTY CLERK:

I, Mark Turnbull, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on

_____, 2009, at _____o'clock, ___M., and duly recorded on

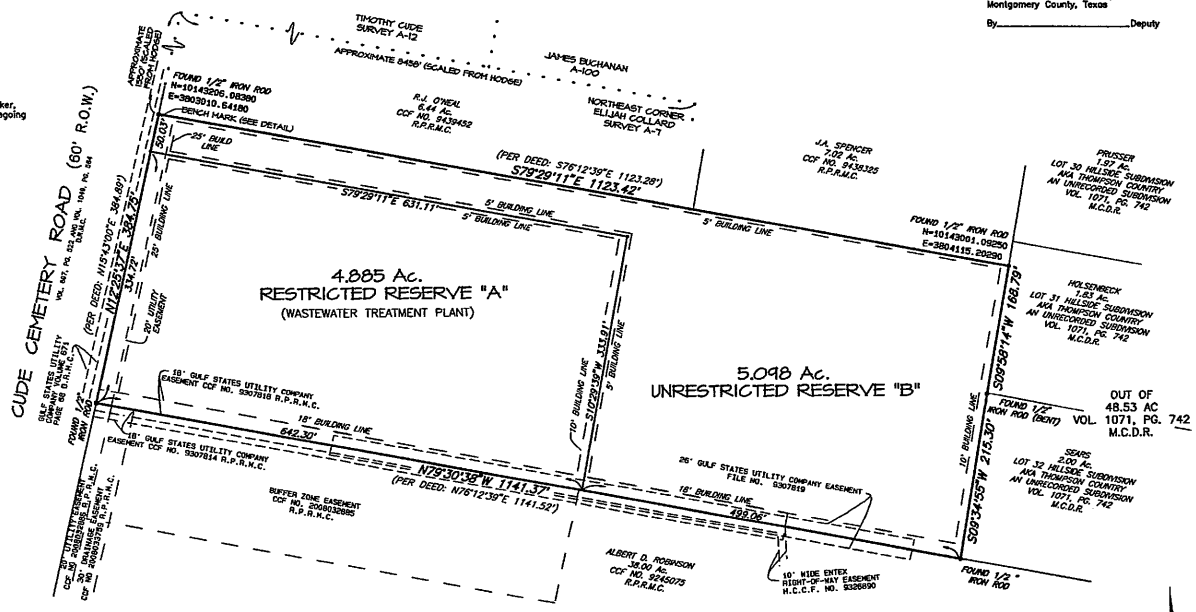
_____, 2009, at _____o'clock, ___M., in Cabinet ____, Sheet_____,

of record of _____ for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Conroe, Montgomery County, Texas, the day and date last above written.

_____
Mark Turnbull, Clerk, County Court
Montgomery County, Texas

By_____Deputy



SCALE: 1"= 100' DATE: MAY, 2009
0 100 200 300

HORIZONTAL AND VERTICAL CONTROL FOR THIS SURVEY IS BASED ON GPS NAD 83, GEOID 03, NAVD 88, TEXAS CENTRAL ZONE STATE PLANE COORDINATES.

MOYER SURVEYING
3706 WEST DAVIS – CONROE, TX. 77304

PRELIMINARY PLAT

CUDE ADDITION
SECTION ONE

2 RESERVES * 1 BLOCK

A SUBDIVISION OF 9.987 ACRES OF LAND
IN THE ELIJAH COLLARD SURVEY, A-7
MONTGOMERY COUNTY, TEXAS

SHEET 1 OF 1

C:\DATA\07007 SPC CUDE ADDITION PLAT\07007 SPC CUDE ADDITION PLAT LAKE BREEZE.pro 5/7/2009 8:50AM PAC

ATTACHMENT B

TPDES PERMIT NO. WQ0014555002
[For TCEQ office use only -
EPA I.D. No. TX0129526]

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Far Hills Utility District

whose mailing address is

1001 McKinney Street, Suite 1000
Houston, Texas 77002

is authorized to treat and discharge wastes from the Far Hills Utility District Wastewater Treatment Facility, SIC Code 4952

located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas

to a storm sewer; thence to Lake Conroe in Segment No. 1012 of the San Jacinto River Basin

only according with effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, **June 1, 2012.**

ISSUED DATE: NOV 01 2007

For the Commission

INTERIM I PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the date of issuance and lasting through the completion of the expansion of the 0.35 million gallons per day (MGD) facilities, the permittee is authorized to discharge subject to the following effluent limitations:

   The daily average flow of effluent shall not exceed 0.23 MGD; nor shall the average discharge during any two-hour period (2-hour peak) exceed 479 gallons per minute (gpm).

Effluent Characteristic	Discharge Limitations				Minimum Self-Monitoring Requirements	
	Daily Avg mg/l(lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Max. Measurement Frequency	Single Grab Sample Type
Flow, MGD	Report	N/A	Report	N/A	Five/week	Instantaneous
Carbonaceous Biochemical Oxygen Demand (5-day)	10 (19)	15	25	35	One/week	Grab
Total Suspended Solids	15 (29)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (5.8)	6	10	15	One/week	Grab

2. The effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.

6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

INTERIM II PHASE EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS Outfall Number 001

1. During the period beginning upon the completion of the expansion of the 0.35 million gallons per day (MGD) facilities and lasting through the completion of the expansion of the 0.70 MGD facilities, the permittee is authorized to discharge subject to the following effluent limitations:

   The daily average flow of effluent shall not exceed 0.35 MGD; nor shall the average discharge during any two-hour period (2-hour peak) exceed 729 gallons per minute (gpm).

Effluent Characteristic	Discharge Limitations				Minimum Self-Monitoring Requirements	
	Daily Avg mg/l(lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Max. Single Grab Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Five/week	Instantaneous
Carbonaceous Biochemical Oxygen Demand (5-day)	10 (29)	15	25	35	One/week	Grab
Total Suspended Solids	15 (44)	25	40	60	One/week	Grab
Ammonia Nitrogen	3 (8.8)	6	10	15	One/week	Grab

2. The effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored five times per week by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored once per month by grab sample.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.

6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS Outfall Number 001

1. During the period beginning upon the completion of the expansion of the 0.70 million gallons per day (MGD) facilities and lasting through the date of expiration, the permittee is authorized to discharge subject to the following effluent limitations:

   The daily average flow of effluent shall not exceed 0.70 MGD; nor shall the average discharge during any two-hour period (2-hour peak) exceed 1458 gallons per minute (gpm).

Effluent Characteristic	Discharge Limitations				Minimum Self-Monitoring Requirements	
	Daily Avg mg/l(lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Carbonaceous Biochemical Oxygen Demand (5-day)	7 (41)	15	25	35	One/week	Composite
Total Suspended Solids	15 (88)	25	40	60	One/week	Composite
Ammonia Nitrogen	2 (12)	5	10	15	One/week	Composite

2. The effluent shall contain a chlorine residual of at least 1.0 mg/l and shall not exceed a chlorine residual of 4.0 mg/l after a detention time of at least 20 minutes (based on peak flow), and shall be monitored daily by grab sample. An equivalent method of disinfection may be substituted only with prior approval of the Executive Director.

3. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored twice per month by grab sample.

4. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.

5. Effluent monitoring samples shall be taken at the following location(s): Following the final treatment unit.

6. The effluent shall contain a minimum dissolved oxygen of 4.0 mg/l and shall be monitored once per week by grab sample.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in TWC §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

   a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.

   b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.

   c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.

   d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.

   e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.

   f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

   a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.

      i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.

      ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.

   b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.

   c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.

   d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day.

      The "daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

e. Fecal coliform bacteria concentration - the number of colonies of fecal coliform bacteria per 100 milliliters effluent. The daily average fecal coliform bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the nth root of the product of all measurements made in a calendar month, where n equals the number of measurements made; or, computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of fecal coliform bacteria equaling zero, a substituted value of one shall be made for input into either computation method. The 7-day average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD x Concentration, mg/l x 8.34).

g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9 (a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9 (b).

b. Grab sample - an individual sample collected in less than 15 minutes.

4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.

5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.

6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, a monthly effluent report shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be reported on an approved self-report form that is signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act, the TWC Chapters 26, 27, and 28, and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.

3. Records of Results

a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.

b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR § 264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.

c. Records of monitoring activities shall include the following:

i. date, time and place of sample or measurement;
ii. identity of individual who collected the sample or made the measurement.
iii. date and time of analysis;
iv. identity of the individual and laboratory who performed the analysis;
v. the technique or method of analysis; and
vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site and/or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office No. 12 and the Enforcement Division (MC 224).

7. Noncompliance Notification

a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.

b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:

i. Unauthorized discharges as defined in Permit Condition 2(g).
ii. Any unanticipated bypass that exceeds any effluent limitation in the permit.
iii. Violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.

c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.

d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.

8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i. One hundred micrograms per liter (100 μg/L);
ii. Two hundred micrograms per liter (200 μg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 μg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
iii. Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
iv. The level established by the TCEQ.

b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

i. Five hundred micrograms per liter (500 μg/L);
ii. One milligram per liter (1 mg/L) for antimony;
iii. Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
iv. The level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All publicly owned treatment works (POTWs) must provide adequate notice to the Executive Director of the following:

a. Any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;

b. Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and

c. For the purpose of this paragraph, adequate notice shall include information on:

i. The quality and quantity of effluent introduced into the POTW; and
ii. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

   a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.

   b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:

      i. Violation of any terms or conditions of this permit;
      ii. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
      iii. A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

   c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

   a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.

   b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

   c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

   d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.

   e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.

   f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

   g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.

   h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.

   i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under TWC §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402 (a)(3) or 402 (b)(8).

3. Inspections and Entry

   a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.

   b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC § 7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment and/or Renewal

   a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:

      i. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers);

      ii. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or

      iii. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

   b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.

   c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.

   d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.

   e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.

   f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit

shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

   a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.

   b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

   This permit does not authorize any activity of hazardous waste storage, processing, or disposal, which requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

   Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to TWC Chapter 11.

8. Property Rights

   A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

   The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

    The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

    a. Each permittee shall notify the executive director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
       i. the permittee;
       ii. an entity (as that term is defined in 11 USC, §101(14)) controlling the permittee or listing the permit or permittee as property of the estate; or
       iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.

    b. This notification must indicate:
       i. the name of the permittee and the permit number(s);
       ii. the bankruptcy court in which the petition for bankruptcy was filed; and
       iii. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.

2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:

   a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.

   b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.

4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.

5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.

6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).

7. Documentation

   For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.

   a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

      If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

   b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission and failure to secure approval before commencing construction of

such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.

c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.

9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.

10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.

11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:

a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.

b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.

c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Environmental Cleanup Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.

d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Registration, Review, and Reporting Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.

e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.

f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:

i. Volume of waste and date(s) generated from treatment process;
ii. Volume of waste disposed of on-site or shipped off-site;
iii. Date(s) of disposal;
iv. Identity of hauler or transporter;
v. Location of disposal site; and
vi. Method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Chapter 361.

SLUDGE PROVISIONS

The permittee is authorized to dispose of sludge only at a Texas Commission on Environmental Quality (TCEQ) authorized land application site or co-disposal landfill. **The disposal of sludge by land application on property owned, leased, or under the direct control of the permittee is a violation of the permit unless the site is authorized with the TCEQ. This provision does not authorize Distribution and Marketing of sludge. This provision does not authorize land application of Class A Sludge. This provision does not authorize the permittee to land apply sludge on property owned, leased or under the direct control of the permittee.**

SECTION I. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE LAND APPLICATION

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge in accordance with 30 TAC Chapter 312 and all other applicable state and federal regulations in a manner that protects public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge.

2. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the owner or leaseholder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.

3. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

B. Testing Requirements

1. Sewage sludge shall be tested once during the term of this permit in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I [Toxicity Characteristic Leaching Procedure (TCLP)] or other method, that receives the prior approval of the TCEQ for the contaminants listed in Table 1 of 40 CFR §261.24. Sewage sludge failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal. Following failure of any TCLP test, the management or disposal of sewage sludge at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Registration, Review, and Reporting Division and the Regional Director (MC R-12) within 7 days after failing the TCLP Test.

   The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Registration, Review, and Reporting Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 12) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 1 of each year.

2. Sewage sludge shall not be applied to the land if the concentration of the pollutants exceeds the pollutant concentration criteria in Table 1. The frequency of testing for pollutants in Table 1 is found in Section I.C.

TABLE 1

Pollutant	Ceiling Concentration (Milligrams per kilogram)*
Arsenic	75
Cadmium	85
Chromium	3000
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
PCBs	49
Selenium	100
Zinc	7500

* Dry weight basis

3. Pathogen Control

All sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following methods to ensure that the sludge meets either the Class A or Class B pathogen requirements.

a. Six alternatives are available to demonstrate compliance with Class A sewage sludge. The first 4 options require either the density of fecal coliform in the sewage sludge be less than 1000 Most Probable Number (MPN) per gram of total solids (dry weight basis), or the density of Salmonella sp. bacteria in the sewage sludge be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. Below are the additional requirements necessary to meet the definition of a Class A sludge.

Alternative 1 - The temperature of the sewage sludge that is used or disposed shall be maintained at or above a specific value for a period of time. See 30 TAC §312.82(a)(2)(A) for specific information.

Alternative 2 - The pH of the sewage sludge that is used or disposed shall be raised to above 12 std. units and shall remain above 12 std. units for 72 hours.

The temperature of the sewage sludge shall be above 52° Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12 std. units.

At the end of the 72-hour period during which the pH of the sewage sludge is above 12 std. units, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50%.

Alternative 3 - The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is less than one plaque-forming unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC §312.82(a)(2)(C)(i-iii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 30 TAC §312.82(a)(2)(C)(iv-vi) for specific information.

Alternative 4 - The density of enteric viruses in the sewage sludge shall be less than one plaque-forming unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed. The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed.

Alternative 5 (PFRP) - Sewage sludge that is used or disposed of shall be treated in one of the processes to Further Reduce Pathogens (PFRP) described in 40 CFR Part 503 Appendix B. PFRP include composting, heat drying, heat treatment, and thermophilic aerobic digestion.

Alternative 6 (PFRP Equivalent) - Sewage sludge that is used or disposed of shall be treated in a process that has been approved by the U. S. Environmental Protection Agency (EPA) as being equivalent to those in Alternative 5.

b. Three alternatives are available to demonstrate compliance with Class B criteria for sewage sludge.

Alternative 1 -

i. A minimum of seven random samples of the sewage sludge shall be collected within 48 hours of the time the sewage sludge is used or disposed of during each monitoring episode for the sewage sludge.

ii. The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2 - Sewage sludge that is used or disposed of shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in 40 CFR Part 503, Appendix B, so long as all of the following requirements are met by the generator of the sewage sludge.

i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;

ii. An independent Texas Licensed Professional Engineer must make a certification to the generator of a sewage sludge that the wastewater treatment facility generating the sewage sludge is designed to achieve one of the PSRP at the permitted design loading of the facility. The certification need only be repeated if the design loading of the facility is increased. The certification shall include a statement indicating the design meets all the applicable standards specified in Appendix B of 40 CFR Part 503;

iii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established EPA final guidance;

iv. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review; and

v. If the sewage sludge is generated from a mixture of sources, resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the PSRP, and shall meet the certification, operation, and record keeping requirements of this paragraph.

Alternative 3 - Sewage sludge shall be treated in an equivalent process that has been approved by the EPA so long as all of the following requirements are met by the generator of the sewage sludge.

i. Prior to use or disposal, all the sewage sludge must have been generated from a single location, except as provided in paragraph v. below;

ii. Prior to any off-site transportation or on-site use or disposal of any sewage sludge generated at a wastewater treatment facility, the chief certified operator of the wastewater treatment facility or other responsible official who manages the processes to significantly reduce pathogens at the wastewater treatment facility for the permittee, shall certify that the sewage sludge underwent at least the minimum operational requirements necessary in order to meet one of the PSRP. The acceptable processes and the minimum operational and record keeping requirements shall be in accordance with established EPA final guidance;

iii. All certification records and operational records describing how the requirements of this paragraph were met shall be kept by the generator for a minimum of three years and be available for inspection by commission staff for review;

iv. The executive director will accept from the EPA a finding of equivalency to the defined PSRP; and

v. If the sewage sludge is generated from a mixture of sources resulting from a person who prepares sewage sludge from more than one wastewater treatment facility, the resulting derived product shall meet one of the processes to significantly reduce pathogens, and shall meet the certification, operation, and record keeping requirements of this paragraph.

In addition, the following site restrictions must be met if Class B sludge is land applied:

vi. Food crops with harvested parts that touch the sewage sludge/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of sewage sludge.

vii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of sewage sludge when the sewage sludge remains on the land surface for 4 months or longer prior to incorporation into the soil.

viii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than 4 months prior to incorporation into the soil.

ix. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.

x. Animals shall not be allowed to graze on the land for 30 days after application of sewage sludge.

xi. Turf grown on land where sewage sludge is applied shall not be harvested for one year after application of the sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn.

xii. Public access to land with a high potential for public exposure shall be restricted for one year after application of sewage sludge.

xiii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.

xiv. Land application of sludge shall be in accordance with the buffer zone requirements found in 30 TAC §312.44.

4. Vector Attraction Reduction Requirements

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following alternatives 1 through 10 for Vector Attraction Reduction.

Alternative 1 - The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38%.

Alternative 2 - If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30° and 37° Celsius (C). Volatile solids must be reduced by less than 17% to demonstrate compliance.

Alternative 3 - If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with a percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20° C. Volatile solids must be reduced by less than 15% to demonstrate compliance.

Alternative 4 - The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20° C.

Alternative 5 - Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40° C and the average temperature of the sewage sludge shall be higher than 45° C.

Alternative 6 - The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then remain at a pH of 11.5 or higher for an additional 22 hours at the time the sewage sludge is prepared for sale or given away in a bag or other container.

Alternative 7 - The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75% based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 8 - The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90% based on the moisture content and total solids prior to mixing with other materials at the time the sludge is used. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 9 -

i. Sewage sludge shall be injected below the surface of the land.

ii. No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.

iii. When sewage sludge that is injected below the surface of the land is Class A with respect to pathogens, the sewage sludge shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10-

i. Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.

ii. When sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

1. Toxicity Characteristic Leaching Procedure (TCLP) Test — once during the term of this permit
2. PCBs — once during the term of this permit
3. All metal constituents and Fecal coliform or *Salmonella sp.* bacteria shall be monitored at the appropriate frequency shown below, pursuant to 30 TAC §312.46(a)(1):

Amount of sewage sludge (*) metric tons per 365-day period	Monitoring Frequency
0 to less than 290	Once/Year
290 to less than 1,500	Once/Quarter
1,500 to less than 15,000	Once/Two Months
15,000 or greater	Once/Month

(*) *The amount of bulk sewage sludge applied to the land (dry weight basis).*

4. Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 30 TAC §312.7.

SECTION II. REQUIREMENTS SPECIFIC TO BULK SEWAGE SLUDGE FOR APPLICATION TO THE LAND MEETING CLASS A or B PATHOGEN REDUCTION AND THE CUMULATIVE LOADING RATES IN TABLE 2, OR CLASS B PATHOGEN REDUCTION AND THE POLLUTANT CONCENTRATIONS IN TABLE 3

For those permittees meeting Class A or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below listed in Table 3, the following conditions apply:

A. Pollutant Limits

Table 2

Pollutant	Cumulative Pollutant Loading Rate (pounds per acre)*
Arsenic	36
Cadmium	35
Chromium	2677
Copper	1339
Lead	268
Mercury	15
Molybdenum	Report Only
Nickel	375
Selenium	89
Zinc	2500

Table 3

Pollutant	Cumulative Pollutant Loading Rate (pounds per acre)*
Arsenic	36
Cadmium	35
Chromium	2677
Copper	1339
Lead	268
Mercury	15
Molybdenum	Report Only
Nickel	375
Selenium	89
Zinc	2500

* Dry weight basis

B. Pathogen Control

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, shall be treated by either Class A or Class B pathogen reduction requirements as defined above in Section I.B.3.

C. Management Practices

1. Bulk sewage sludge shall not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk sewage sludge enters a wetland or other waters in the State.

2. Bulk sewage sludge not meeting Class A requirements shall be land applied in a manner that complies with the Management Requirements in accordance with 30 TAC §312.44.

3. Bulk sewage sludge shall be applied at or below the agronomic rate of the cover crop.

4. An information sheet shall be provided to the person who receives bulk sewage sludge sold or given away. The information sheet shall contain the following information:

   a. The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land.

b. A statement that application of the sewage sludge to the land is prohibited except in accordance with the instruction on the label or information sheet.

c. The annual whole sludge application rate for the sewage sludge application rate for the sewage sludge that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Section II above are met.

D. Notification Requirements

1. If bulk sewage sludge is applied to land in a State other than Texas, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk sewage sludge is proposed to be applied. The notice shall include:

   a. The location, by street address, and specific latitude and longitude, of each land application site.

   b. The approximate time period bulk sewage sludge will be applied to the site.

   c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk sewage sludge.

2. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

E. Record keeping Requirements

The sludge documents will be retained at the facility site and/or shall be readily available for review by a TCEQ representative. The person who prepares bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative for a period of <u>five years</u>. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC §312.47 for persons who land apply.

1. The concentration (mg/kg) in the sludge of each pollutant listed in Table 3 above and the applicable pollutant concentration criteria (mg/kg), <u>or</u> the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (lbs/ac) listed in Table 2 above.

2. A description of how the pathogen reduction requirements are met (including site restrictions for Class B sludges, if applicable).

3. A description of how the vector attraction reduction requirements are met.

4. A description of how the management practices listed above in Section II.C are being met.

5. The following certification statement:

   "I certify, under penalty of law, that the applicable pathogen requirements in 30 TAC §312.82(a) or (b) and the vector attraction reduction requirements in 30 TAC §312.83(b) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."

6. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained.

   The person who applies bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information at the facility site and/or shall be readily available for review by a TCEQ representative <u>indefinitely</u>. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for record keeping found in 30 TAC §312.47 for persons who land apply.

   1. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 30 TAC §312.47(a)(4)(A)(ii) or 30 TAC §312.47(a)(5)(A)(ii), as applicable, and to the permittee's specific sludge treatment activities.

2. The location, by street address, and specific latitude and longitude, of each site on which sludge is applied.

3. The number of acres in each site on which bulk sludge is applied.

4. The date and time sludge is applied to each site.
5. The cumulative amount of each pollutant in pounds/acre listed in Table 2 applied to each site.

6. The total amount of sludge applied to each site in dry tons.

The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

F. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC R-12 and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division, by September 1 of each year the following information:

1. Results of tests performed for pollutants found in either Table 2 or 3 as appropriate for the permittee's land application practices.

2. The frequency of monitoring listed in Section I.C. that applies to the permittee.

3. Toxicity Characteristic Leaching Procedure (TCLP) results.

4. Identity of hauler(s) and TCEQ transporter number.

5. PCB concentration in sludge in mg/kg.

6. Date(s) of disposal.

7. Owner of disposal site(s).

8. Texas Commission on Environmental Quality registration number, if applicable.

9. Amount of sludge disposal dry weight (lbs/acre) at each disposal site.

10. The concentration (mg/kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) as well as the applicable pollutant concentration criteria (mg/kg) listed in Table 3 above, or the applicable pollutant loading rate limit (lbs/acre) listed in Table 2 above if it exceeds 90% of the limit.

11. Level of pathogen reduction achieved (Class A or Class B).

12. Alternative used as listed in Section I.B.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B sludge, include information on how site restrictions were met.

13. Vector attraction reduction alternative used as listed in Section I.B.4.

14. Annual sludge production in dry tons/year.

15. Amount of sludge land applied in dry tons/year.

16. The certification statement listed in either 30 TAC §312.47(a)(4)(A)(ii) or 30 TAC §312.47(a)(5)(A)(ii) as applicable to the permittee's sludge treatment activities, shall be attached to the annual reporting form.

17. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the annual reporting form.

    a. The location, by street address, and specific latitude and longitude.

    b. The number of acres in each site on which bulk sewage sludge is applied.

    c. The date and time bulk sewage sludge is applied to each site.

d. The cumulative amount of each pollutant (i.e., pounds/acre) listed in Table 2 in the bulk sewage sludge applied to each site.

e. The amount of sewage sludge (i.e., dry tons) applied to each site.

The above records shall be maintained on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

SECTION III. REQUIREMENTS APPLYING TO ALL SEWAGE SLUDGE DISPOSED IN A MUNICIPAL SOLID WASTE LANDFILL

A. The permittee shall handle and dispose of sewage sludge in accordance with 30 TAC Chapter 330 and all other applicable state and federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present. The permittee shall ensure that the sewage sludge meets the requirements in 30 TAC Chapter 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.

B. If the permittee generates sewage sludge and supplies that sewage sludge to the owner or operator of a Municipal Solid Waste Landfill (MSWLF) for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.

C. The permittee shall give 180 days prior notice to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division of any change planned in the sewage sludge disposal practice.

D. Sewage sludge shall be tested once during the term of this permit in accordance with the method specified in both 40 CFR Part 261, Appendix II and 40 CFR Part 268, Appendix I (Toxicity Characteristic Leaching Procedure) or other method that receives the prior approval of the TCEQ for contaminants listed in Table 1 of 40 CFR §261.24. Sewage sludge failing this test shall be managed according to RCRA standards for generators of hazardous waste, and the waste's disposition must be in accordance with all applicable requirements for hazardous waste processing, storage, or disposal.

   Following failure of any TCLP test, the management or disposal of sewage sludge at a facility other than an authorized hazardous waste processing, storage, or disposal facility shall be prohibited until such time as the permittee can demonstrate the sewage sludge no longer exhibits the hazardous waste toxicity characteristics (as demonstrated by the results of the TCLP tests). A written report shall be provided to both the TCEQ Registration and Reporting Section (MC 129) of the Registration, Review, and Reporting Division and the Regional Director (MC R-12) of the appropriate TCEQ field office within 7 days after failing the TCLP Test.

   The report shall contain test results, certification that unauthorized waste management has stopped and a summary of alternative disposal plans that comply with RCRA standards for the management of hazardous waste. The report shall be addressed to: Director, Registration, Review, and Reporting Division (MC 129), Texas Commission on Environmental Quality, P. O. Box 13087, Austin, Texas 78711-3087. In addition, the permittee shall prepare an annual report on the results of all sludge toxicity testing. This annual report shall be submitted to the TCEQ Regional Office (MC Region 12) and the Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 1 of each year.

E. Sewage sludge shall be tested as needed, in accordance with the requirements of 30 TAC Chapter 330.

F. Record keeping Requirements

   The permittee shall develop the following information and shall retain the information for five years.

   1. The description (including procedures followed and the results) of all liquid Paint Filter Tests performed.

   2. The description (including procedures followed and results) of all TCLP tests performed.

   3. The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

G. Reporting Requirements

The permittee shall report annually to the TCEQ Regional Office (MC R-12) and Water Quality Compliance Monitoring Team (MC 224) of the Enforcement Division by September 1 of each year the following information:

1. Toxicity Characteristic Leaching Procedure (TCLP) results.
2. Annual sludge production in dry tons/year.
3. Amount of sludge disposed in a municipal solid waste landfill in dry tons/year.
4. Amount of sludge transported interstate in dry tons/year.
5. A certification that the sewage sludge meets the requirements of 30 TAC Chapter 330 concerning the quality of the sludge disposed in a municipal solid waste landfill.
6. Identity of hauler(s) and transporter registration number.
7. Owner of disposal site(s).
8. Location of disposal site(s).
9. Date(s) of disposal.
10. The above records shall be maintained on-site on a monthly basis and shall be made available to the Texas Commission on Environmental Quality upon request.

OTHER REQUIREMENTS

1. The permittee shall employ or contract with one or more licensed wastewater treatment facility operators or wastewater system operations companies holding a valid license or registration according to the requirements of 30 TAC Chapter 30, Occupational Licenses and Registrations and in particular 30 TAC Chapter 30, Subchapter J, Wastewater Operators and Operations Companies.

   This Category C facility must be operated by a chief operator or an operator holding a Category C license or higher. The facility must be operated a minimum of five days per week by the licensed chief operator or an operator holding the required level of license or higher. The licensed chief operator or operator holding the required level of license or higher must be available by telephone or pager seven days per week. Where shift operation of the wastewater treatment facility is necessary, each shift that does not have the on-site supervision of the licensed chief operator must be supervised by an operator in charge who is licensed not less than one level below the category for the facility.

2. The facility is not located in the Coastal Management Program boundary.

3. Reporting requirements according to 30 TAC Sections 319.1-319.11 and any additional effluent reporting requirements contained in this permit are suspended from the effective date of the permit until plant startup or discharge, whichever occurs first, from the facility described by this permit. The permittee shall provide written notice to the TCEQ Regional Office (MC Region 12) and the Applications Review and Processing Team (MC 148) of the Water Quality Division at least forty-five (45) days prior to plant startup or anticipated discharge, whichever occurs first and prior to completion of each additional phase.

4. Prior to construction of the interim I, interim II, and final phase treatment facilities, the permittee shall submit to the TCEQ Wastewater Permitting Section (MC 148) a summary submittal letter in accordance with the requirements in 30 TAC Section 317.1. If requested by the Wastewater Permitting Section, the permittee shall submit plans, specifications and a final engineering design report which comply with 30 TAC Chapter 317, Design Criteria for Sewerage Systems. The permittee shall clearly show how the treatment system will meet the permitted effluent limitations required on Page 2, 2a and 2b of the permit.

5. The permittee shall provide facilities for the protection of its wastewater treatment facilities from a 100 year flood.

6. The permittee is hereby placed on notice that this permit may be reviewed by the TCEQ after the completion of any new intensive water quality survey on Segment No1012 of the San Jacinto River Basin and any subsequent updating of the water quality model for Segment No. 1012, in order to determine if the limitations and conditions contained herein are consistent with any such revised model. The permit may be amended, pursuant to 30 TAC §305.62, as a result of such review. The permittee is also hereby placed on notice that effluent limits may be made more stringent at renewal based on, for example, any change to modeling protocol approved in the TCEQ Continuing Planning Process.

7. Prior to construction of the interim I, interim II and the final phase, the permittee shall submit sufficient evidence of legal restrictions prohibiting residential structures within the part of the buffer zone not owned by the permittee according to 30 TAC §309.13(e)(3). The evidence of legal restrictions shall be submitted to the executive director in care of the TCEQ Wastewater Permitting Section (MC 148).The permittee shall comply with the requirements of 30 TAC §309.13(a) through (d). (See Attachment A.)

CONTRIBUTING INDUSTRIES AND PRETREATMENT REQUIREMENTS

1. The following pollutants may not be introduced into the treatment facility:

   a. Pollutants that create a fire or explosion hazard in the publicly owned treatment works (POTW), including, but not limited to, wastestreams with a closed cup flashpoint of less than 140° Fahrenheit (60° Celsius) using the test methods specified in 40 CFR §261.21;

   b. Pollutants that will cause corrosive structural damage to the POTW, but in no case shall there be discharges with pH lower than 5.0 standard units, unless the works are specifically designed to accommodate such discharges;

   c. Solid or viscous pollutants in amounts that will cause obstruction to the flow in the POTW, resulting in Interference;

   d. Any pollutant, including oxygen demanding pollutants (e.g., BOD), released in a discharge at a flow rate and/or pollutant concentration that will cause interference with the POTW;

   e. Heat in amounts that will inhibit biological activity in the POTW resulting in Interference but in no case shall there be heat in such quantities that the temperature at the POTW treatment plant exceeds 104° Fahrenheit (40° Celsius) unless the Executive Director, upon request of the POTW, approves alternate temperature limits;

   f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause Interference or Pass Through.

   g. Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems; and

   h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

2. The permittee shall require any indirect discharger to the treatment works to comply with the reporting requirements of CWA §§204(b), 307, and 308, including any requirements established under 40 CFR Part 403.

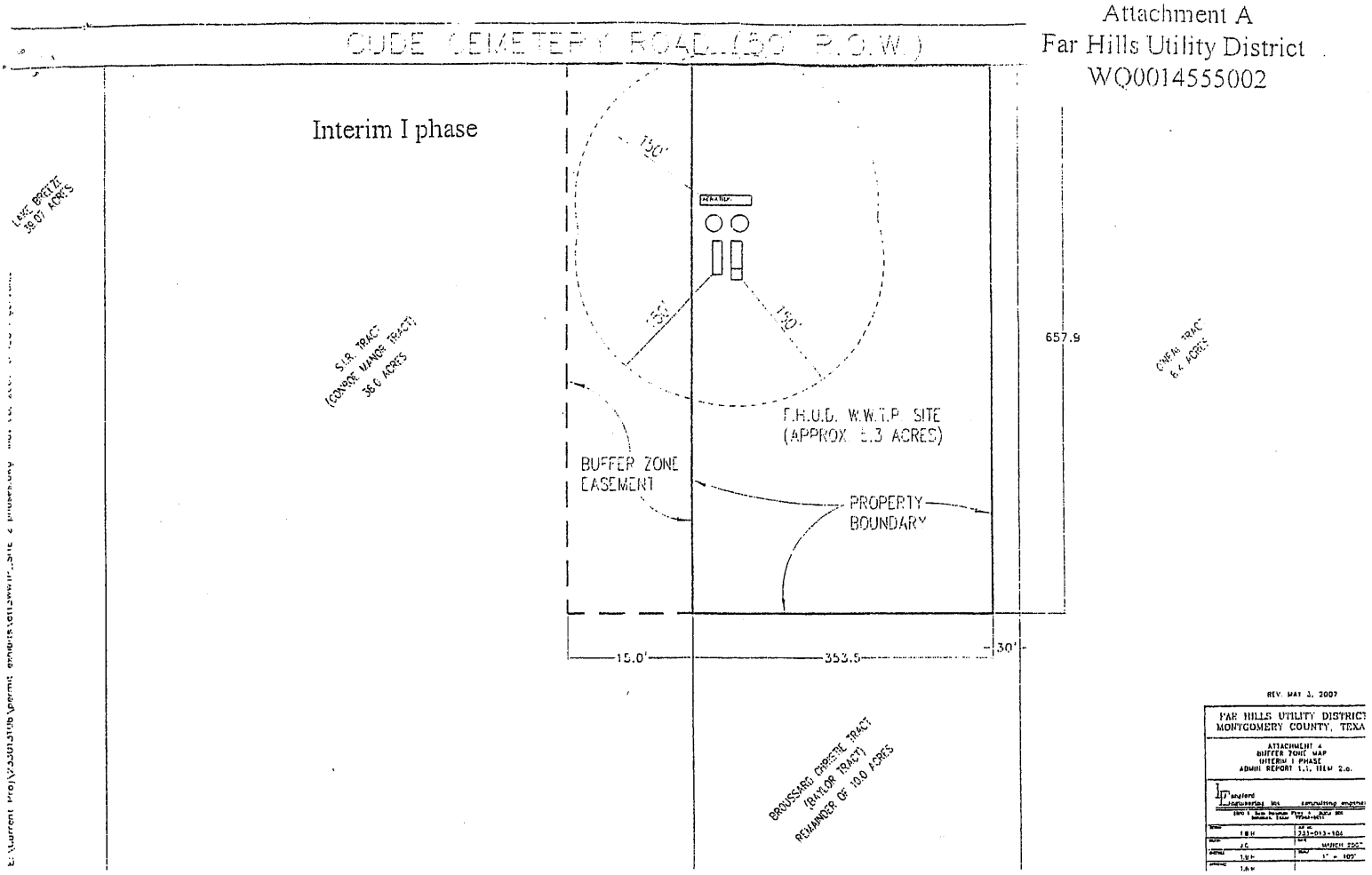
3. The permittee shall provide adequate notification to the Executive Director in care of the Wastewater Permitting Section (MC 148) of the Water Quality Division within 30 days subsequent to the permittee's knowledge of either of the following:

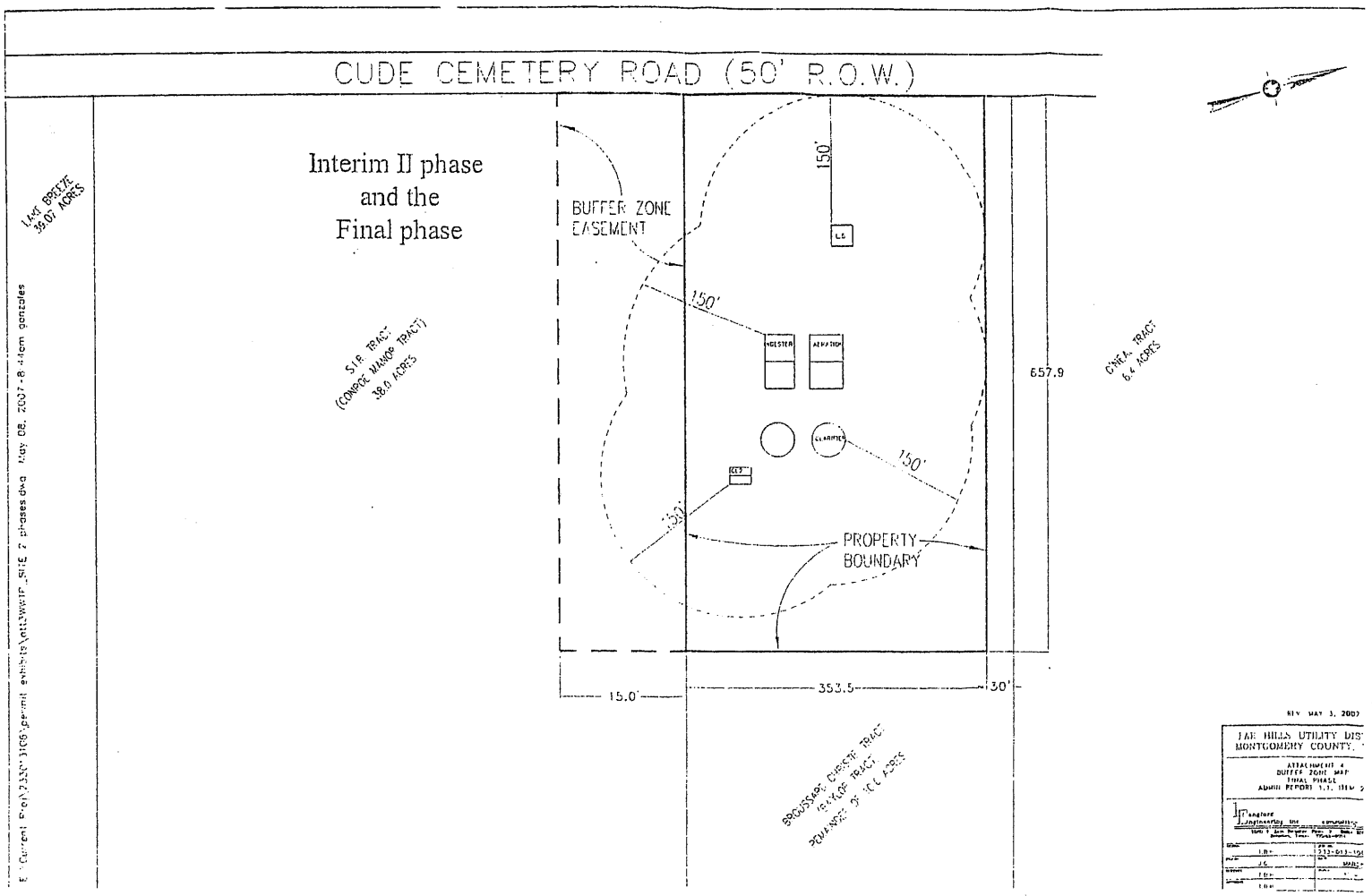
   a. Any new introduction of pollutants into the treatment works from an indirect discharger that would be subject to CWA §§301 and 306 if it were directly discharging those pollutants; and

   b. Any substantial change in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the permit.

   Any notice shall include information on the quality and quantity of effluent to be introduced into the treatment works, and any anticipated impact of the change on the quality or quantity of effluent to be discharged from the POTW.

Attachment A
Far Hills Utility District
WQ0014555002





ATTACHMENT C

WASTEWATER TREATMENT PLANT SITE LEASE AGREEMENT WITH OPTION TO PURCHASE BY AND BETWEEN BROUSSARD-CHRISTIE, L.P. (as Lessor/Optionor) AND FAR HILLS UTILITY DISTRICT (as Lessee/Optionee)

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

This LEASE AGREEMENT WITH OPTION TO PURCHASE (the "Lease and Option Agreement") is made and entered into as of this 1st day of April, 2008, by and between BROUSSARD-CHRISTIE, L.P., a Texas limited partnership (the "Lessor/Optionor"), and FAR HILLS UTILITY DISTRICT, a conservation and reclamation district and a body politic and corporate and governmental agency of the State of Texas (the "Lessee/Optionee"). THIS LEASE AND OPTION AGREEMENT IS TO BE RECORDED IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS.

WITNESSETH

1. Leased Property: Subject to the terms, provisions, and conditions hereinafter set forth, and in consideration of the covenants of payment and performance stipulated herein, Lessor/Optionor for the sole, exclusive use of Lessee and/or Lessees agents, employees, guests, consultants or invitees, has leased, demised and let, and by these presents does hereby lease, demise and let unto Lessee/Optionee, that certain real property (the "Subject Real Property") covering an area of approximately 10.00 acres, more fully described on Exhibit "A" attached hereto and made a part hereof for all purposes, with an option to purchase the Subject Real Property, as set forth in Section 11 hereof.

2. Parties: The Lessor/Optionor and Lessee/Optionee hereunder are designated in the first paragraph of this Lease and Option Agreement. As hereinafter used, the terms "Lessor/Optionor" and "Lessee/Optionee" shall, unless the contrary is clearly intended, include the respective parties and their agents, employees, consultants, and other representatives.

3. Term of Lease: The Lease and Option Agreement shall commence on April 1, 2008, and unless sooner terminated under the provisions hereof, this Lease and Option Agreement shall continue in full force and effect for one (1) year from the date hereof to be automatically renewed for up to two (2) periods of six (6) months each if and until the option to purchase herein contained is not exercised by Lessee/Optionee or if Lessee/Optionee chooses not to renew.

4. Lease Payments, Taxes, Assessments, and Other Expenses: Lessee/Optionee, in consideration for this Lease and Option Agreement, promises and agrees to pay Lessor/Optionor while this Lease and Option Agreement remains in full force and effect as monthly rental for the Subject Real Property, $4,275.00 per month. Such monthly rental shall be due in advance on the

first of each month. Within five (5) days of the receipt of each such monthly rental, Lessor shall reduce its existing debt (the "Loan") to First Bank of Conroe, N.A. ("Lender") secured by the Subject Real Property.

5. Representations, Warranties and Covenants of Lessor/Optionor: Lessor/Optionor represents and warrants that the indebtedness to Lender is the only indebtedness of Lessor/Optionor secured by the Subject Property. Lessor/Optionor covenants not to further encumber the Subject Property with any liens, leases, easement or other encumbrances during the term of this Lease and Option Agreement, nor to increase the amount of, extend the term of or otherwise substantially amend the current agreement of indebtedness with Lender without the prior written consent of Lessee/Optionee. Lessor/Optionor agrees to take such actions as are necessary and appropriate to insure that the following people may access, by telephone, Lender's information relating to Lessor/Optionor's existing debt secured by the Property for the purpose of determining whether Lessor/Optionor is in default under the terms of the Loan: 1) the General Manager of Lessee/Optionee and 2) any representative of Johnson Radcliffe Petrov & Bobbitt PLLC, Lessee/Optionee's attorney.

6. Maintenance and Compliance Responsibility; No Entry by Lessor/Optionor: Lessee/Optionee shall maintain the Subject Real Property in good condition and repair and shall pay all costs associated with such maintenance and repair. Lessee/Optionee shall comply with all regulations of the Texas Commission on Environmental Quality (the "TCEQ"), and any other state or federal requirements relating to the maintenance, operation and removal of the Lessee/Optionee Facilities. Lessor/Optionor acknowledges that the Subject Property shall be used as a public works facility and Lessor/Optionor shall not enter the Subject Property without the prior consent of the Lessee/Optionee.

7. Use and Alteration of Leased Property: Lessee/Optionee covenants and agrees that the Subject Real Property shall be maintained, and the Lessee/Optionee Facilities shall be used, constructed and maintained in conformity with all applicable laws, codes and administrative regulations. Lessee/Optionee shall obtain all necessary governmental approvals and permits in connection with the Lessee/Optionee Facilities. The Lessee/Optionee Facilities shall at all times remain the property of Lessee/Optionee for the purposes of this agreement.

8. Events of Default: The following events shall be deemed to be events of default under this Lease and Option Agreement:

a. Lessee/Optionee shall fail to comply with any term, provision or covenant of this Lease and Option Agreement and shall not cure such failure within thirty (30) days after the date of delivery of written notice thereof by Lessor/Optionor to Lessee/Optionee at the address herein specified;

b. Lessee/Optionee shall be dissolved by statute or otherwise; or

c. Lessee/Optionee shall desert, abandon or vacate the Lessee/Optionee Facilities on the Subject Real Property, as determined by Lessor/Optionor, upon written notice to Lessee/Optionee.

d. Lessor/Optionor shall breach any covenant contained in Section 5 or Section 6 above, the Purchase Agreement (as hereinafter defined in Section 12.c.), or the documents governing the Loan. Lessee/Optionee shall be entitled to sue for specific performance as a remedy for any Event or Default under this Section 8.a.

9. Insurance: Lessee/Optionee will carry property and general liability insurance coverage to cover the Lessee/Optionee Facilities so long as this Lease and Option Agreement remains in effect. Lessee/Optionee agrees not to use or permit the use of the Subject Real Property or any part thereof for any purpose other than the purpose herein stated. Lessee/Optionee further agrees to the extent allowed by law, to indemnify and hold Lessor/Optionor harmless for any loss suffered by Lessor/Optionor other than one caused by Lessor/Optionor's fault, negligence or breach of any term of this Lease/Option Agreement.

10. Damage to Leased Property: In the event of damage to the Subject Real Property by causes resulting from the fault or negligence of Lessee/Optionee or the agents, employees, guests, consultants or invitees of the Lessee/Optionee, the same shall be repaired by and at the expense of Lessee/Optionee.

11. **INDEMNITY: THE LESSOR/OPTIONOR AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY AND HOLD HARMLESS THE LESSEE/OPTIONEE, ITS OFFICERS, DIRECTORS, EMPLOYEES AND CONSULTANTS AGAINST ALL DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND DEFENSE COSTS, TO THE EXTENT CAUSED BY LESSOR/OPTIONOR'S NEGLIGENT PERFORMANCE UNDER THIS LEASE AGREEMENT AND THAT OF ITS SUBCONTRACTORS OR CONSULTANTS OR ANYONE FOR WHOM LESSOR/OPTIONOR IS LEGALLY LIABLE.**

THE LESSEE/OPTIONEE AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY AND HOLD HARMLESS LESSOR/OPTIONOR, ITS OFFICERS, DIRECTORS, EMPLOYEES AND CONSULTANTS AGAINST ALL DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND DEFENSE COSTS, TO THE EXTENT CAUSED BY THE LESSEE/OPTIONEE'S NEGLIGENT PERFORMANCE UNDER THIS AGREEMENT AND THAT OF ITS CONTRACTORS, SUBCONTRACTORS OR CONSULTANTS OR ANYONE FOR WHOM THE LESSEE/OPTIONEE IS LEGALLY LIABLE.

NEITHER THE LESSEE/OPTIONEE NOR LESSOR/OPTIONOR SHALL BE OBLIGATED TO INDEMNIFY THE OTHER PARTY IN ANY MANNER WHATSOEVER FOR THE OTHER PARTY'S OWN NEGLIGENCE.

12. Option Agreement: For the consideration set forth in Section 4 above, receipt whereof is hereby acknowledged, Lessor/Optionor hereby grants to Lessee/Optionee, its successors and assigns, the exclusive option (the "Option") to purchase the Subject Property, upon the following terms and conditions:

a. This option and all rights and privileges hereunder shall expire upon expiration of the term of the Lease and all automatic extensions thereof under Section 3 above.

b. This option shall be exercised by Lessee/Optionee by written notice subscribed by Lessee/Optionee and sent by certified mail, return receipt requested, within the time set by Section 10(a) hereof, addressed to the Lessor/Optionor at the address provided below.

c. The purchase shall be pursuant to the terms of an Agreement to Purchase Land substantially in the form attached hereto as Exhibit "B" (the "Purchase Agreement"). NO EXHIBIT ATTACHED

d. If this Option is duly exercised, the parties will perform their respective obligations as herein stated. Lessee/Optionee may enforce this Option by suit for specific performance.

e. This Option shall run with the land and be binding on Lessor/Optionor's heirs, executors, administrators, successors and assigns until the expiration date set forth in Section 1 above, and all rights and duties hereunder shall be freely assignable by Lessor/Optionor and if assigned by him, any and all acts performable by him hereunder or in accordance with this Option may be performed by such successor in interest to the Lessor/Optionor.

13. Surrender of Leased Property: Lessee/Optionee agrees that at the termination of this Lease and Option Agreement, however such termination may be brought about, to surrender the Subject Real Property and, if requested to do so by Lessor/Optionor, shall restore same as best as practical to the condition prior to use or construction by Lessee/Optionee at no cost to Lessor/Optionor.

14. Assignment and Subletting: This Lease and Option Agreement is not assignable nor can the Subject Real Property be sublet by Lessee/Optionee. Notwithstanding the foregoing, the obligation of the Lessor under this Lease and Option Agreement shall encumber and run with the Subject Real Property.

15. Notice: All notices provided hereunder shall be by certified mail, return receipt requested, and shall be deemed given when deposited in the United States mail, postage prepaid and properly addressed, to Lessor/Optionor or to Lessee/Optionee as follows:

Lessor/Optionor:
Broussard-Christie, L.P.
c/o Roderick Broussard
10883 Bourbon Street
Willis, Texas 77318
Telephone: (936) 890-1111

with a copy to:

Steve Weisinger
c/o Larson & Weisinger
2040 North Loop 336 West
Suite 201
P.O. Box 2666
Conroe, Texas 77305
Telephone: (936) 539-2233
Facsimile: (936) 539-4001

Lessee/Optionee:
Far Hills Utility District
c/o Alan P. Petrov
Johnson Radcliffe Petrov & Bobbitt, PLLC
1001 McKinney
Suite 1000
Houston, Texas 77002
Telephone: (713) 237-1221
Facsimile: (713) 237-1313

Either party may designate a new address to which such notices shall be given by furnishing the other party with notice thereof in the manner provided above.

16. Merger: This Lease and Option Agreement constitutes the entire agreement by and between the parties hereto, and any agreement, representation or stipulation made by any party and not herein contained shall be of no force and effect.

17. Modification: This Lease and Option Agreement may be amended, supplemented or changed only by instrument in writing duly executed by each of the parties hereto.

18. Severability: Should any term, provisions, sentence, paragraph or clause hereof be held or found to be invalid or unenforceable, the same shall not affect any of the other provisions hereof.

19. Captions: The captions appearing at the first of each numbered section in this Lease and Option Agreement are inserted and included solely for convenience and shall never be considered or given any effect in construing this Lease and Option Agreement, or any provisions hereof, or in connection with the duties, obligations or liabilities of the respective parties hereto or in ascertaining intent, if any questions of intent should arise.

20. No Express or Implied Warranties: It is agreed that Lessee/Optionee has inspected the premises as fully as Lessee/Optionee desires and accepts the premises "as is" and "with all faults", and Lessor/Optionor makes no warranty of habitability, either express or implied.

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WITNESS the execution hereof in multiple counterparts, each having the force and effect of an original, although constituting but one instrument, as of the date first above written.

LESSOR/OPTIONOR:

BROUSSARD-CHRISTIE, L.P.

By: Broussard Development Co., Inc.
Its: General Partner

By: _____
Roderick Broussard, President

Dated: April 3, 2008

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me this 3 day of APRIL, 2008, by RODERICK L. BROUSSARD, PRES, Broussard Development Company, Inc., a Texas corporation, general partner of Broussard-Christie, L.P., a Texas limited partnership, on behalf of said partnership.

J. STEVEN WEISINGER
MY COMMISSION EXPIRES
January 20, 2010
(NOTARY SEAL)

_____
Notary Public in and for the State of Texas

LESSEE/OPTIONEE:

FAR HILLS UTILITY DISTRICT

By: _____
Jim Haymon, President

Dated: March 12, 2008

ATTEST:

By: _____
Manuel San Ramon
Secretary, Board of Directors

(DISTRICT SEAL)

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me this 12th day of March, 2008, by Jim Haymon, President of Far Hills Utility District, on behalf of said district.

_____
Notary Public in and for the State of Texas

REGINA D. ADAMS
Notary Public, State of Texas
My Commission Expires
February 12, 2012

CONSENT AND AGREEMENT OF LIENHOLDER

FIRST BANK OF CONROE, N.A., the owner and holder and/or the duly authorized agent of the beneficiaries and/or assignees of a promissory note secured by a deed of trust recorded in the real property records of Montgomery County, Texas, at Clerk's File No. 2007066676, as amended, and other liens, if any, on certain property affected by the foregoing Lease and Option Agreement, executes this instrument to evidence its consent to the foregoing Lease and Option Agreement attached hereto. Furthermore, the undersigned hereby agrees to provide to Lessee/Optionee, upon Lessee/Optionee's request, information as to the status of Lessor/Optionor's payments on the Loan, as defined in Section 5 of the attached Lease and Option Agreement.

FIRST BANK OF CONROE, N.A.

By: J.E. Crow Jr.

Name: JE Crow Jr.

Title: Exec V. Pres.

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

SHERI PATTERSON
Notary Public
STATE OF TEXAS
My Comm. Exp. 6-5-2009

This instrument was acknowledged before me on this 3rd day of April, 2008, by Jed E. Crow Jr. EVP of First Bank of Conroe, N.A., on behalf of said bank.

Sheri Patterson
Notary Public in and for the State of Texas

(NOTARY SEAL)

557-11-0800

FIELD NOTES
Of A Survey Of

A tract or parcel of land containing 10.00 acres of land, more or less, out of the Elijah Collard Survey, Abstract Number 7, Montgomery County, Texas, and being out of a 167.82 acre tract described in a deed recorded under Montgomery County Clerk's File Number 179421 and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found at the Northwest corner of a 36.5 acre tract described in deed recorded under Harris County Clerk's File 9245075, said point also being at the East line of Cude Cemetery Road (60.00 feet wide);

THENCE North 15 deg 43 min 00 sec East, along the East line of said Cude Cemetery Road, a distance of 384.89 feet to a 5/8 inch iron rod found for corner;

THENCE South 74 deg 12 min 39 sec East, a distance of 1123.28 feet to a 5/8 inch iron rod found for corner in the West line of Lot 31 of THOMPSON COUNTRY, an unrecorded subdivision also known as HILLSIDE SUBDIVISION, said point also being in the West line of a tract described in deed recorded in Volume 1071, Page 742, of the Montgomery County Deed Records;

THENCE South 13 deg 00 min 03 sec West, along the West line of said THOMPSON COUNTRY, a distance of 384.71 feet to a 5/8 inch iron rod found at the Southwest corner of said THOMPSON COUNTRY, said point also being in the North line of said 36.5 acre tract;

THENCE North 76 deg 12 min 39 sec West, along the North line of said 36.5 acre tract, a distance of 1141.52 feet to the POINT OF BEGINNING of the herein described tract of land and containing 10.00 acres of land, more or less.

FILED FOR RECORD

2008 APR 16 PM 2:11

Mark Turnbull
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
REGISTERED
H. T. WEBER
4101
PROFESSIONAL
LAND SURVEYOR

H. T. Weber

After recording, return to:

Johnson Radcliffe Petroy & Bobbitt PLLC
Attn: Diane F. Brewer
1001 McKinney, Suite 1000
Houston, TX 77002-6424

RECORDER'S MEMORANDUM:
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blackouts, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS
COUNTY OF MONTGOMERY
I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property of Montgomery County, Texas.

APR 16 2008

Mark Turnbull
County Clerk
Montgomery County, Texas

EXHIBIT "A"
Page 1 of 1

ATTACHMENT D

AGREEMENT TO PURCHASE LAND
(WASTEWATER TREATMENT PLANT SITE)

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

THIS AGREEMENT is made this 3rd day of April, 2008, by and between Broussard-Christie, L.P., a Texas limited partnership ("Seller"), and Far Hills Utility District, a body politic and corporate and a political subdivision of the State of Texas ("Purchaser").

RECITALS

A. Seller is the fee owner of the certain parcel of land legally described on Exhibit A (the "Property") and located in the Survey, as hereinafter defined, in Montgomery County, Texas, containing in the aggregate approximately 10.00 acres.

B. Seller desires to sell and Purchaser desires to purchase the Property upon and subject to the terms and conditions hereinafter set forth.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing premises and the respective representations, warranties, agreements, covenants and conditions herein contained, and other good and valuable consideration, Seller and Purchaser agree as follows:

ARTICLE I.
DEFINITIONS

Section 1.01 Definitions. When used herein, the following terms shall have the respective meanings set forth opposite each such term:

AGREEMENT: This agreement, including the following exhibit, which is incorporated herein by this reference.

CLOSING DATE: The tenth (10th) business day following satisfaction or waiver by Purchaser of all conditions precedent set forth in Section 10.01 or such earlier date as Purchaser may designate by at least ten (10) days' prior written notice to Seller, but no later than June 1, 2008.

COST OF CARRY: Costs of Seller associated with the acquisition and holding of the Property, and which are allowed to be paid by Purchaser on the Closing Date, pursuant to Texas Administrative Code, Section 293.51.

DEPOSIT: The sum of ONE THOUSAND AND NO/100 DOLLARS [$1,000.00] and any and all interest earned thereon. The Deposit shall be placed in escrow as provided in Section 11.01 hereof and held as earnest money subject to the terms of this Agreement.

EFFECTIVE DATE: The date on which the Escrowee acknowledges receipt of the Deposit.

ENVIRONMENTAL LAW: As defined in Section 9.01.

ESCROWEE: Integrity Title Company

HAZARDOUS MATERIALS: As defined in Section 9.01.

LOAN: That certain loan, as evidenced by a promissory note dated June 5, 2007, in the original principal amount of $420,000.00, executed by Seller, payable to the order of First Bank of Conroe, N.A., and secured by a deed of trust lien against the Property, recorded at Clerk's File No. 2007066675 in the Real Property Records of Montgomery County, Texas.

PERMITTED TITLE EXCEPTIONS: General real estate taxes not yet due and payable as of the Closing Date and subsequent years and other matters listed on the Title Commitment to which Purchaser does not object pursuant to Section 5.01 of this Agreement.

PURCHASE PRICE: The consideration payable by Purchaser to Seller for the Seller's interest in the Property and all other covenants and warranties contained herein, as provided in Section 3.01.

PURCHASER: Far Hills Utility District.

PROPERTY: The vacant land located in Montgomery County, Texas, legally described on Exhibit A, containing approximately 10.00 acres,

together with all improvements thereon or therein and all privileges, rights, easements, hereditaments, and appurtenances thereto belonging; and all right, title and interest of the titleholder thereof in and to any streets, alleys, passages and other rights-of-way included therein or adjacent thereto.

SELLER: Broussard-Christie, L.P. and any other owners of record as shown in the Title Commitment or whose joinder is required by the Title Commitment.

SURVEY: Current on-the-ground plat survey of the Property prepared by a surveyor or engineer licensed by the State of Texas and acceptable to and approved by the Title Company and certified as provided in Section 4.01 hereof to the Purchaser, the Title Company and such other parties as Purchaser shall designate. The Survey shall be staked on the ground and shall be of such form and content as to induce the Title Company to delete from the Title Policy, the standard Schedule B, item 2 "survey exception" as to all matters other than any shortages in area of the Land. Purchaser shall cause the Surveyor to prepare a survey plat ("Plat") and field notes ("Field Notes") of the Land from the Survey and four copies of each, signed, certified and sealed by the Surveyor, shall be furnished, two to the Purchaser and two to the Title Company. Upon receipt and approval of the Field Notes by Seller and Purchaser, the same shall be deemed to be substituted for the field notes of the Property affixed hereto as Exhibit A. The Plat shall show thereon all improvements (including fences), easements (visible or recorded, building lines, curb cuts, sewage, water, electricity, gas and other utility facilities (together with recording information concerning the documents creating any such easements and building lines), roads and means of physical and record ingress and egress to and from the Property by public roads and the gross square footage of the land included in the Property, and spot improvements on adjoining real property which are within five feet of the property lines of the Property.

TITLE COMMITMENT: A commitment for a current Owner's Title Insurance Policy for the Property issued by the Title Company in the full amount of the Purchase Price, covering title to the Property on or after the date hereof, showing Seller as owner of the Property in fee simple, subject only to the Permitted Title Exceptions, and other exceptions pertaining to liens or encumbrances of a definite or ascertainable amount which may be removed by the payment of money at closing and which Seller shall so remove, and providing

for full extended coverage over all general title exceptions contained in such policies.

TITLE INSURER: Integrity Title Company.

ARTICLE II.

PURCHASE AND SALE

Section 2.01 Purchase and Sale. Subject to the conditions and on the terms contained in this Agreement, on or before the Closing Date, Seller shall convey fee simple title to the Property to Purchaser or any assignee or designee of Purchaser by good, sufficient and recordable warranty deed subject only to the Permitted Title Exceptions.

ARTICLE III.

PURCHASE PRICE

Section 3.01 Purchase Price. The Purchase Price shall be equal to FOUR HUNDRED AND THIRTY THOUSAND AND NO/100 DOLLARS [$430,000], plus the Seller's Cost of Carry in accordance with the Financing Agreement By and Between Purchaser and Seller dated _____, 2008, as verified by Seller with satisfactory documentation provided to Purchaser, payable all as hereinafter provided:

(a) The Deposit, if in cash (and interest thereon), shall be applied against the Purchase Price on the Closing Date.

(b) The balance of the Purchase Price shall be paid to Seller in cash at closing.

(c) On the Closing Date, Purchaser shall pay the balance of the amount owed by Purchaser pursuant to Section 6.03 hereof to Escrowee, plus or minus prorations, as hereinafter provided.

ARTICLE IV.

SURVEY

Section 4.01 Survey. No later than ten (10) business days following Effective Date, Purchaser shall obtain, at Purchaser's sole cost and expense, the Survey with the surveyor's certification that, as of the date of Survey that the Survey was made by him (or under his supervision) on the ground, it is accurate and correct, that there are no encroachments or disputed areas except as shown thereon, that the area is accurately computed, that no portion of the Property lies at or below the 100-year Flood Plain as established by (or for) the National

Insurance Administration, and that there are no strips or gores of land intervening between any perimeter boundary of the land and any adjacent public road or land owned by others, except as shown thereon and that the Survey conforms to the standards of and qualifies as Category 1A, condition II survey as prescribed by the Texas Land Surveyor's Association. The Survey shall show no encroachments onto the Property from any adjacent property, no encroachments by or from the Property onto any adjacent property and no violation of any recorded building lines, restrictions or easements affecting the Property. If the Survey is dated more than ninety (90) days prior to the Closing Date, Seller shall furnish at closing a certificate of the surveyor to Purchaser, the Title Company and such other parties as Purchaser shall designate, dated within ninety (90) days prior to the Closing Date and certifying that there have been no changes or additions to the Property since the date of the Survey. If the Survey discloses any such encroachment or violation or any exceptions to title or matters indicating possible right of third parties other than the Permitted Title Exceptions, Seller shall have five (5) business days from the date of delivery thereof to have all such encroachments, violations and unpermitted exceptions removed from the Title Commitment by the Title Company and to provide evidence thereof to Purchaser, and if Seller fails to have the same removed from the Title Commitment, Purchaser may elect, on or before the Closing Date, to (i) terminate this agreement, in which event the Deposit shall forthwith be returned to Purchaser, together with any and all interest earned thereon, or (ii) accept the Property subject only to those encroachments, violations and unpermitted exceptions of the Title Insurer is unable to remove. Purchaser acknowledges receipt of an acceptable Survey.

ARTICLE V.

TITLE COMMITMENT AND SEARCHES

Section 5.01 Title Commitment. No later than ten (10) business days following the Effective Date, Purchaser shall obtain the Title Commitment, at Purchaser's sole cost and expense. If the Title Commitment discloses exceptions to title other than the Permitted Title Exceptions, Seller shall have ten (10) business days from the date of delivery of the Title Commitment to Purchaser to have all such exceptions removed from the Title Commitment and to provide evidence thereof to Purchaser, and if Seller fails to have all such exceptions removed, Purchaser may elect, on or before the Closing Date, to (i) terminate this Agreement, in which event the Deposit shall be forthwith returned to Purchaser together with any and all interest earned thereon, or (ii) accept title subject only to those of such unpermitted exceptions as the Title Company has not removed as aforesaid. On the Closing Date, Purchaser shall cause the Title Company to issue an owner's title insurance policy (herein a "Title Policy") at Purchaser's expense or prepaid commitment therefor pursuant to and in accordance with the Title Commitment, insuring fee simple title to the Property in the Purchaser, subject only to the Permitted Title Exceptions and such other exceptions as Purchaser may approve pursuant to clause (ii) above.

Section 5.02 Searches. No later than ten (10) business days following the Effective Date, Seller shall furnish to Purchaser, at Purchaser's sole cost and expense, written reports of

searches of the records of the Officer of Recorder of Deeds of Montgomery County, Texas, the Secretary of State of Texas and any such other necessary governmental agencies confirming the absence of security interests, judgments, tax liens and bankruptcy proceedings which affect or could affect the Property or any interest therein to be transferred to Purchaser pursuant to this Agreement (except Permitted Title Exceptions). If said searches disclose the existence of any security interests, judgments, tax liens or bankruptcy proceedings which affect or could affect the Property or any interest therein to be transferred to Purchaser pursuant to this Agreement (except Permitted Title Exceptions), Seller shall have ten (10) business days from the date of delivery of such written reports to secure the release of all such security interests, judgments, tax liens and bankruptcy proceedings and provide evidence thereof to Purchaser, and if Seller fails to secure all such releases, Purchaser may elect, upon notice to Seller on or before the Closing Date to (i) terminate this Agreement, in which event the Deposit shall forthwith be returned to Purchaser, together with any and all interests earned thereon, or (ii) accept title subject only to such then unreleased security interests, judgments and tax liens with the further right to deduct from the Purchase Price amounts secured by any such security interests, judgments and tax liens (other than Permitted Title Exceptions) of a definite or ascertainable amount. In addition, Purchaser may pursue such other rights or remedies it may have hereunder, at law or in equity. Said searches shall be updated as of a date not earlier than three (3) days prior to the Closing Date confirming that there are no security interests, judgments, tax liens or bankruptcy proceedings affecting the Property.

ARTICLE VI.

POSSESSION, PRORATIONS AND EXPENSES

Section 6.01 Possession. Sole and exclusive possession of the Property shall be delivered to Purchaser on the Closing Date.

Section 6.02 Prorations. General and special real estate and other ad valorem taxes and assessments and other state or city taxes, fees, charges and assessments affecting the Property shall be prorated as of the Closing Date on the basis of one hundred percent (100%) of the most recent ascertainable amounts of, or other reliable information in respect to, each such item, and the net credit to Purchaser or Seller shall be paid in cash on the Closing Date. Any such taxes prorated on an estimated basis on the Closing Date shall be reprorated by the parties when and as the actual amount of such item becomes known. Any adjustment due to reproration shall be effected not later than ten (10) days following final determination of the amount of such item and demand by the party to whom credit is due.

Section 6.03 Expenses. Purchaser shall be responsible for the payment of any sales, use and transfer taxes, all recording fees, all Title Company and money escrow fees, all costs of the Survey and all title insurance premiums and charges for the issuance of the Title Policy. Seller shall pay the cost to cause any items on Schedule C of the Title Commitment to be deleted and the release of any items listed in Section 5.02 above. The fees and expenses of Seller's designated representatives, accountants and attorneys shall be borne by Seller, and the fees and

expenses of Purchaser's designated representatives, accountants and attorneys shall be borne by Purchaser.

ARTICLE VII.

AFFIRMATIVE COVENANTS OF SELLER

Section 7.01 Maintenance of the Property. Seller shall, at Seller's sole cost and expense, maintain the Property free from waste and neglect and shall keep and perform or cause to be performed all obligations of the Property owner or its agents under applicable federal, state, county and municipal laws, ordinances, regulations, orders and directives.

Section 7.02 Transactions and Encumbrances Effecting the Property. From the date hereof to the Closing Date, Seller shall not do, suffer or permit, or agree to do, any of the following:

(i) enter into any transaction in respect to or affecting the Property out of the ordinary course of business;

(ii) sell, encumber or grant any interests in the Property or any part thereof in any form or manner whatsoever, or otherwise perform or permit any act which will diminish or otherwise affect Purchaser's interest under this Agreement or in or to the Property or which will prevent Seller's full performance of its obligations hereunder; or

(iii) commit any monetary default or any other material default under the terms of the documents governing the Loan.

Section 7.03 Purchaser's Access to the Property. Seller shall permit representatives, agents, employees, lenders, contractors, appraisers, architects and engineers designated by Purchaser access to, and entry upon, the Property to examine, inspect, measure and test the Property for the purposes set forth in Section 10.01 hereof and for all other reasonable purposes.

Section 7.04 Further Materials. Purchaser shall obtain not later than ten (10) business days following the Effective Date true, correct and complete copies of the following:

(i) All documents evidencing the title exceptions referenced or to be referenced on the Title Commitment; and

(ii) The most recent real estate tax bills pertaining to the Property.

Seller shall deliver to Purchaser not later than ten (10) business days all essential data, correspondence, documents, agreements, waivers, notices, applications and other records in respect to the Property and relating to transactions with taxing authorities, governmental agencies, utilities, vendors, mortgagees, and others.

ARTICLE VIII.

REPRESENTATIONS AND WARRANTIES OF AND INDEMNITY BY SELLER

Section 8.01 Representations and Warranties of Seller. To induce Purchaser to execute, deliver and perform this Agreement and without regard to any independent investigations made by Purchaser, Seller hereby represents and warrants to Purchaser on and as of the Effective Date as Follows:

(a) Accuracy of Representations and Warranties. All representations and warranties of Seller appearing in the other Articles and Sections of this Agreement are true and correct;

(b) Documents. The information included in the documents to be delivered to Purchaser pursuant to Section 7.04 shall be true, correct and complete in all material respects, and the same shall not omit any material information required to make the submission thereof fair and complete;

(c) Donations. There are no donations or payments, to or for schools, parks, fire departments, flood control or any other public entity or facilities which are required to be made by an owner of the Property;

(d) Prorations. The information to be furnished by Seller on which the computation or prorations is based shall be true, correct and complete in all respects;

(e) Possession. Except for Seller, there are no persons in possession or occupancy of the Property or any part thereof, nor are there any persons who have possessory rights in respect to the Property or any part thereof;

(f) Authorization. Seller has full capacity, right, power and authority to execute, deliver and perform this Agreement and all documents to be executed by Seller pursuant hereto, and all required action and approvals therefor have been duly taken and obtained. The individuals signing this Agreement and all other documents executed or to be executed pursuant hereto on behalf of Seller are and shall be duly authorized to sign the same on Seller's behalf and to bind Seller thereto. This Agreement and all documents to be executed pursuant hereto by Seller are and shall be binding upon and enforceable against Seller in accordance with respective terms, and the transaction contemplated hereby will not result in a breach of, or constitute a default or permit acceleration of maturity under, any indenture, mortgage, deed of trust, loan agreement or other agreement to which Seller of the Property is subject or by which Seller of the Property is bound;

(g) Litigation. There are no claims, causes of action or other litigation or

proceedings pending or, to the best of Seller's knowledge, threatened in respect to the ownership, operation or environmental condition of the Property or any part thereof (including disputes with mortgagees, governmental authorities, utilities, contractors, adjoining land owners or suppliers of goods or services), except for claims which are fully insured and as to which the insurer has accepted defense without reservation;

(h) Violations. There are no violations of any health, safety, pollution, environmental, zoning or other laws, ordinances, rules or regulations with respect to the Property, which have not been heretofore entirely corrected;

(i) Condemnation. There is no existing, pending or, to the best of Seller's knowledge, contemplated, threatened or anticipated (i) condemnation of any part of the Property, (ii) widening, change of grade or limitation on use of any streets, roads, highways, or flood control projects abutting the Property, (iii) special tax or assessment to be levied against the Property, or (iv) change in the tax assessment of the Property;

(j) Material Changes. There are no facts or circumstances not disclosed to Purchaser of which Seller has knowledge and which have or could have a material adverse effect upon the Property. Seller agrees to notify Purchaser immediately of such facts or circumstances if it becomes aware of the same.

Section 8.02 Indemnity by Seller. Seller hereby agrees to indemnify, defend and hold Purchaser harmless from and against any and all loss, damage, liability and expense (including reasonable attorneys' fees and other litigation expenses) Purchaser may suffer, sustain or incur as a result of any misrepresentation, or breach of warranty or agreement, made by Seller under or in respect to this Agreement or any document or instrument executed or to be executed by or on behalf of Seller pursuant to this Agreement or in furtherance of the transaction contemplated hereby.

Section 8.03 Seller's Covenant. Seller shall notify Purchaser promptly if Seller becomes aware of any transaction or occurrence prior to the Closing Date which would make any of the representations or warranties of Seller contained in Section 8.01 untrue in any material respect.

ARTICLE IX.

ENVIRONMENTAL MATTERS

Section 9.01 Environmental Definitions. The term "Hazardous Materials" shall mean any substance, material, waste, gas or particulate matter which is regulated by any local governmental authority, the State of Texas, or the United States Government, including, but not limited to, any material or substance which is (i) defined as a "hazardous waste," "Hazardous mater," "hazardous substance," "extremely hazardous waste," or "restricted hazardous waste" under any provision of Texas law, (ii) petroleum, (iii) asbestos, (iv) polychlorinated biphenyl, (v)

radioactive material, (vi) designated as a "hazardous substance" pursuant to Section 311 of the Clean Water Act, 33 U.S.C. § 1251 et seq. (33 U.S.C. § 1317), (vii) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C § 6901 et seq. (42 U.S.C. § 6903), or (viii) defined as a "hazardous substance" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et seq. (42 U.S.C. § 9601). The term "Environmental Laws" shall mean all statutes specifically described in the foregoing sentence and all federal, state and local environmental health and safety statutes, ordinances, codes, rules, regulations, orders and decrees regulating, relating to or imposing liability or standards concerning or in connection with Hazardous Materials.

Section 9.02 Environmental Representations and Warranties. Seller represents and warrants that neither Seller nor any principal of Seller is aware of: (i) any part of the Property in breach of any Environmental Laws, or (ii) any Hazardous Materials that would trigger response or remedial action under any Environmental Laws or any existing common law theory based on nuisance or strict liability. If any such representation is in any manner inaccurate or any such warranty is in any manner breached (collectively, a "Breach"), and if such Breach gives rise to or result in liability (including, but not limited to, a response action, remedial action or removal action) under any Environmental Laws or any existing common law theory based on nuisance or strict liability, or causes a significant effect on public health, Seller shall promptly take any and all remedial and removal action as required by law to clean up the Property, mitigate exposure to liability arising from, and keep the Property free of any lien imposed pursuant to, any Environmental Laws as a result of such Breach.

Section 9.03 As Is Where Is. OTHER THAN THE COVENANT OF TITLE CONTAINED IN THE PRECEDING PARAGRAPH, GRANTEE IS PURCHASING THE PROPERTY ON AN "AS IS" BASIS WITH ALL FAULTS. EXCEPT AS EXPRESSLY STATED IN THIS DEED, SELLER SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY, OR REPRESENTATION ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, OR CONCERNING (i) THE NATURE AND CONDITION OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE WATER, SOIL AND GEOLOGY, AND THE SUITABILITY THEREOF, FOR ANY ACTIVITIES AND USES THAT PURCHASER MAY ELECT TO CONDUCT ON THE PROPERTY, (ii) THE NATURE AND EXTENT OF ANY RIGHT-OF-WAY, ENCUMBRANCE, RESERVATION, OR CONDITION, (iii) THE COMPLIANCE WITH THE PROPERTY OR OPERATION THEREOF WITH ANY LAWS, RULES, ORDINANCES, OR REGULATIONS OF ANY GOVERNMENT OR OTHER BODY, (iv) ANY ENVIRONMENTAL CONDITIONS THAT MAY EXIST ON THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE EXISTENCE OR NON-EXISTENCE OF "HAZARDOUS SUBSTANCES", "HAZARDOUS MATERIALS", "TOXIC SUBSTANCES", OR "SOLID WASTE" AS SUCH TERMS ARE DEFINED IN ANY ENVIRONMENTAL LAWS APPLICABLE TO THE PROPERTY AND (v) THE FINANCIAL EARNING CAPACITY OR HISTORY OR EXPENSE HISTORY OF THE OPERATION OF THE PROPERTY. THE CONVEYANCE OF THE PROPERTY IS MADE ON AN "AS-IS" BASIS AND PURCHASER EXPRESSLY ACKNOWLEDGES THAT BUT FOR THE MATTERS SET FORTH IN THIS DISCLAIMER, SELLER WOULD NOT

HAVE BEEN WILLING THE PROPERTY FOR THE PURCHASE PRICE. EXCEPT AS OTHERWISE SPECIFIED IN THIS DEED, SELLER MAKES NO WARRANTY OR REPRESENTATION, EXPRESS OR IMPLIED, OR ARISING BY OPERATION OF LAW, WITH RESPECT TO THE PROPERTY, THE AVAILABILITY OF UTILITIES, ACCESS TO PUBLIC ROADS OR ITS PHYSICAL OR ENVIRONMENTAL CONDITION. SELLER EXPRESSLY DISCLAIMS ANY WARRANTY OR HABITABILITY, MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE.

Section 9.04 No Notices. Seller has received no notice that the Property or any part thereof is, and, to the best of its knowledge and belief, no part of the Property is located within an area that has been designated by the Federal Emergency Management Agency, the Army Corps of Engineers or any other governmental body as being subject to special hazards. Within thirty (30) days after the Effective Date, Seller shall deliver to Purchaser a written history of all uses of the Property for such period of time and in such detail as Purchaser may request.

ARTICLE X.

CONDITIONS PRECEDENT AND TERMINATION

Section 10.01 Conditions Precedent. The obligation of Purchaser to close the transaction contemplated hereby is subject to (i) there being no uncured events of default by Seller under this Agreement or the Loan (ii) simultaneous closing of the sale from Purchaser to Seller of a certain tract of land containing approximately 0.5 acres and located at _____ (the "Sellback Tract") and (iii) at Purchaser's option, subject to purchaser's satisfying each of the following within ninety (90) days after the Effective Date or five (5) business days after the receipt of the documents required by Section 7.04 hereof, whichever is later:

(i) obtaining soil tests, soil borings, percolation and other feasibility tests and topographic, engineering and environmental studies showing that the physical aspects and the condition of the Property are acceptable to Purchaser and suitable for Purchaser's intended use of the Property;

(ii) obtaining or satisfying itself that it can obtain building permits, approvals, certificates and other authorizations from and agreements with such municipal and other public agencies and authorities as may, in the Purchaser's judgment, be necessary or appropriate for the intended use of the Property;

(iii) satisfying itself that there are no donations or payments, for schools, parks, flood control or any other public entity facilities which are required by an owner of the Property;

(iv) obtaining the release or relocation acceptable to Purchaser of any easements (recorded, unrecorded, utility or otherwise) affecting the Property which interfere, in Purchaser's sole determination, with Purchaser's intended use

of the Property; and

(v) obtaining from the Texas Commission on Environmental Quality approval of change in scope and release from a prior bond issuance for the Purchase Price and funds from the Purchaser currently held in escrow/

If Purchaser, in its sole discretion, determines that it will be unable to satisfy any of the conditions precedent set forth in this Section 10.01 within the specified applicable time period, Purchaser may, at its option, by notice given to Seller not later than five (5) days prior to expiration of the applicable period, extend the said period for an additional sixty (60) days. Extension of any of the above time periods for satisfaction of the applicable condition precedent shall not be deemed a waiver of Purchaser's right to terminate this Agreement as a result of Purchaser's ultimate failure to satisfy any of said conditions precedent, as hereinafter provided. If Purchaser, in its sole discretion, determines that it will be unable to satisfy any of the conditions precedent set forth in this Section 10.01 within the specified applicable time period (including any extension thereof as provided in the preceding sentence), Purchaser may, at its option, elect to terminate this Agreement by notice given to Seller not later than five (5) business days after the expiration of such time period (as it may be so extended), in which event the Deposit shall forthwith be returned to Purchaser, together with any and all interest earned thereon and Purchaser shall furnish Seller with copies of Purchaser's studies as hereinbefore described, and thereupon neither party shall have any further rights or obligations hereunder.

Section 10.02 Purchaser's Remedies in Event of Failure of Conditions. The obligations of Purchaser to close the transaction contemplated hereby is, at Purchaser's option, further subject to all representations and warranties of Seller contained in this Agreement being true and correct on and as of each of the Effective Date and the Closing Date and all obligations of Seller to have been performed on or before the Closing Date having been timely and duly performed. Upon failure of any condition precedent as set forth in this Section 10.02 Purchaser may, by notice to Seller, elect at any time thereafter either to terminate this Agreement, without waiver or release of any of its remedies for default, or to seek specific performance of this Agreement. Without limitation of the foregoing, if this Agreement is terminated pursuant to this Section 10.02 on or prior to the Closing Date, the Deposit shall be returned to Purchaser together with any and all interest earned thereon, and all other funds and documents theretofore delivered hereunder or deposited in escrow by either party shall be forthwith returned to such party. Purchaser shall also be entitled to the remedy of specific performance.

Section 10.03 Seller's Remedies in Event of Failure of Conditions. The obligation of Seller to close the transaction contemplated hereby is, at Seller's option, subject to all obligations of Purchaser which were to have been performed on or before the Closing Date having been timely and duly performed. If any condition precedent to closing of Seller as set forth in this Section 10.03 has not been fulfilled and satisfied on or before the Closing Date, Seller may, by notice to Purchaser, elect at any time thereafter to terminate this Agreement, provided that Seller is not itself in default, and if such termination is due to Purchaser's fault. Seller, as liquidated damages and as Seller's sole and exclusive remedy, shall retain the Deposit in lieu of all other

remedies at law or equity. Notwithstanding anything to the contrary provided in this Agreement, in the event of termination due to Purchaser's fault. Seller shall retain the Deposit as liquidated damages, and Seller shall not be entitled to the remedy of specific performance.

Section 10.04 Purchaser's Investigation and Inspections. Any investigation or inspection conducted by Purchaser or any agent or representative of Purchaser, pursuant to this Agreement, in order to verify independently Seller's satisfaction of any conditions precedent to Purchaser's obligations hereunder or to determine whether Seller's representations and warranties are true and accurate, shall not affect (or constitute a waiver by Purchaser of) any of Seller's obligations hereunder or Purchaser's reliance thereon.

ARTICLE XI.

ESCROW

Section 11.01 Escrow. Within ten (10) days following the Effective Date, the parties, through their respective attorneys, shall establish an escrow with the escrowee through which the transaction contemplated hereby shall be closed. Upon opening of said escrow, Purchaser shall cause, at Purchaser's option, the Deposit to be placed in said escrow. The parties shall direct the Escrowee to invest the Deposit at the highest available rate of interest, which interest shall be applied on account of the Purchase Price on the Closing Date, or if closing does not occur, paid to the party entitled to receive the Deposit. The escrow instructions shall be in the form customarily used by the Escrowee with such special provisions added thereto as may be required to conform to the provisions of this Agreement. Said escrow shall be auxiliary to this Agreement, and this Agreement shall not be merged into nor in any manner superseded by said escrow. Part or all of the Purchase Price may be deposited pursuant to the terms of a separate money lender's escrow, the cost of which shall be borne by Purchaser.

ARTICLE XII.

BROKERAGE

Section 12.01 Brokerage. Seller hereby represents and warrants to Purchaser that Seller has not dealt with any broker or finder with respect to the transaction contemplated hereby; and Seller hereby agrees to indemnify Purchaser for any claim for brokerage commission or finder's fee asserted by any person, firm or corporation claiming to have been engaged by Seller. Purchaser hereby represents and warrants to Seller that Purchaser has not dealt with any broker or finder with respect to the transaction contemplated hereby and Purchaser hereby agrees to indemnify Seller for any claim for brokerage commissioner finder's fee asserted by any person, firm or corporation claiming to have been engaged by Purchaser.

ARTICLE XIII.

CONDEMNATION

Section 13.01 Condemnation. If, after the Effective Date and prior to the Closing Date, all or any material portion (in the sole judgment of Purchaser or its lenders) of the Property is taken by exercise of the power of eminent domain or any proceedings are threatened or instituted to effect such a taking, Seller shall immediately give Purchaser notice of such occurrence, and Purchaser may within fifteen days after receipt of such notice, elect either (a) to terminate this Agreement, in which event the Deposit or the Deposit Letter of Credit (whichever is applicable) shall be forthwith returned to Purchaser, together with any and all interest earned thereon and all obligations of the parties hereunder shall cease and this Agreement shall have no further force and effect, or (b) to close the transaction contemplated hereby as scheduled (except that if the Closing Date is sooner than fifteen (15) days following Purchaser's receipt of such notice, closing shall be delayed until Purchaser makes such election), in which event Seller shall assign and/or pay to Purchaser at closing all condemnation awards or other damages collected or claimed with respect to such taking.

ARTICLE XIV.

CLOSING

Section 14.01 Closing. The transaction contemplated hereby shall close at 10:00 a.m. on the Closing Date at the offices of the Escrowee, or on such other date, time and place as the parties may mutually agree.

Section 14.02 Seller's Deposits. On the Closing Date, Seller shall deliver to the Escrowee and in exchange for the payment to Seller of the Purchase Price (plus or minus prorations) the following closing documents:

(i) Seller's special warranty deed conveying to Purchaser fee simple title to the Property, subject only to the Permitted Title Exceptions and those other exceptions to which Purchaser has agreed to take title subject in accordance with Sections 4.01 and 5.01 above;

(ii) The Easements required pursuant to Section 16.01 hereof;

(iii) Seller's certificate dated as of the Closing Date confirming that the representations and warranties set forth in Articles VIII and IX are true and correct on and as of the Closing Date;

(iv) Seller's certificate in the form of Exhibit B attached hereto;

(v) The Title Policy;

(vi) Seller's closing statement;

(vii) Such other documents, instruments, certifications and confirmations as may be reasonably required and designated by Purchaser to fully effect and consummate the transactions contemplated hereby.

Section 14.03 Approval of Closing Documents. All closing documents to be furnished by Seller or Purchaser pursuant hereto shall be in form, execution and substance reasonably satisfactory to both Purchaser and Seller.

Section 14.04 Purchaser's Deposits. On the Closing Date, Purchaser shall deliver the following to the Escrowee and in exchange for Seller's deliveries as aforesaid the following:

(i) Purchaser's closing statement; and

(ii) The cash portion of the Purchase Price as provided in Section 3.01; provided, however, that (1) if Purchaser shall have delivered the Deposit to Escrowee, such Deposit together with any and all interest earned thereon shall be applied against the portion of the Purchase Price payable on the Closing Date; and (2) if Purchaser shall have delivered the Deposit Letter of Credit to Escrowee, such Deposit Letter of Credit shall be returned to Purchaser on the Closing Date.

Section 14.05 Joint Deposits. Seller and Purchaser shall jointly execute and deliver to each other an agreed proration statement.

Section 14.06 Concurrent Transactions. All documents or other deliveries required to be made by Purchaser or Seller at closing, and all transactions required to be consummated concurrently with closing shall be deemed to have been delivered and to have been consummated simultaneously with all other transactions and all other deliveries, and no delivery shall be deemed to have been made and no transactions shall be deemed to have been consummated until all deliveries required by Purchaser or its designee and shell shall have been made, and all concurrent and other transactions shall have been consummated.

ARTICLE XV.

INTENDED USE OF THE PROPERTY

Section 15.01 Intended Use of the Property. The parties hereto acknowledge that Purchaser intends to use the Property as a Wastewater Treatment Plant site. Any reference to the phrases "intended use of the Property," "Purchaser's intended use" or works of similar meaning shall mean Purchaser's development, use and enjoyment of the Property as described in the preceding sentence.

ARTICLE XVI.

EASEMENTS

Section 16.01 Easements. Seller shall grant or cause to be granted to Purchaser prior to the Closing Date and from time to time, upon written request of Purchaser, grant or cause to be granted to Purchaser irrevocable, perpetual, valid, binding and enforceable easements (the "Easements") (in form and substance satisfactory to Purchase and subject only to Permitted Title Exceptions) on, in, over, under, through and across either the portions of the Property which have not been previously conveyed to Purchaser or property owned or controlled by Seller and located adjacent to the Property (provided that in such later event, the location of any easements shall be subject to Seller's reasonable approval) for any of the following purposes:

(i) the installation, operation, maintenance, repair and replacement of an access road to each tract of the Property;

(ii) the installation, operation, maintenance, repair and replacement of telephone, electrical, gas, water, storm water, sanitary sewer and other utility lines; or

(iii) any other reasonable purpose which is necessary or desirable in connection with Purchaser's intended use of the Property.

ARTICLE XVII.

NOTICES

Section 17.01 Notices. Any notice, request, demand, instruction or other documents to be given or served hereunder or under any document or instrument executed pursuant hereto shall be in writing and shall be delivered personally with a receipt requested therefor or by cable or telex or sent by a recognized overnight courier service or by United States registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at their respective addresses set forth below, and the same shall be effective (a) upon receipt or refusal if delivered personally or by cable or telex; (b) one (1) business day after depositing with such an overnight courier service or (c) two (2) business days after deposit in the mails if mailed. A party may change its address for receipt of notices by service of a notice of such change in accordance herewith. All notices by cable or telex shall be subsequently confirmed by U.S. certified or registered mail.

If to Purchaser: Far Hills Utility District
c/o Alan P. Petrov
Johnson Radcliffe Petrov & Bobbitt, PLLC
1001 McKinney
Suite 1000
Houston, Texas 77002
Telephone: (713) 237-1221

Facsimile: (713) 237-1313

If to Seller: Broussard-Christie, L.P.
c/o Roderick Broussard
10883 Bourbon Street
Willis, Texas 77318
Telephone: (936) 890-1111

with a copy to:

Steve Weisinger
c/o Larson & Weisinger
2040 North Loop 336 West
Suite 201
P.O. Box 2666
Conroe, Texas 77305
Telephone: (936) 539-2233
Facsimile: (936) 539-4001

ARTICLE XVIII.

ENTIRE AGREEMENT, AMENDMENTS AND WAIVERS

Section 18.01 Entire Agreement, Amendments and Waivers. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter hereof, and the same may not be amended, modified or discharged nor may any of its terms be waived except by an instrument in writing signed by the party to be bound thereby.

ARTICLE XIX.

FURTHER ASSURANCES

Section 19.01 Further Assurances. The parties each agree to do, execute, acknowledge and deliver all such further acts, instruments and assurances and take all such further action before or after the closing as shall be necessary to desirable to fully carry out this Agreement and to fully consummate and effect the transactions contemplated hereby.

ARTICLE XX.

SURVIVAL AND BENEFIT

Section 20.01 Survival and Benefit. All representations, warranties, agreements, indemnifications and obligations of the parties shall, notwithstanding any investigation made by

any party hereto, survive the closing and the same shall inure to the benefit of and be binding upon the respective successors and assigns of the parties. The obligations of the parties to return/deliver or cause to be returned/delivered the Deposit, as well as the indemnifications of the parties under Section 12.01, shall survive any termination of this Agreement.

ARTICLE XXI.

NO THIRD PARTY BENEFITS AND ASSIGNMENT

Section 21.01 No third Party Benefits and Assignment. This Agreement is for the sole and exclusive benefit of the parties hereto and their respective successors and assigns, and no third party is intended to or shall have any rights hereunder. Seller has no right to assign its rights or to delegate its duties hereunder.

ARTICLE XXII.

INTERPRETATION

Section 22.01 Interpretation.

(a) The headings and captions herein are inserted for convenient reference only and same shall not limit or construe the paragraphs or sections to which they apply or otherwise affect the interpretations hereof.

(b) The terms "hereby," "hereof," "hereto," "herein," "hereunder" and any similar terms shall refer to this Agreement, and the term "hereafter" shall mean after, and the term "heretofore" shall mean before the Effective Date.

(c) Words of the masculine, feminine or neuter gender shall mean and include the correlative words of other genders, and words importing the singular number shall mean and include the plural number and vice versa.

(d) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons.

(e) The terms "include," "including" and similar terms shall be construed as if followed by the phrase "without being limited to."

(f) This Agreement and any document or instrument executed pursuant hereto may be executed in any number of counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

(g) Whenever under the terms of this Agreement the time for performance of

a covenant or condition falls on a Saturday, Sunday or holiday, such time for performance shall be extended to the next business day. Otherwise all references herein to "days" shall mean calendar days.

(h) This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

(i) Time is of the essence of this Agreement.

(j) Neither Seller nor Purchaser shall avail itself of any remedy granted to it hereunder based upon an alleged default of the other party hereunder unless and until written notice of the alleged default, in reasonable detail, has been delivered to the defaulting party by the nondefaulting party and the alleged default has not been cured on or before 5:00 p.m. Houston time, on the fifth (5th) day next following delivery of said notice of default.

(k) For the purposes of the Agreement, the phrases "to the best of Seller's knowledge," "to Seller's knowledge" and similar phrases shall imply a reasonable investigation by Seller and its agents.

(l) This Agreement shall not be construed more strictly against one party than against the other merely by virtue of the fact that it may have been prepared primarily by counsel for one of the parties, it being recognized that both Purchaser and Seller have contributed substantially and materially to the preparation of this Agreement.

ARTICLE XXIII.

STATE AND FEDERAL INCOME TAXES

Section 23.01 Foreign Seller Affidavit. Pursuant to Section 1445 of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder, Seller agrees to deliver to Purchaser, at or prior to the Closing Date, a certification in the form of Exhibit B attached hereto and made a part hereof, executed by Seller (or by the beneficiary of Seller if Seller is a land trust), and otherwise in form and substance reasonably satisfactory to Purchaser.

Section 23.02 Disclosure to Internal Revenue Service. Each of Seller and Purchaser agree to cooperate fully with the other in completing or filing any disclosure documents or in otherwise satisfying any disclosure requirements of the Internal Revenue Code of 1986, including but not limited to Section 6054(e) thereof.

ARTICLE XXIV.

DISCREPANCY IN DESCRIPTIONS

ARTICLE XXV.

OFFER AND ACCEPTANCE

Section 25.01 Offer and Acceptance. Delivery by Purchaser to Seller of a copy of this Agreement executed by Purchaser shall constitute an offer to purchase the Property upon the terms and conditions herein set forth which offer shall be effective for a period of seventy-two (72) hours following the time of such delivery (which time or delivery shall be presumed to be 5:00 p.m. on the date set forth beneath Purchaser's signature hereto). If the Seller fails to deliver a fully executed counterpart of this Agreement to Purchaser prior to expiration of such seventy-two (72) hour period, then at Purchaser's sole option, said offer may be revoked and rescinded in its entirety at any time thereafter, and upon such revocation and rescission, said offer and this Agreement shall have no further force or effect. At the request of either party following the Effective Date hereof, the parties will execute and record a memorandum of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed and delivered by Seller and Purchaser on the respective dates set forth beneath each of their signatures.

PURCHASER:

FAR HILLS UTILITY DISTRICT

By: _____
Jim Haymon, President

Dated: April 3, 2008

SELLER:

BROUSSARD-CHRISTIE, L.P.

By: Broussard Development Co., Inc.
Its: General Partner

By: _____
Roderick Broussard, President

Dated: _____

Section 24.01 Discrepancy in Descriptions. The parties intend that the Property which is the subject matter hereof include all of the real property and all interest held by Seller therein. Accordingly, if prior to the delivery of the deed, it appears that any of the legal descriptions of the Property set forth on Exhibit A do not include or correctly describe all such real property or interests therein or appurtenances thereto owned by Seller, the legal description of the Property to be conveyed by Seller to Purchaser hereunder shall be notified to correctly describe the same at Purchaser's request.

ARTICLE XXV.

OFFER AND ACCEPTANCE

Section 25.01 Offer and Acceptance. Delivery by Purchaser to Seller of a copy of this Agreement executed by Purchaser shall constitute an offer to purchase the Property upon the terms and conditions herein set forth which offer shall be effective for a period of seventy-two (72) hours following the time of such delivery (which time or delivery shall be presumed to be 5:00 p.m. on the date set forth beneath Purchaser's signature hereto). If the Seller fails to deliver a fully executed counterpart of this Agreement to Purchaser prior to expiration of such seventy-two (72) hour period, then at Purchaser's sole option, said offer may be revoked and rescinded in its entirety at any time thereafter, and upon such revocation and rescission, said offer and this Agreement shall have no further force or effect. At the request of either party following the Effective Date hereof, the parties will execute and record a memorandum of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed and delivered by Seller and Purchaser on the respective dates set forth beneath each of their signatures.

PURCHASER:	SELLER:
FAR HILLS UTILITY DISTRICT	BROUSSARD-CHRISTIE, L.P. By: Broussard Development Co., Inc. Its: General Partner
By: _____ Jim Haymon, President	By: _____ Roderick Broussard, President
Dated: _____	Dated: 4/3/08

RECEIPT

Receipt of ☐ Contract and ☐ $_____ Earnest Money in the form of _____ is acknowledged.

Escrow Agent: Integrity Title Company Date: _____

By: _____

_____ Telephone: _____
Address

_____ Facsimile: _____
City State Zip

FIELD NOTES
Of A Survey Of

A tract or parcel of land containing 10.00 acres of land, more or less, out of the Elijah Collard Survey, Abstract Number 7, Montgomery County, Texas, and being out of a 167.82 acre tract described in a deed recorded under Montgomery County Clerk's File Number 179421 and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found at the Northwest corner of a 36.5 acre tract described in deed recorded under Harris County Clerk's File 9245075, said point also being at the East line of Cude Cemetery Road (60.00 feet wide);

THENCE North 15 deg 43 min 00 sec East, along the East line of said Cude Cemetery Road, a distance of 384.89 feet to a 5/8 inch iron rod found for corner;

THENCE South 74 deg 12 min 39 sec East, a distance of 1123.28 feet to a 5/8 inch iron rod found for corner in the West line of Lot 31 of THOMPSON COUNTRY, an unrecorded subdivision also known as HILLSIDE SUBDIVISION, said point also being in the West line of a tract described in deed recorded in Volume 1071, Page 742, of the Montgomery County Deed Records;

THENCE South 13 deg 00 min 03 sec West, along the West line of said THOMPSON COUNTRY, a distance of 384.71 feet to a 5/8 inch iron rod found at the Southwest corner of said THOMPSON COUNTRY, said point also being in the North line of said 36.5 acre tract;

THENCE North 76 deg 12 min 39 sec West, along the North line of said 36.5 acre tract, a distance of 1141.52 feet to the POINT OF BEGINNING of the herein described tract of land and containing 10.00 acres of land, more or less.

STATE OF TEXAS
REGISTERED
H. T. WEBER
4101
PROFESSIONAL
LAND SURVEYOR

H. T. Weber

EXHIBIT "A"
Page 1 of 1

ATTACHMENT E

Z33-013-106

Tim Hardin

From: Tim Hardin [timh@langford-engineering.net]
Sent: Wednesday, April 18, 2007 2:41 PM
To: 'Regina Adams'
Cc: 'Jim Haymon'; 'Rod Broussard'; 'Moyer Surveying - Pam'
Subject: FW: Rod Broussard - Cude Cemetery tract
Attachments: Doc070418.PDF

Regina-

I spoke with Julie Stewart at the Montgomery County attorney's office...I believe we can plat as follows: Restricted Reserve for the wastewater plant site; Un-Restricted Reserve for the remaining acreage. I think this way would be the best for everyone involved (see the attachment for illustration).

The geometry of the two tracts does comply with Montgomery County subdivision requirements.

Platting in this manner would address my concerns, and be in compliance with county subdivision standards.

Unless I hear differently (from you or anyone else), I will proceed with authorizing Moyer Surveying to prepare and submit the plat (as outlined above), and to prepare a description for the off-site buffer zone easement.

Timothy B. Hardin, P.E.
Vice President
Langford Engineering, Inc.
1080 W Sam Houston Pkwy N, Suite 200
Houston, TX 77043
(713) 461-3530 - Fax (713) 932-7505
www.langford-engineering.net

From: Tim Hardin [mailto:timh@langford-engineering.net]
Sent: Wednesday, April 18, 2007 2:16 PM
To: 'Regina Adams'
Subject: FW: Rod Broussard - Cude Cemetery tract

See below...

Timothy B. Hardin, P.E.
Vice President
Langford Engineering, Inc.
1080 W Sam Houston Pkwy N, Suite 200
Houston, TX 77043
(713) 461-3530 - Fax (713) 932-7505
www.langford-engineering.net

From: Moyer Surveying - Pam [mailto:pam@moyersurveying.com]
Sent: Tuesday, April 17, 2007 11:15 AM
To: Tim Hardin
Subject: Re: Rod Broussard - Cude Cemetery tract

Tim
Hal spoke with Julie at the County, she said we would need to plat, but first the construction plans have to be approved. If the buffer zone will be on the plat, then that property owner will have to sign the plat also, or you can make the buffer zone as an offsite easement then they would not have to sign the plat.
It would end up with Lot 1, Blk 1 and 1 Restricted Reserve (the water plant area)
Let me know and we can get started on the platting process.
Thanks...Pam

Moyer Surveying

----- Original Message -----
From: Tim Hardin
To: 'Moyer Surveying - Pam'
Cc: 'Regina Adams' ; Rod Broussard ; 'Jim Haymon'
Sent: Monday, March 26, 2007 2:05 PM
Subject: Rod Broussard - Cude Cemetery tract

Pam-

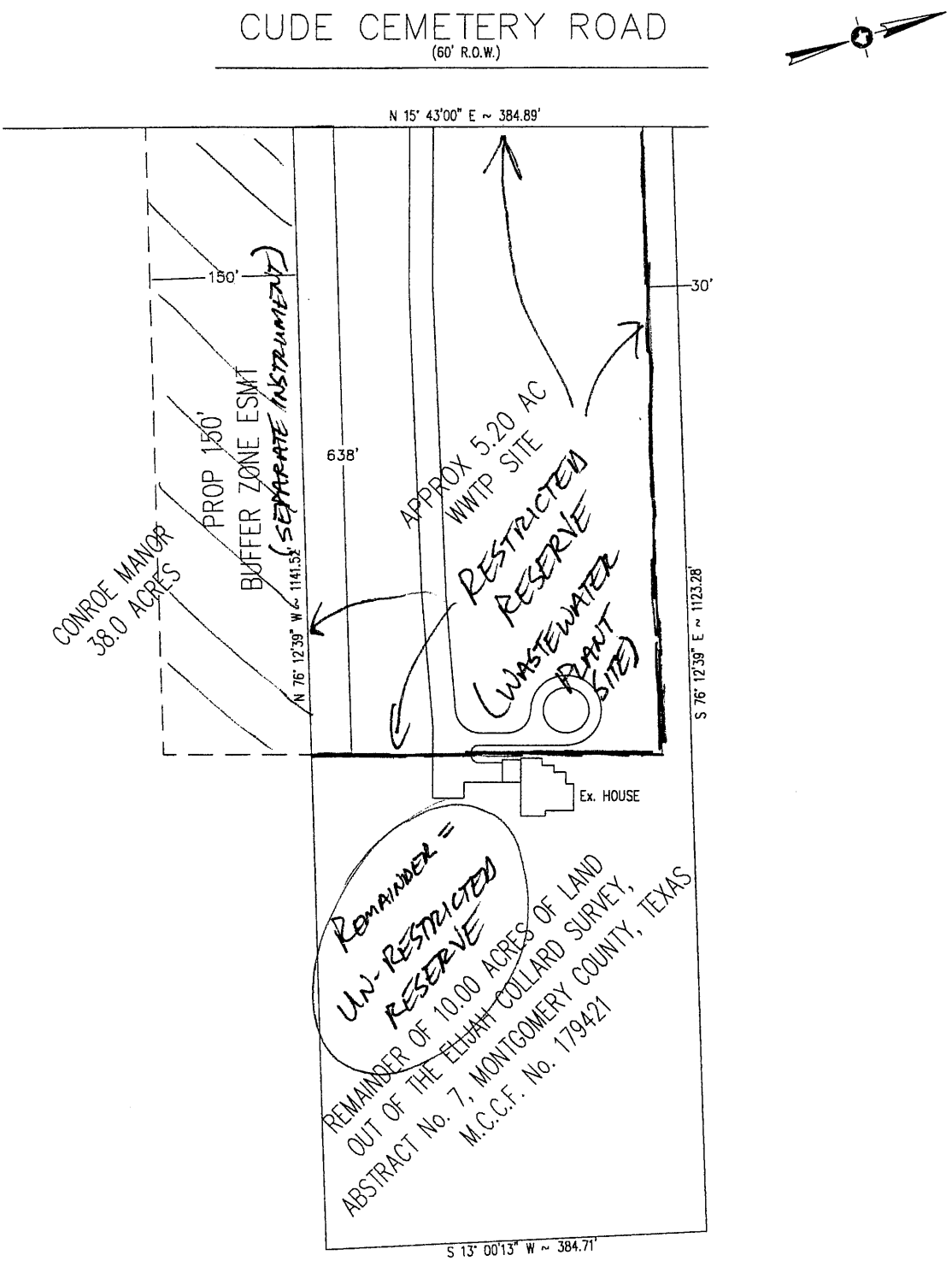
The attached exhibit reflects a proposed wastewater treatment plant site Rod Broussard proposes to convey to Far Hills Utility District, along with a 150' wide buffer zone easement that Far Hills UD proposes to obtain from the owner of the Conroe Manor Tract.

Please proceed with preparing a legal description of the buffer zone easement as shown. Also, please prepare the required survey/legal description of the wastewater treatment plant site proposed for transfer to Far Hills Utility District.

Under the planning ordinance for the City of Conroe, will this conveyance of land require platting (or at least approval by the City of Conroe Planning Commission under 94-102 of the Conroe Subdivision ordinance)?

Please let me know if you have questions or if you require additional information.

Timothy B. Hardin, P.E.
Langford Engineering, Inc.
1080 W Sam Houston Pkwy N, Suite 200
Houston, TX 77043
ph (713) 461-3530
fax (713) 932-7505



FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS

EXHIBIT OF
APPROX 5.20 ACRE
TEMP. WWTP SITE
(BROUSSARD TRACT)

Langford Engineering, Inc. consulting engineers

T.B.H.	233-013-106
EG	MARCH 28, 2007
T.B.H.	1" = 100'
T.B.H.	

ATTACHMENT F

FIRST AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

This First Amendment to Agreement for Purchase and Sale of Real Estate (this "First Amendment") is made and effective as of the 1st day of June, 2008 by and between Broussard-Christie, L.P., a Texas limited partnership ("Seller"), and Far Hills Utility District, a body politic and corporate and a political subdivision of the State of Texas ("Purchaser").

WHEREAS, Seller and Purchaser first entered into an Agreement for Purchase and Sale of Real Estate (Wastewater Treatment Plant Site) dated April 3, 2008 (the "Agreement") for the purchase that certain parcel of land legally described on Exhibit "A" (the "Property") and located in Montgomery County, Texas, containing in the aggregate approximately 10.00 acres (the "Property");

WHEREAS, Purchaser and Seller wish to adjust the Purchase Price, as originally defined and set forth in the Agreement and to make certain other changes to the Agreement; and

WHEREAS, in order to make such changes, Purchaser and Seller wish to amend the Agreement pursuant to the terms hereof.

NOW THEREFORE, in consideration of **TEN DOLLARS ($10.00)**, the mutual covenants and agreements herein contained, and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. For all purposes under the Agreement, Purchaser and Seller agree the final purchase price for the Property including Costs of Carry (except for 2008 property taxes) is $460,710.61.

2. "Escrowee" and "Title Company" are redefined to be First American Title Company.

3. The "Closing Date" is redefined to be no later than November 26, 2008.

4. Property Taxes for the year 2008 shall be paid by Purchaser.

5. All capitalized terms in this Amendment shall have the definitions assigned to them in the Agreement.

6. Except as specifically modified by the terms hereof, all other terms and conditions in the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto agree to the terms and conditions in this Amendment and have caused this Amendment to be executed as of the date above.

PURCHASER:

FAR HILLS UTILITY DISTRICT

By: _____
Jim Haymon, President
Dated: 11-26-08

SELLER:

BROUSSARD-CHRISTIE, L.P.

By: Broussard Development Co., Inc.
Its: General Partner

By: _____
Roderick Broussard, President
Dated: 11-26-08

S:\Far Hills\Deeds\10AWWTP Site\1st Amendment to Agreement for Purchase and Sale VER 2.doc

ATTACHMENT G

2008-115109

3

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Date: November 26, 2008

Grantor: BROUSSARD-CHRISTIE, L.P., a Texas limited partnership

Grantor's Mailing Address (including county):

10883 Bourbon Street
Willis, Montgomery County, Texas 77318

Grantee: FAR HILLS UTILITY DISTRICT, a political subdivision of the State of Texas

Grantee's Mailing Address (including county):

10320 Cude Cemetery Road
Willis, Montgomery County, Texas 77318

Consideration: TEN AND NO/100 DOLLARS ($10.00) and other valuable consideration

Property (including any improvements):

Being 9.988 acres of land situated in the Elijah Collard Survey, A-7, Montgomery County, Texas, and being described as 10.00 acres of land recorded under County Clerk's File No. 2000-043609 of the Real Property Records of Montgomery County, Texas, said 9.988 acres of land being more particularly described by metes and bounds on Exhibit "A" attached hereto

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

Covenants, conditions or restrictions recorded under County Clerk's File No. 9366235, Montgomery County, Texas

Easement: to Gulf State Utilities Company as set forth in instrument recorded in Volume 671, Page 68, Deed Records of Montgomery County, Texas.

Easement: to Gulf State Utilities Company as set forth in instrument recorded in Volume 928, Page 641, Deed Records of Montgomery County, Texas.

Easement: to Gulf State Utilities Company as set forth in instrument filed under County Clerk's File No. 9307818 Montgomery County, Texas.

Easement: to Gulf State Utilities Company as set forth in instrument filed under County Clerk's File No. 9512729 Montgomery County, Texas.

Terms, conditions and provisions of Order by the Texas Water Quality Board recorded in Volume 741, Page 445, Deed Records of Montgomery County, Texas.

Rights to oil, gas and other minerals of every kind and character in, on and under the Property, together with the rights, privileges and immunities relating thereto.

RECORDED AT THE REQUEST
OF FIRST AMERICAN TITLE

1264695-H043

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

BROUSSARD-CHRISTIE, L.P.

By: BROUSSARD DEVELOPMENT CO., INC.
Its: General Partner

By: _____
Name: RODERICK L. BROUSSARD
Title: President

AGREED TO AND ACCEPTED as of the 26 day of November, 2008.

FAR HILLS UTILITY DISTRICT

By: _____
Name: JIM HAYMON
Title: President, Board of Directors

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on November 26 2008, by RODERICK L. BROUSSARD, President of BROUSSARD DEVELOPMENT CO., INC., General Partner of BROUSSARD CHRISTIE, L.P. on behalf of said BROUSSARD DEVELOPMENT CO., INC..

RACHEL RIVERS
Notary Public, State of Texas
My Commission Expires
February 03, 2011

_____
NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on November 26 2008, by JIM HAYMON, as President of the Board of Directors of Far Hills Utility District, a political subdivision of the State of Texas, in such capacity and on behalf of said political subdivision.

RACHEL RIVERS
Notary Public, State of Texas
My Commission Expires
February 03, 2011

_____
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:

FAR HILLS UTILITY DISTRICT
c/o Johnson Radcliffe Petrov & Bobbitt PLLC
1001 McKinney, Suite 1000
Houston, Texas 77002-6424
Attention: Diane Wingo Allen
713.237.1221

PREPARED IN THE LAW OFFICE OF:

LARSON & WEISINGER
P. O. BOX 2666
CONROE, TEXAS 77305

EXHIBIT 'A'

BEING 9.988 ACRES OF LAND SITUATED IN THE ELIJAH COLLARD SURVEY, A-7, MONTGOMERY COUNTY, TEXAS, AND BEING DESCRIBED AS 10.00 ACRES OF LAND RECORDED UNDER COUNTY CLERK'S FILE NO. 2000-043609 OF THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, SAID 9.988 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½ INCH IRON ROD FOUND IN THE EAST LINE OF CUDE CEMETERY ROAD, A 60 FOOT RIGHT-OF-WAY, FOR THE NORTHWEST CORNER OF A CERTAIN 38.00 ACRES OF LAND AS DESCRIBED IN DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 9245075 OF THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, SAME BEING THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 12 DEGREES 24 MINUTES 31 SECONDS EAST, ALONG THE EAST LINE OF SAID CUDE CEMETERY ROAD AND THE WEST BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 384.79 FEET TO A ½ INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF A CERTAIN 6.44 ACRES OF LAND AS DESCRIBED IN DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 9439452 OF THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, SAME BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 79 DEGREES 28 MINUTES 23 SECONDS EAST, ALONG THE SOUTH BOUNDARY LINE OF THE SAID 6.44 ACRES OF LAND AND CONTINUING ALONG A SOUTH BOUNDARY LINE OF A CERTAIN 7.02 ACRES OF LAND AS DESCRIBED IN DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 9438325 OF THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS, AND THE NORTH BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 1123.71 FEET TO A ½ INCH IRON ROD IN THE WEST BOUNDARY LINE OF A CERTAIN 1.83 ACRES OF LAND OUT OF A CERTAIN 48.53 ACRES OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 1071, PAGE 742 OF THE DEED RECORDS OF MONTGOMERY COUNTY, TEXAS, ALSO KNOWN AS LOT 31, HILLSIDE SUBDIVISION (UNRECORDED) FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 09 DEGREES 58 MINUTES 24 SECONDS WEST, ALONG THE WEST BOUNDARY LINE OF THE SAID 48.53 ACRES OF LAND AND THE EAST BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 168.69 FEET TO A ½ INCH IRON ROD FOUND FOR AN ANGLE POINT;

THENCE SOUTH 09 DEGREES 35 MINUTES 23 SECONDS WEST, CONTINUING ALONG THE WEST BOUNDARY LINE OF THE SAID 48.53 ACRES OF LAND AND THE EAST BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 215.28 FEET TO A ½ INCH IRON ROD FOUND IN THE NORTH BOUNDARY LINE OF THE SAID 38.00 ACRES OF LAND FOR THE SOUTHWEST CORNER OF THE SAID 48.53 ACRES, SAME BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 79 DEGREES 30 MINUTES 21 SECONDS WEST, ALONG THE NORTH BOUNDARY LINE OF THE SAID 38.00 ACRES AND SOUTH BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT, A DISTANCE OF 1141.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.988 ACRES OF LAND.

FILED FOR RECORD

2008 DEC -8 AM 10: 35

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF MONTGOMERY

I hereby certify this instrument was filed in File Number Sequence on the date and at the time stamped herein by me and was duly RECORDED in the Official Public Records of Real Property at Montgomery County, Texas.

DEC - 8 2008

County Clerk
Montgomery County, Texas

ATTACHMENT H

CERTIFICATE FOR ORDER DECLARING SURPLUS PROPERTY AND AUTHORIZING SALE OF SURPLUS PROPERTY

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §
FAR HILLS UTILITY DISTRICT §

I, the undersigned Secretary of the Board of Directors (the "Board") of **FAR HILLS UTILITY DISTRICT** (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 9th day of April, 2009, at 5:30 p.m., at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

Jim Haymon	President/Investment Officer
William A. Lackey	Vice President
Larry J. Blocker	Secretary
John Richard Cutler	Assistant Secretary
Christopher Kuhl	Director

All members of the Board were present except the following: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

ORDER DECLARING SURPLUS PROPERTY AND AUTHORIZING SALE OF SURPLUS PROPERTY

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of said Order, prevailed and carried by the following vote:

AYES: 5 **NOES:** 0

2. A true, full, and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Order would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by V.T.C.A. Government Code, Chapter 551 and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED the 9th day of April, 2009.

(SEAL)

FAR HILLS UTILITY DISTRICT MONTGOMERY COUNTY TEXAS

Larry J. Blocker

Secretary, Board of Directors

ORDER DECLARING SURPLUS PROPERTY AND AUTHORIZING SALE OF SURPLUS PROPERTY

THE STATE OF TEXAS §
COUNTY OF MONTGOMERY §
FAR HILLS UTILITY DISTRICT §

WHEREAS, FAR HILLS UTILITY DISTRICT (the "District") is a political subdivision of the State of Texas created pursuant to Article XVI, Section 59, Texas Constitution, and operating under the provisions of Chapters 49 and 51, Texas Water Code, as amended; and

WHEREAS, the District owns a 5.098-acre tract of land along Cude Cemetery Road (the "Property"), and it is no longer needed for any purpose by the District; and

WHEREAS, the District finds it in the best interest to sell the Property by private sale pursuant to Section 49.226, Texas Water Code, as amended, and

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF FAR HILLS UTILITY DISTRICT THAT:

Section 1. Declaration of Surplus Property. The Board hereby declares that the Property is not needed by the District and is surplus property;

Section 2. Approval of Sale. The Board hereby approves and authorizes the sale of the Property to the bidder that offers a purchase price that is equivalent to the fair market value of the Property as determined by the District.

Section 3. Authority of Officers. The President, Secretary and other officers are authorized to take any and all action to consummate the sale of the Property, and the President, Secretary and other officers, or any of them individually, is authorized to execute, attest and deliver title to the Property and to execute and deliver any such other documents as may be necessary for the closing of the sale of the Property, as the act and deed of the District and take any other action reasonably necessary to execute the intent of this Resolution.

PASSED AND APPROVED this 9th day of April, 2009.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(DISTRICT SEAL)

FAR HILLS UTILITY DISTRICT MONTGOMERY COUNTY TEXAS

S:\Far Hills\Brd-Res\Order Decl Suprlus Auth Sale.doc

ATTACHMENT I

Alliance Realty Advisors
3828 West Davis Ste 314
Conroe, TX 77304
(936)756-1717 FAX (936)756-1767
Email: orders@alliance-realty-advisors.net

Residential Appraisal Order Form

Client Name:_____

Ordered By:_____ Phone:_____

Address:_____ Fax:_____

_____ Email: _____

Subject Property Information

Address:_____

City:_____ State _____ County_____ Zip_____

REFINANCE CASH-OUT REFINANCE PURCHASE

Borrower First Name: _____ Entry contact Name:_____

Borrower Last name: _____ Entry contact # :_____

Alternate contact #:_____

Sales Price: _____ Estimated Value:_____ Loan Amount:_____

Report type: Full 1004 2055 Ext. Field Review Land Form Multi Family

Fee: $_____ Order Date: _____ Due Date:_____

ADDITIONAL COMMENTS: _____

_____

_____

_____

_____

February 10, 2009

File Number: 9R01134

In accordance with your request, I have appraised the real property at:

4.5 Acres, Cude Cemetary Road
Willis, TX 77378

The purpose of this appraisal is to develop an opinion of the defined value of the subject property, as vacant. The property rights appraised are the fee simple interest in the site.

In my opinion, the defined value of the property as of February 4, 2009 is:

The attached report contains the description, analysis and supportive data for the conclusions, final opinion of value, descriptive photographs, assignment conditions and appropriate certifications.

Respectfully submitted,

Rhonda D. Bradley
TX 1337372-P
Exp. 10/31/2009

Malcolm W. Willey
TX 1329116-G
Exp. 12/31/2009

RDB/mww

Restricted-Use

Land Appraisal Report

File No. 9R01134

PURPOSE

The purpose of this appraisal is to develop a credible opinion of the defined value, given the intended use of the appraisal.

Client Name/Intended User | E-mail: ietzero.net

Client Address | City | State | Zip

Additional Intended User(s) The intended user is Utility Services of America and/or their assigns. Any other use by any other user is prohibited.

Intended Use The intended use of this appraisal is to provide an opinion of market value of the fee simple interest of the subject property.

SUBJECT

Property Address 4.5 Acres, Cude Cemetary Road | City Willis | State TX | Zip 77378

Owner of Public Record JOHNSON, Mark E. | County Montgomery

Legal Description A0007 Collard E, Tract 55-C, Acres 10.000 (4.5 acre portion)

Assessor's Parcel # 0007-00-05519 (portion) | Tax Year 2008 | R.E. Taxes $ Est. 1540

Neighborhood Name Montgomery County - Conroe | Map Reference KM 126-N | Census Tract 6942.00

Property Rights Appraised [X] Fee Simple [ ] Leasehold [ ] Other (describe)

SALES HISTORY

My research [ ] did [X] did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Prior Sale/Transfer: Date 12/29/2006 * | Price Unavailable | Source(s) Montgomery County Appraisal District

Analysis of prior sale or transfer history of the subject property (and comparable sales, if applicable) The subject last transferred in December 2006, as shown above. The sales price/circumstances are not available. No other sales or transfers noted in the past three years, however please note that Texas is a non-disclosure state.

*12/29/2006 sale/transfer included the improvements on 10 acres, per MCAD.

Offerings, options and contracts as of the effective date of the appraisal No offerings, options, or contracts were reported to the appraiser.

NEIGHBORHOOD

Neighborhood Characteristics				One-Unit Housing Trends				One-Unit Housing		Present Land Use %	
Location	[ ] Urban	[X] Suburban	[ ] Rural	Property Values	[ ] Increasing	[X] Stable	[ ] Declining	PRICE $(000)	AGE (yrs)	One-Unit	60 %
Built-Up	[ ] Over 75%	[X] 25-75%	[ ] Under 25%	Demand/Supply	[ ] Shortage	[X] In Balance	[ ] Over Supply	30 Low	New	2-4 Unit	%
Growth	[ ] Rapid	[X] Stable	[ ] Slow	Marketing Time	[ ] Under 3 mths	[X] 3-6 mths	[ ] Over 6 mths	890 High	50+	Multi-Family	%
								150 Pred.	15	Commercial	15 %
										Other Vacant	25 %

Neighborhood Boundaries See Attached Addendum

Neighborhood Description See Attached Addendum

Market Conditions (including support for the above conclusions) The current market in the Willis area is considered stable with supply/demand generally in balance. Various types of financing are available at acceptable rates. Seller concessions of up to 3% are typical in this market area. The estimated marketing time is not expected to exceed six months at the value estimate provided.

SITE

Dimensions See attached Survey Addendum | Area 4.5 Acres per Survey | Shape Rectangular | View Treatment plant/Lake

Specific Zoning Classification No zoning | Zoning Description N/A

Zoning Compliance [ ] Legal [ ] Legal Nonconforming (Grandfathered Use) [X] No Zoning [ ] Illegal (describe)

Highest and best use of the subject property The relevant legal, physical, and economic factors were analyzed to the extent necessary and resulted in a conclusion that the highest and best use of the subject tract is commercial/light industrial.

Utilities	Public	Other (describe)		Public	Other (describe)	Off-site Improvements—Type	Public	Private
Electricity	[X]	[ ]	Water	[ ]	[X] Well	Street Asphalt	[X]	[ ]
Gas	[X]	[ ]	Sanitary Sewer	[ ]	[X] Septic system	Alley None	[ ]	[ ]

Site Comments See Attached Addendum

MARKET DATA ANALYSIS

ITEM	SUBJECT	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	4.5 Acres, Cude Cemetary Road Willis	11857 Calvary Road Willis		4.0 Acres, Longstreet Willis		485 FM 1097 East Willis	
Proximity to subject		4.3 Miles N/E		3 Miles North		5.5 Miles N/E	
Sales Price	$ N/A		$ 155,000		$ 85,000		$ 65,000
Price $ / Acre	N/A		15,500		21,250		13,443
Data Source	MCAD/Client/Insp.	ML#5703092 / MCAD R388102		ML#8299003 / MCAD R78895		ML#4700215 / MCAD R45995	
Date of Sale and Time Adjustment	DESCRIPTION N/A	DESCRIPTION 07/22/2008	+(-) Adjust.	DESCRIPTION 06/19/2007	+(-) Adjust.	DESCRIPTION 08/25/2006	+(-) Adjust.
Location	Suburban	Suburban		Suburban/Superior	-6,375	Suburban	
Site/View	4.5 Acres/Plant-Lake	10 Acres	-3,100	4.0 Acres	No adj.	4.835 Acres	No adj.
Utilities	Electric, Septic	None		None		None	
Improvements	Metal Shed	Pipeline Easement		None		None	
		DOM: 150		DOM: 7		DOM: 63	
Sales or Financing Concessions		Cash Sale None		Conventional Seller $2500	-2,500	Seller Finance None noted/rptd.	-1,344
Net Adj. (Total)		[ ]+ [X]-	$ 3,100	[ ]+ [X]-	$ 8,875	[ ]+ [X]-	$ 1,344
Indicated Value of Subject		Net Adj. -20.0% Gross Adj. 20.0%	$ 12,400	Net Adj. -41.8% Gross Adj. 41.8%	$ 12,375	Net Adj. -10.0% Gross Adj. 10.0%	$ 12,099

Summary of Sales Comparison Approach The sales comparison approach is used to determine market value. The cost and income approaches do not apply to the valuation of vacant land in this instance. The estimate of value is the cost to cure for demolition of the home and pool (estimated at $25,(

RECONCILIATION

This appraisal is made [ ] "as is," [X] subject to the following: Subject to removal of the existing home and inground pool.

Based on the scope of work, assu conditions and appraiser's certification, my (our) opinion of the defined value of the real property that is the subject of this report is as of 02/04/2009, which is the effective date of this appraisal.

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ADDENDUM

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378

Intended Use and Intended User
The Intended User of this appraisal report is the Client named herein. The Intended Use is to evaluate the property that is the subject of this appraisal for asset valuation purposes, subject to the stated Scope of Work, purpose of the appraisal, reporting requirements of this appraisal report form, and Definition of Market Value. No additional Intended Users are identified by the appraiser.

This appraisal assignment is not based on a requested minimum valuation, a specific valuation, or approval of a loan.

Neighborhood Boundaries
The subject's immediate neighborhood is bound by FM 830 to the north, and by Lake Conroe to the east, south, and west. The market area is considered to be those competing areas of Montgomery county suitable for similar uses.

Neighborhood Description
The subject is located approximately 4.5 miles southwest of Willis' central business district, in an outlying area with mixed land uses, including residential and commercial. Conroe is the seat of county government. Lake Conroe provides additional economic and recreational benefits to Montgomery County. The property has typical convenience to local schools, services, and commuter routes. Downtown Houston is approximately 40 miles south. No adverse conditions are noted.

The subject is located east of Cude Cemetary Road. The tract is currently improved with a two-story single-family dwelling (approximately 3,833 SF) with garage and an inground pool. For valuation purposes, legal ingress/egress to the tract by easement is assumed. Use of this extraordinary assumption may affect assignment results.

Site Comments
This is a typical size tract for the area, suitable for use as a commercial or light industrial property. It does not appear the site is located within a special flood hazard area (FEMA Map No. 48339C 0220F, dated 12/19/96). A wastewater treatment plant is currently under construction on the front portion of the parent tract. This prohibits the existing dwelling from legal use due tc [illegible] the plant. Cost to cure for demolition of the home, inground pool, and capping the existing well is estima [illegible] on estimates from local demolition contractors and Marshall-Swift Valuation Service.

The value estimate herein is for the surveyed 4.5 acres, per client instructions.

Comments on Sales Comparison
The comparable sales presented reflect the most recent, similar, and proximate land sales data currently available. All comparables are located in the subject's market area and closed within the past 30 months.

Sale 1 is a larger tract northeast of the subject, located next door to a convenience store. This was heavily wooded at the time of sale, with a pipeline easement toward the rear of the tract.

Sale 2 is a similar size tract north of the subject, which was cleared at the time of sale and with no utilities.

Sale 3 is also a similar size tract, just east of Willis. This tract is located adjacent to a water pumping station.

The adjusted sales data provide a reasonable range of values for the subject. The sales used are concluded to be adequate value indicators for the subject property. No superior sales data are available, following a thorough and exhaustive search of available data resources for the past three years.

Twelve Month Listing History of Subject Property
No current or previous listings were found for the subject within the past year.

Sales History - Comparables
No prior sales were noted for the comparables within the 12 months preceding the current sales dates. However, please note that Texas is a non-disclosure state. Sale and transfer information, especially recent to the date of the appraisal, may not be available in local data resources.

Scope of Work, Assumptions and Limiting Conditions

Scope of work is defined in the Uniform Standards of Professional Appraisal Practice as " the type and extent of research and analyses in an assignment." In short, scope of work is simply what the appraiser did and did not do during the course of the assignment. It includes, but is not limited to: the extent to which the property is identified and inspected, the type and extent of data researched, the type and extent of analyses applied to arrive at opinions or conclusions.

The scope of this appraisal and ensuing discussion in this report are specific to the needs of the client, other identified intended users and to the intended use of the report. This report was prepared for the sole and exclusive use of the client and other identified intended users for the identified intended use and its use by any other parties is prohibited. The appraiser is not responsible for unauthorized use of the report.

The appraiser's certification appearing in this appraisal report is subject to the following conditions and to such other specific conditions as are set forth by the appraiser in the report. All extraordinary assumptions and hypothetical conditions are stated in the report and might have affected the assignment results.

1. The appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or title thereto, nor does the appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.

2. Any sketch in this report may show approximate dimensions and is included only to assist the reader in visualizing the property. The appraiser has made no survey of the property.

3. The appraiser is not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made thereto.

4. Neither all, nor any part of the content of this report, copy or other media thereof (including conclusions as to the property value, the identity of the appraiser, professional designations, or the firm with which the appraiser is connected), shall be used for any purposes by anyone but the client and other intended users as identified in this report, nor shall it be conveyed by anyone to the public through advertising, public relations, news, sales, or other media, without the written consent of the appraiser.

5. The appraiser will not disclose the contents of this appraisal report unless required by applicable law or as specified in the Uniform Standards of Professional Appraisal Practice.

6. Information, estimates, and opinions furnished to the appraiser, and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished to the appraiser is assumed by the appraiser.

7. The appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The appraiser assumes no responsibility for such conditions, or for engineering or testing, which might be required to discover such factors. This appraisal is not an environmental assessment of the property and should not be considered as such.

8. This appraisal report should not be used to disclose the condition of the property as it relates to the presence/absence of defects. The client is invited and encouraged to employ qualified experts to inspect and address areas of concern. If negative conditions are discovered, the opinion of value may be affected.

9. Appraisals involving hypothetical conditions related to completion of new construction, repairs or alteration are based on the assumption that such completion, alteration or repairs will be competently performed.

Additional Comments Related To Scope Of Work, Assumptions and Limiting Conditions

The following summarizes those items which affect the Scope of Work and assignment conditions, per client instructions:

- An extraordinary assumption is employed which assumes no adverse environmental conditions exist on the subject site.

- For valuation purposes, legal ingress/egress to the tract by easement is assumed. Use of this extraordinary assumption may affect assignment results.

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Appraiser's Certification

The appraiser(s) certifies that, to the best of the appraiser's knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are the appraiser's personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise stated, the appraiser has no present or prospective interest in the property that is the subject of this report and has no personal interest with respect to the parties involved.
4. The appraiser has no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The appraiser's engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The appraiser's analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
8. Unless otherwise noted, the appraiser has made a personal inspection of the property that is the subject of this report.
9. Unless noted below, no one provided significant real property appraisal assistance to the appraiser signing this certification. Significant real property appraisal assistance provided by:

Additional Certifications:

Definition of Value: [X] **Market Value** [ ] **Other Value:**

Source of Definition: Office of the Controller of the Currency under 12 CFR, Part 34, Subpart C

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

(1) Buyer and seller are typically motivated;

(2) Both parties are well informed or well advised, and acting in what they consider their own best interests;

(3) A reasonable time is allowed for exposure in the open market;

(4) Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

(5) The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

ADDRESS OF THE PROPERTY APPRAISED:
4.5 Acres, Cude Cemetary Road
Willis, TX 77378

EFFECTIVE DATE OF THE APPRAISAL: 02/04/2009

APPRAISED VALUE OF THE SUBJECT PROPERTY $

APPRAISER

Signature: Rhonda D. Bradley
Name: Rhonda D. Bradley
State Certification #
or License # 1337372-P
or Other (describe): State #:
State: TX
Expiration Date of Certification or License: 10/31/2009
Date of Signature and Report: 02/10/2009
Date of Property Viewing: 02/04/2009
Degree of property viewing:
[X] Did personally view [ ] Did not personally view

SUPERVISORY APPRAISER

Signature: Malcolm W. Willey
Name: Malcolm W. Willey
State Certification # 1329116-G
or License #
State: TX
Expiration Date of Certification or License: 12/31/2009
Date of Signature: 02/10/2009
Date of Property Viewing: 02/04/2009
Degree of property viewing:
[X] Did personally view [ ] Did not personally view

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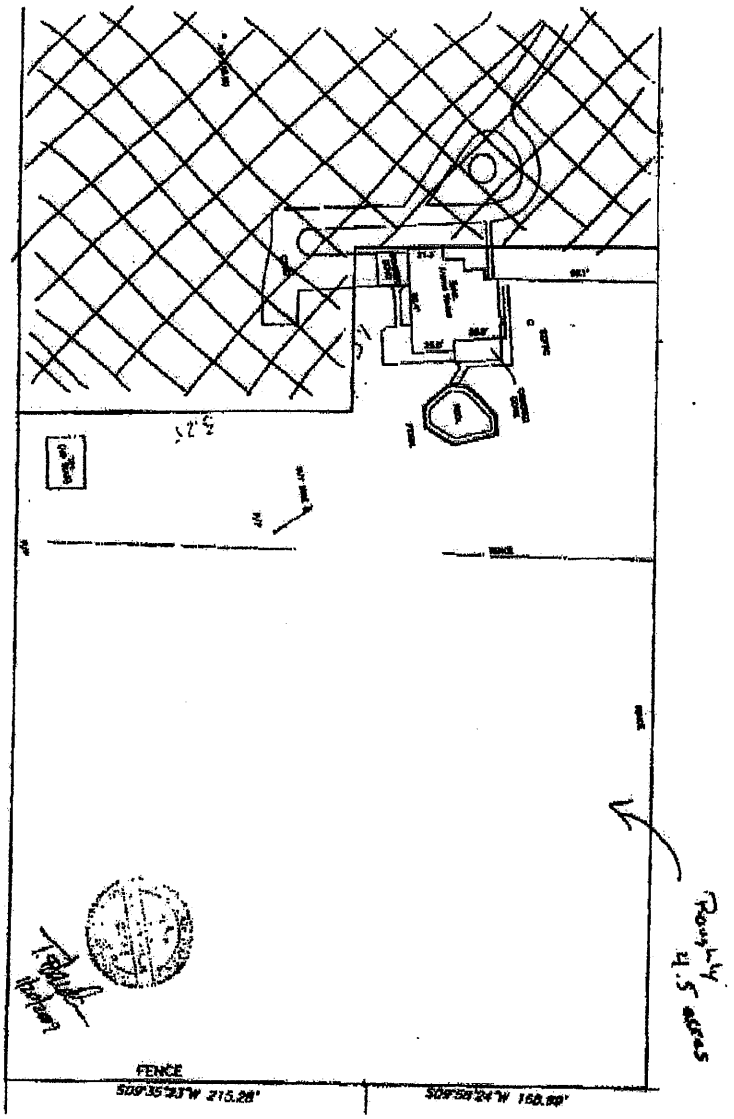
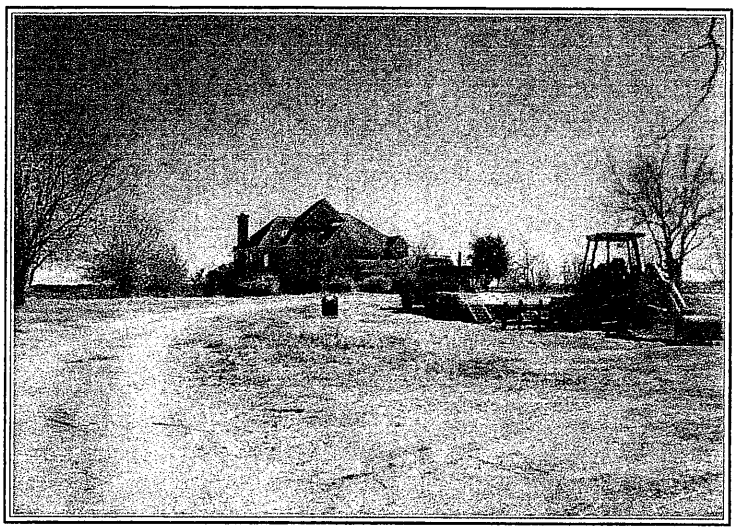
Survey Addendum

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378



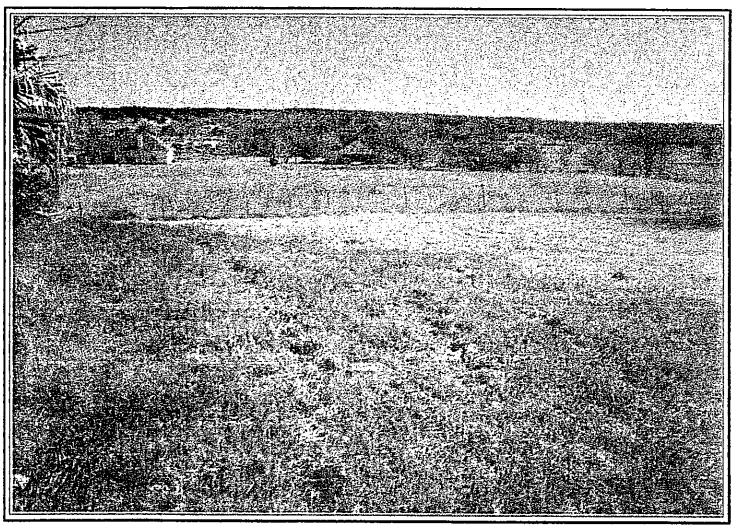
SUBJECT PROPERTY PHOTO ADDENDUM

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378

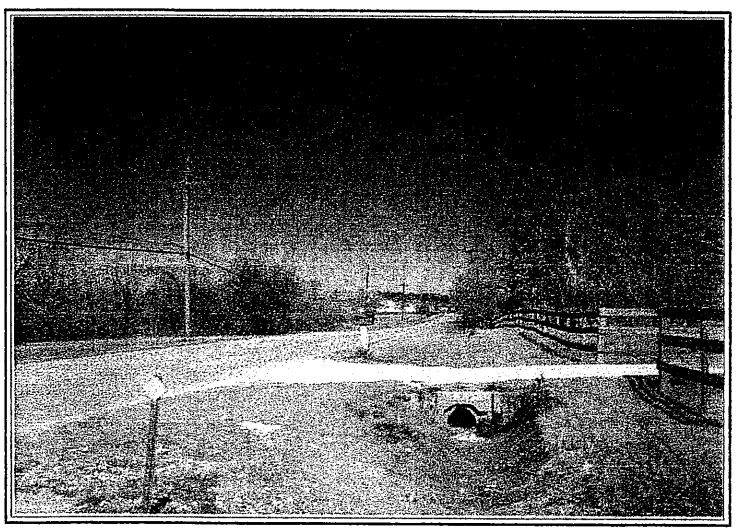


FRONT VIEW OF SUBJECT PROPERTY

Appraised Date: February 4, 2009
Appraised Value: $ 31,000



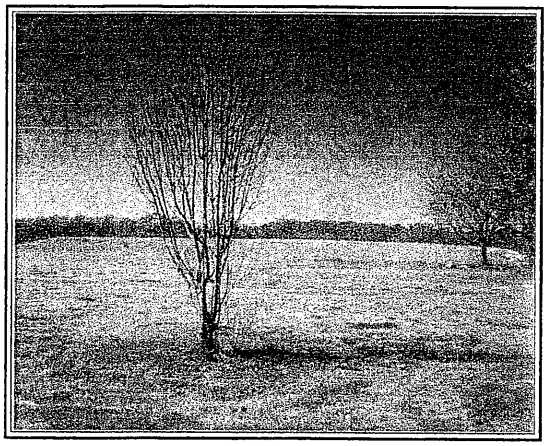
REAR VIEW OF SUBJECT PROPERTY



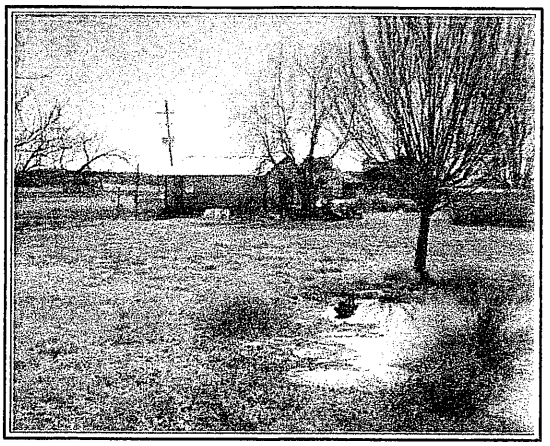
STREET SCENE

Subject Property Photograph Addendum

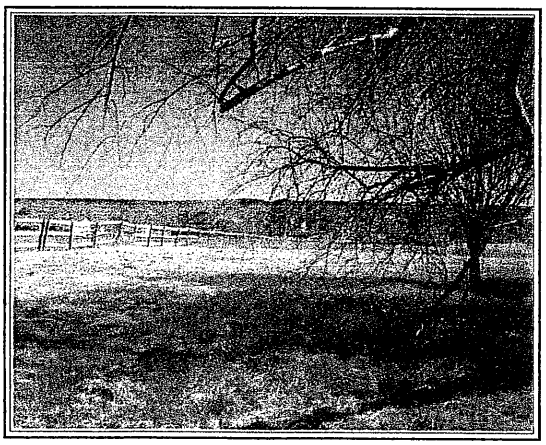
Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378



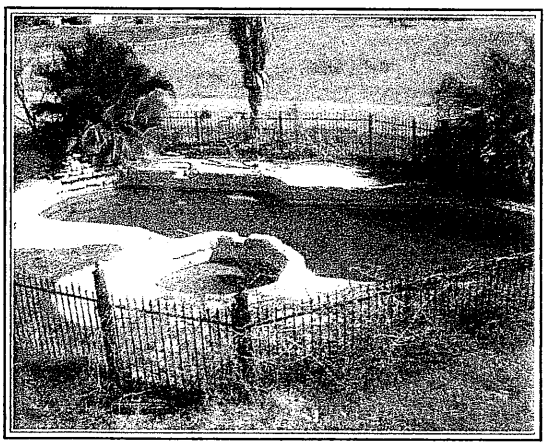
Viewing west from existing dwelling toward Cude Cemetary Road



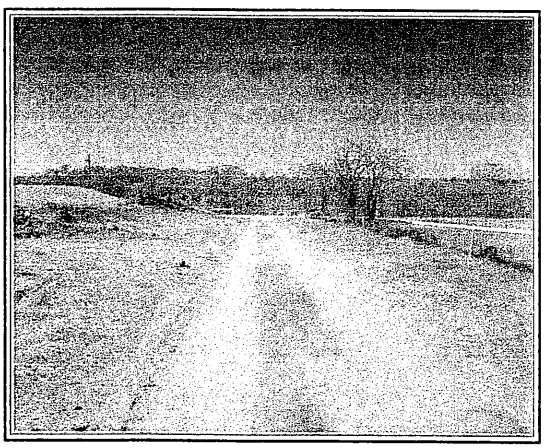
View of metal shed



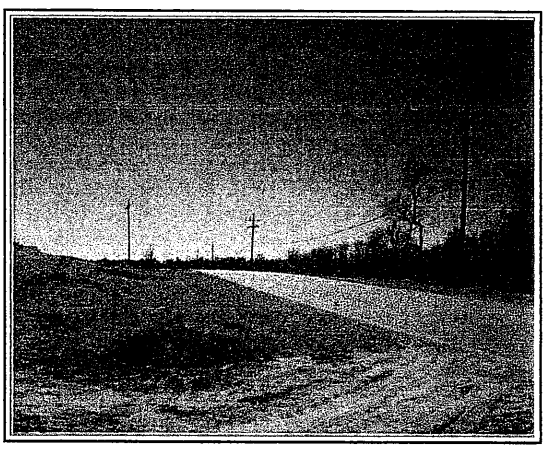
Alternate Rear View



View of existing inground pool



View of driveway leading to Cude Cemetary Road

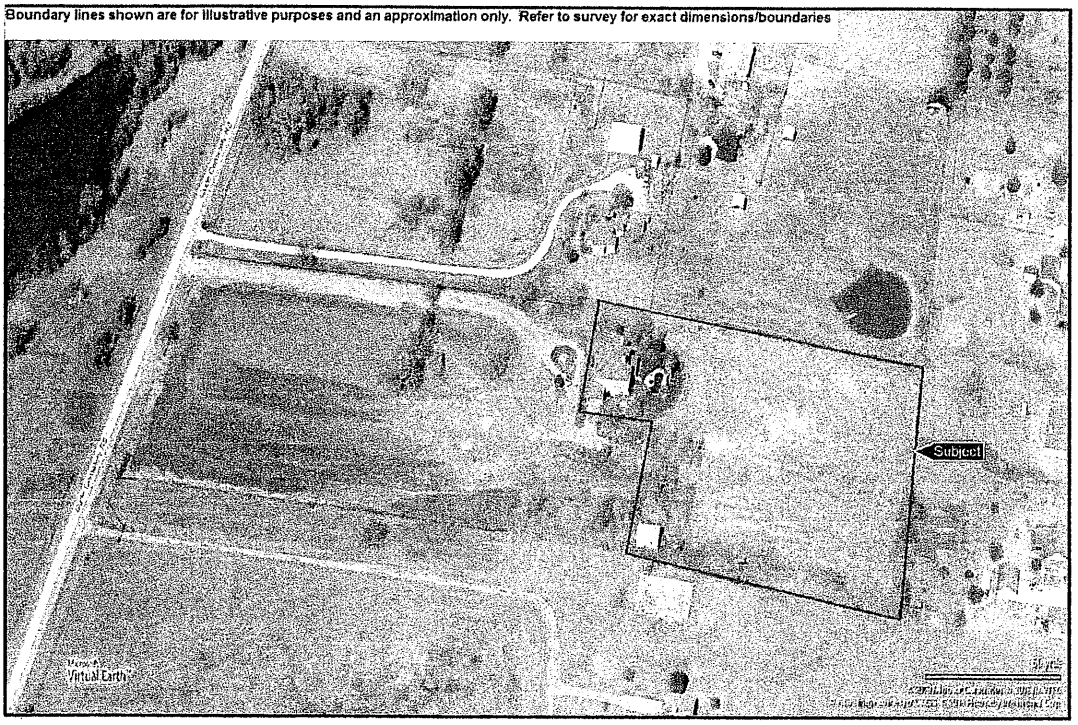


Alternate Street Scene
- Cude Cemetary Road viewing south

Aerial View

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cobb Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378

Boundary lines shown are for illustrative purposes and an approximation only. Refer to survey for exact dimensions/boundaries

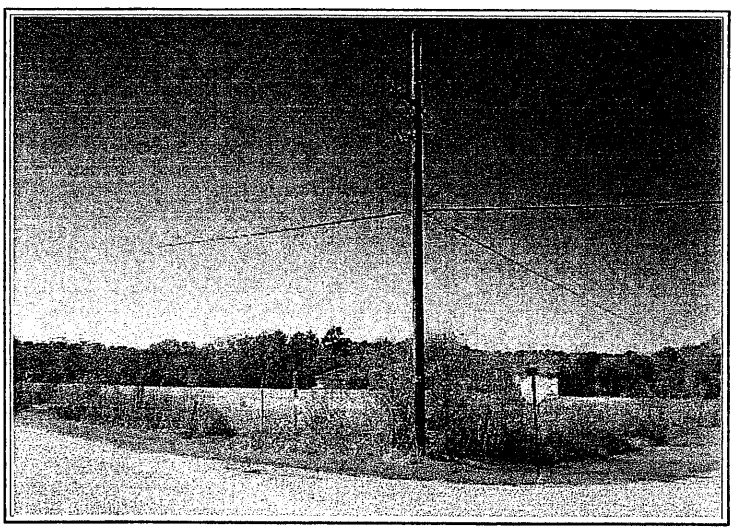


COMPARABLE PROPERTY PHOTO ADDENDUM

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378

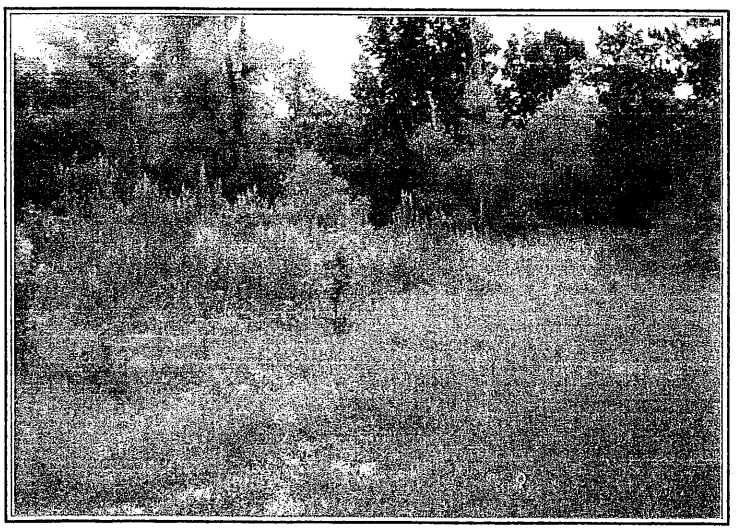
COMPARABLE SALE #1

11857 Calvary Road
Willis
Sale Date: 07/22/2008
Sale Price: $ 155,000



COMPARABLE SALE #2

4.0 Acres, Longstreet
Willis
Sale Date: 06/19/2007
Sale Price: $ 85,000

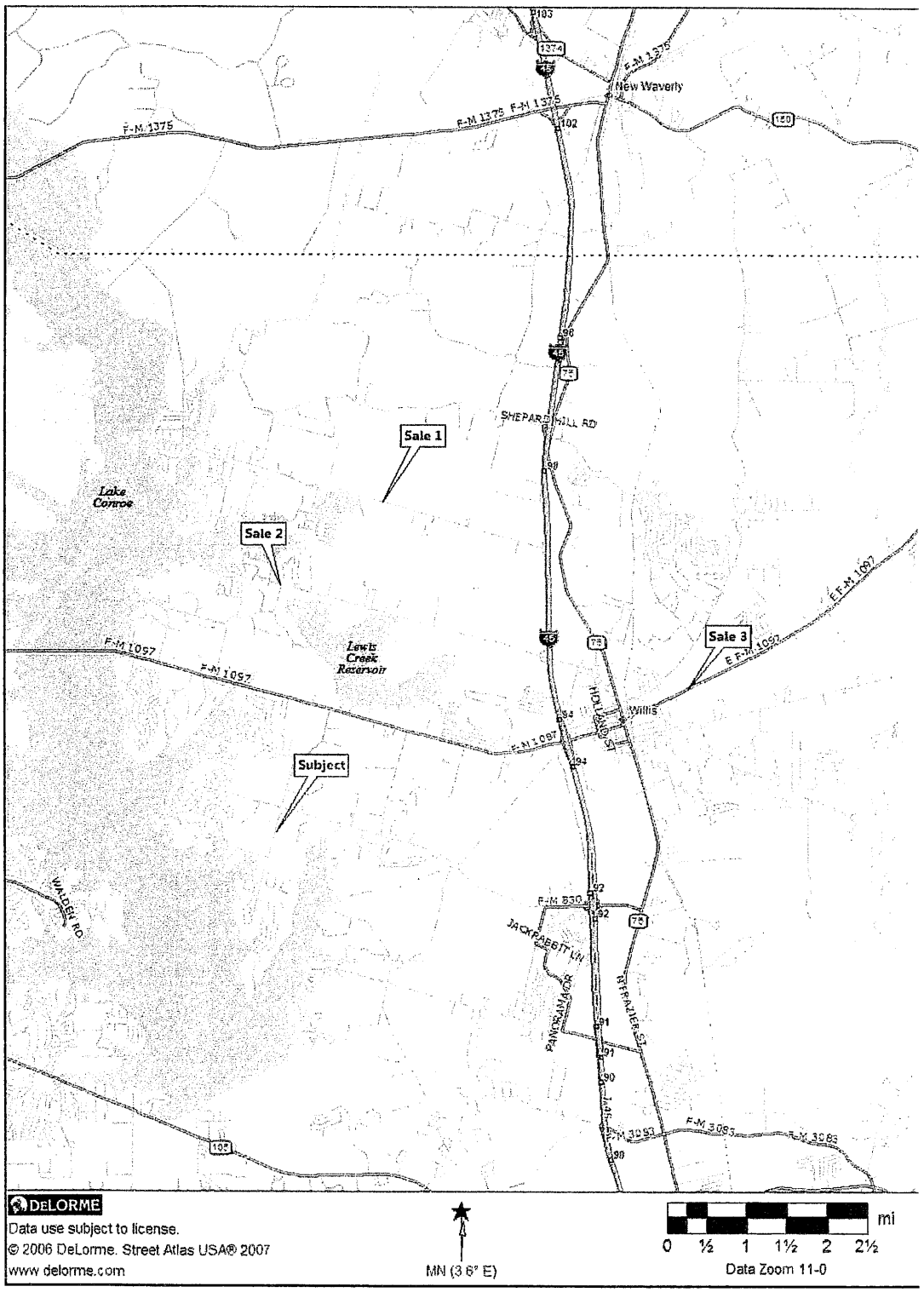


COMPARABLE SALE #3

485 FM 1097 East
Willis
Sale Date: 08/25/2006
Sale Price: $ 65,000

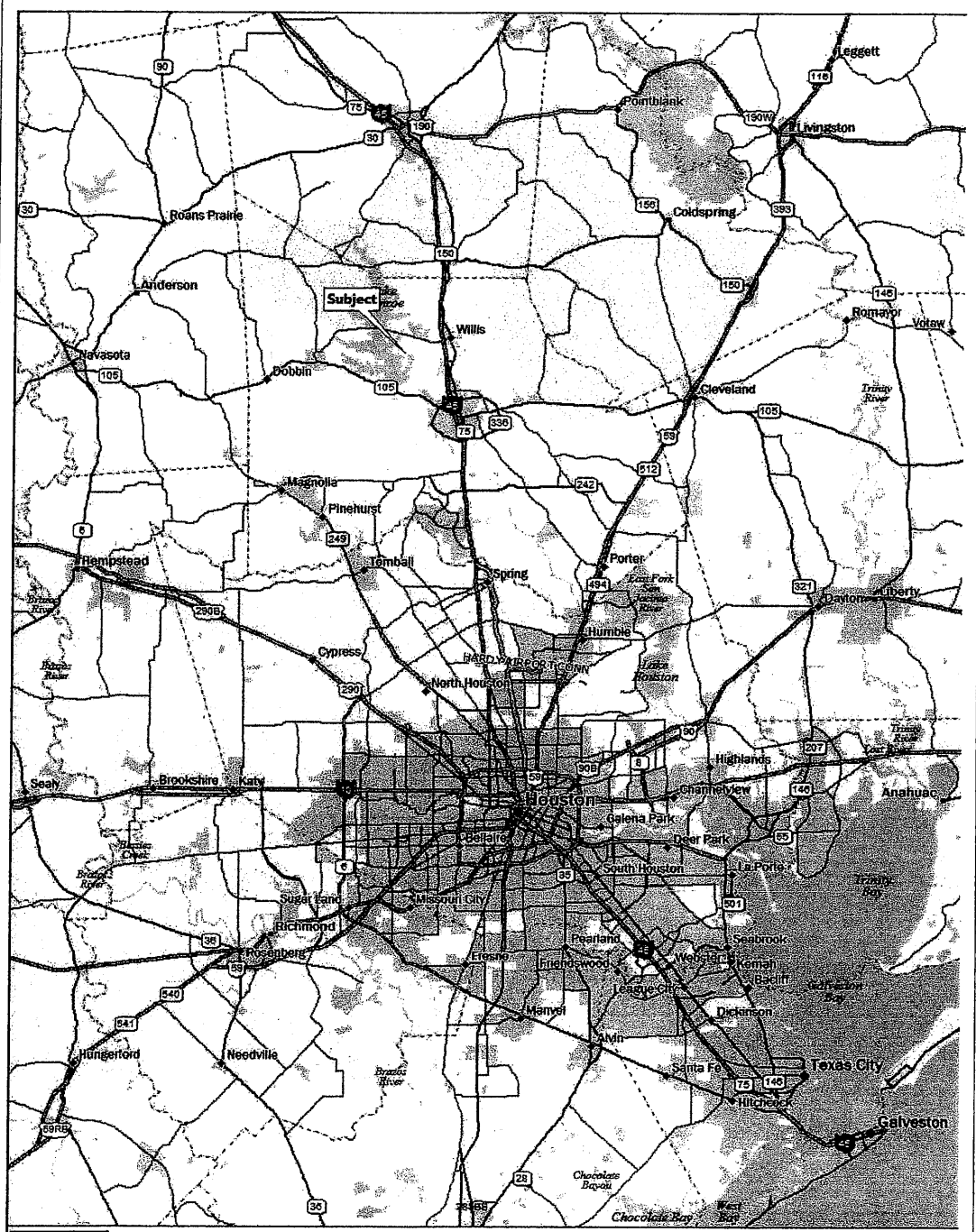
LOCATION MAP

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378



Area Map

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378



Appraiser License

Client:	ica	File No.:	9R01134
Property Address: 4.5 Acres, Cude Cemetary Road		Case No.:	
City: Willis	State: TX	Zip: 77378	

TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD

BE IT KNOWN THAT

RHONDA DENISE BRADLEY

HAVING PROVIDED SATISFACTORY EVIDENCE OF THE QUALIFICATIONS REQUIRED BY THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT, TEXAS OCCUPATIONS CODE, CHAPTER 1103, IS AUTHORIZED TO USE THE TITLE

PROVISIONAL LICENSED REAL ESTATE APPRAISER

Number: TX-1337372-P

Date of Issue: October 1, 2007

Date of Expiration: October 31, 2009

In Witness Thereof

Larry D. Kokel, Chair

Wayne Thorburn, Commissioner

Larry D. Kokel, Chair
William A. Faulk, Jr.
Dona S. Scurry

Clinton P. Sayers, Vice-Chair
Paul E. Moore
Shirley J. Ward

Malcolm J. Deason, Secretary
James B. Ratliff

Supervisory Appraiser Certification

Client:	File No.: 9R01134	
Property Address: 4.5 Acres, Cude Cemetary Road	Case No.:	
City: Willis	State: TX	Zip: 77378

TEXAS APPRAISER LICENSING AND CERTIFICATION BOARD

BE IT KNOWN THAT

MALCOLM WAYNE WILLEY

HAVING PROVIDED SATISFACTORY EVIDENCE OF THE QUALIFICATIONS REQUIRED BY THE TEXAS APPRAISER LICENSING AND CERTIFICATION ACT, TEXAS OCCUPATIONS CODE, CHAPTER 1103, IS AUTHORIZED TO USE THE TITLE

STATE CERTIFIED
GENERAL REAL ESTATE APPRAISER

Number: TX-1329116-G

Date of Issue: October 30, 2007

Date of Expiration: December 31, 2009

In Witness Thereof

Larry D. Kokel, Chair

Wayne Thorburn, Commissioner

Larry D. Kokel, Chair
William A. Faulk, Jr.
Dona S. Scurry

Clinton P. Sayers, Vice-Chair
Paul E. Moore
Shirley J. Ward

Malcolm J. Deason, Secretary
James B. Ratliff

ATTACHMENT J

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

April 2, 2007

Certified Mail – Return Receipt Requested

Texas Commission on Environmental Quality
Revenues Section (MC 214)
P. O. Box 13088
Austin, Texas 78711-3088

Subject: Far Hills Utility District
New Domestic Wastewater Permit Application
LEI Job No. 233-013-106

To Whom It May Concern:

Enclosed is Check Number 24549 in the amount of One Thousand Seven Hundred Dollars ($1,700.00) for the subject new permit application (this amount includes an additional $50.00 for landowner notification postage in excess of 100 landowners) in the name of Far Hills Utility District.

Please call if you have any questions.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosure

cc: Mr. Jim Haymon – Far Hills Utility District
Ms. Ruth Clark – Far Hills Utility District
Ms. Regina Adams – Johnson Radcliffe Petrov & Bobbitt, PLLC

E:\Current Proj\Far Hills U.D.\233-013-106\TCEQ Revenue 04-02-2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ DOMESTIC WASTEWATER PERMIT APPLICATION
DOMESTIC ADMINISTRATIVE REPORT

SUBMIT THIS CHECKLIST WITH THE APPLICATION (Do not submit the instructions with the application; indicate if the following are included in the application.)

APPLICANT Far Hills Utility District

PERMIT NUMBER_____

WORKSHEET	Y	N	WORKSHEET	Y	N
ADMINISTRATIVE REPORT 1.0	✔		ORIGINAL USGS MAP	✔	
ADMINISTRATIVE REPORT 1.1	✔		AFFECTED LANDOWNER MAP	✔	
SPIF	✔		BUFFER ZONE MAP	✔	
TECHNICAL REPORT 1.0	✔		FLOW DIAGRAM	✔	
TECHNICAL REPORT 1.1	✔		SITE DRAWING	✔	
WORKSHEET 2.0	✔		ORIGINAL PHOTOGRAPHS	✔	
WORKSHEET 2.1	✔		DESIGN CALCULATIONS	✔	
WORKSHEET 3.0		✔	DESIGN FEATURES	✔	
WORKSHEET 3.1		✔	SOLIDS MANAGEMENT PLAN	✔	
WORKSHEET 4.0		✔	WATER BALANCE		✔
WORKSHEET 5.0		✔	COPY OF APPLICATION FEE CHECK	✔	
WORKSHEET 6.0 (required for all POTWs)	✔		LANDOWNER DISK OR LABELS	✔	
WORKSHEET 7.0		✔	ALL FEES OWED TCEQ ARE PAID	✔	

Please indicate by a check mark the amount submitted for the application fee:

Flow	New/Major Amendment		Renewals	
< .05 MGD	_____	$350.00	_____	$315.00
≥ .05 but < .10 MGD	_____	$550.00	_____	$515.00
≥ .10 but < .25 MGD	_____	$850.00	_____	$815.00
≥ .25 but < .50 MGD	_____	$1,250.00	_____	$1,215.00
≥ .50 but < 1.0 MGD	✔	$1,650.00	_____	$1,615.00
≥ 1.0 MGD	_____	$2,050.00	_____	$2,015.00

Minor Amendment (any flow) _____ $115.00

A COPY OF THE APPLICATION FEE CHECK MUST BE SUBMITTED WITH THE APPLICATION

For Commission Use Only:
Segment Number_____ County_____
Expiration Date_____ Region_____
Proposed/Current Permit Number _____

DOMESTIC ADMINISTRATIVE REPORT 1.0

THE FOLLOWING IS REQUIRED FOR ALL APPLICATIONS: RENEWAL, NEW AND AMENDMENT

PLEASE FOLLOW THE INSTRUCTIONS WHILE COMPLETING THE APPLICATION

Type of application:

✔	New TPDES	____	New TLAP
____	Major amendment to existing permit	____	Minor modification to permit
____	Renewal of existing permit	____	Minor amendment to permit

If applying for an amendment/modification to a permit, please describe the request in detail.

1. APPLICANT INFORMATION (Instructions, Page 12)

a. Facility owner: Far Hills Utility District

(Owner of the facility must apply for the permit.)

Mailing address for use on the permit and permit correspondence:

Street No. 1001 Street name: McKinney, Suite 1000 Street type Street

City: Houston P.O. Box ____ State: TX ZIP code: 77002

Telephone number: 713-237-1221

Tax Identification Number issued by the State Comptroller: ____

Charter Number issued by the Texas Secretary of State: ____

Check one:

✔ The TCEQ has issued this Customer Reference Number to the owner: CN 600667703

____ The owner has not yet received a Customer Reference Number. A complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.

b. Co-Permittee information (complete only if the operator must be a co-permittee)

Facility operator: N/A

Street No. N/A Street name: N/A Street type N/A

City: N/A P.O. Box: N/A State: NA ZIP code: N/A

Telephone number: N/A

Tax Identification Number issued by the State Comptroller: N/A

Charter Number issued by the Texas Secretary of State: N/A

Check one:

____ The TCEQ has issued this Customer Reference Number to the owner: CN N/A

____ The owner has not yet received a Customer Reference Number. (A complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity is attached to this application.)

Provide a brief description as to the need for a co-permittee.

N/A

c. Individual information (complete only if the facility owner or co-permittee is an individual)

Name: N/A Check one: _____ Male _____ Female

State Identification Number: N/A

Date of Birth: N/A

Assumed business of professional name: N/A

Home address:

Street No. N/A Street name: N/A Street type N/A

City: N/A State: N/A Zip code: N/A

Telephone number: N/A

Business name: N/A

Check one:

___ The TCEQ has issued this Customer Reference Number to the owner: CN_____

___ The owner has not yet received a Customer Reference Number. (A complete Core Data Form (TCEQ-10400) listing the owner as the customer and this facility as the regulated entity must be attached to this application.)

2. Contact Information (Instructions, Page 13)

Name: Jim Haymon, President Telephone number: 713-703-2588

Company: Far Hills Utility District Fax number: _____

Street No. 9528 Street name: Escondido Street type: _____

P.O. Box: _____

City: Willis State: TX ZIP code: 77318

Check one or both: ✔ Administrative contact _____ Technical contact

Name: Timothy B. Hardin, P.E. Telephone number: 713-461-3530

Company: Langford Engineering, Inc. Fax number: 713-932-7505

Street No. 1080 Street name: W Sam Houston N, Suite 200 Street type: Parkway

P.O. Box: _____

City: Houston State: TX ZIP code: 77043

Check one or both: ✔ Administrative contact ✔ Technical contact

3. Notice Information (Instructions, Page 13)

a. Individual publishing the notices

Name: Timothy B. Hardin, P.E. Telephone number: 713-461-3530

Company: Langford Engineering, Inc. Fax number: 713-932-7505

Street No. 1080 Street name: W. Sam Houston N., Suite 200 Street type: Parkway

P.O. Box: _____

City: Houston State: TX ZIP code: 77043

b. Method for receiving Notice of Receipt and Intent to Obtain a Water Quality Permit Package:

Indicate by a check mark the preferred method for receiving the first notice and instructions:

_____ E-mail: E-mail address:_____

_____ Fax: Fax number:_____

_____ Overnight/Priority mail: (self addressed, prepaid envelope required)

✔ Regular Mail: Street No. 1080 Street name: W Sam Houston N Ste 200 Street type: PKWY

P.O. Box:_____

City: Houston State: TX ZIP code: 77043

c. Contact in the Notice

Name: Timothy B. Hardin, P.E. Telephone number: 713-461-3530

Company: Langford Engineering, Inc. Fax number: 713-932-7505

Street No. 1080 Street name: W. Sam Houston N., Suite 200 Street type: Parkway

P.O. Box:_____

City: Houston State: TX ZIP code: 77043

d. Public Place Information

(If the facility and/or outfall is located in more than one county, a public viewing place for each county must be provided.)

Location of public building: Willis, Texas

Public building name: R.F. Meador Library

Name:_____ Telephone number: 936-856-4411

Company:_____ Fax number:_____

Street No. 709 Street name: West Montgomery Street type:_____

City: Willis State: TX ZIP code: 77378

County: Montgomery County

e. Bilingual Notice Requirements:

FOR NEW PERMIT APPLICATIONS, MAJOR AMENDMENT AND RENEWAL APPLICATIONS
(Not applicable for minor amendment or minor modification applications.)

Please call the bilingual/ESL coordinator for the nearest elementary and middle schools and obtain the following information to determine if an alternative language notice is required:

1. Is a bilingual education program required by the Texas Education Code at the nearest elementary or middle school to the facility or proposed facility?

   ✔ Yes No (If No, alternative language notice publication is not required; skip to item 4. FACILITY INFORMATION.)

2. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?

   Yes ✔ No

3. Do the students at these schools attend a bilingual education program at another location?

   ✔ Yes No

4. Would the school be required to provide a bilingual education program but the school has waived out of this requirement under 19 TAC Section 89.1205(g)?
_____ Yes ✔ No

5. If the answer is yes to either 2, 3, or 4, public notice in an alternative language is required. Which language is required by the bilingual program?

Name of language: Spanish

(Complete instructions on publishing the alternative language notice will be available in your full public notice package. This section of the application is only used to determine if alternative language notice will be needed.)

4. **FACILITY INFORMATION** (Instructions, Page 14)

a. State/TPDES Permit No. N/A Expiration date:_____

EPA Identification No. N/A

Check one:

✔ The TCEQ has issued this Regulated Entity Reference Number to the owner: RN RN101226801

___ No Regulated Entity Reference Number has been received for this facility.

(One or more completed Core Data Forms (TCEQ-10400) listing this facility as the regulated entity are attached.)

b. Plant Name: Far Hills Utility District Wastewater Treatment Plant

County in which the facility is located: Montgomery County

County in which the outfall is located: Montgomery County

Name of municipality closest to facility Far Hills Utility District

c. Owner of treatment plant: Far Hills Utility District

d. Owner of land where treatment plant is/will be: Far Hills Utility District

(If not the same as the facility owner, there must be a long term lease agreement in effect for at least six years. In some cases, a lease may not suffice - see instructions.)

Street No._____ Street name:_____ Street type:_____

City:_____ P.O. Box:_____ State:_____ ZIP code:_____

e. Owner of effluent disposal site: N/A

(If not the same as the facility owner, there must be a long term lease agreement in effect for at least six years.)

Street No._____ Street name:_____ Street type:_____

City:_____ P.O. Box:_____ State:_____ ZIP code:_____

f. Owner of sewage sludge disposal site: N/A

(Required only if authorization is sought in the permit for sludge disposal on property owned/controlled by the applicant.)

Street No._____Street name:_____Street type:_____

City:_____P.O. Box:_____State:____ ZIP code:_____

5. LOCATION INFORMATION (Instructions, Page 15)

a. Is the location of the facility used in the existing permit correct? ____Yes ____ No

Provide an address for the facility, if available (address must be validated through the US Postal Service or your local police (911 service) as a valid address. If the location description is not accurate or this is a new permit application, please provide an accurate description.

The proposed facility is located on the east side of Cude Cemetery Road approximately 1,800 feet south of FM 830.

b. Is the point of discharge and discharge route in the existing permit correct? ____Yes ____ No

If no, or a new or amendment permit application, please give an accurate description.

From the plant via storm sewer, south and east to an existing storm sewer collection system located in the Lake Breeze, Section 2 Subdivision, thence to Lake Conroe, Segment 1012.

c. If a TLAP, is the location of the effluent disposal in the existing permit accurate? ____Yes____ No

If no, or a new or amendment permit application, please give an accurate description.

N/A

d. If a TLAP, describe the routing of effluent from the treatment facility to the effluent disposal site.

N/A

e. For TLAP applications, please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained: _____

f. Is the location of the sewage sludge disposal site in the existing permit accurate? ____Yes ____ No

If no, or a new permit application, please give an accurate description.

The sludge will be hauled off site by a registered transporter to a permitted site.

g. Provide an **original** USGS Map with all required information. Indicate by a check mark that the information is provided.

- ✓ Applicant's property boundary
- ✓ Point of discharge and highlighted discharge route
- ____ Effluent disposal site boundaries
- ✓ 1 mile radius and 3 miles downstream information
- ✓ Treatment plant boundaries
- ____ Sewage sludge disposal site
- ✓ New and future construction
- ____ All ponds

h. Provide the latitude and longitude of the outfall(s).

Outfall: Latitude: (N) 30 Degrees 23 Minutes 54 Seconds

Longitude: (W) 95 Degrees 32 Minutes 45 Seconds

i. Is the facility located in Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, or Williamson County?

____ Yes ✓ No (If Yes, additional information concerning protection of the Edwards Aquifer may be required.)

j. Ownership of Facility: ✓ Public ____ Private ____ Both ____ Federal

k. Is/will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch? ____ Yes ✓ No

If Yes, indicate by a check mark if: ____ Authorization granted ____ Authorization pending

(For new and amendments, provide copies of letters that show proof of contact and the approval letter upon receipt.)

l. Is the facility located on or does the treated effluent cross Indian Land? ____ Yes ✓ No

6. MISCELLANEOUS INFORMATION (Instructions, Pages 17)

a. Provide two names of individuals that can be contacted during the permit term.

Name: Timothy B. Hardin, P.E. Telephone number: 713-461-3530

Company: Langford Engineering, Inc. Fax number: 713-932-7505

Street No. 1080 Street name: W Sam Houston N Ste 200 Street type: Parkway

P.O. Box: ____

City: Houston State: TX ZIP code: 77043

Name: Jim Haymon Telephone number: 713-703-2588

Company: Far Hills Utility District Fax number: ____

Street No. 9528 Street name: Escondido Street type: ____

P.O. Box: ____

City: Willis State: TX ZIP code: 77318

b. List each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application. None

c. For all applications involving an average daily discharge of 5 million gallons per day or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge.

N/A

d. Please provide the address for receiving self-reporting/DMR forms.

Company: Aqua Management Department: _____

Name: Jim Hartman

Street No. _____ Street Name: _____ Street Type: _____

P.O. Box: 1747

City: Spring State: TX ZIP code: 77383

Please provide the address for receiving Annual Billing Invoices .

Company: Far Hills Utility District Department: _____

Name: Jim Havmon

Street No. 1001 Street Name: McKinnev. Suite 1000 Street Type: _____

P.O. Box: _____

City: Houston State: TX ZIP code: 77002

e. Do you owe fees to the TCEQ?

_____ Yes ✔ No

If yes, please provide the amount past due, the type of fee, and an identifying number.

Do you owe any penalties to the TCEQ?

_____ Yes ✔ No

If yes, please provide the amount past due, the type of penalty, and an identifying number.

7. **SIGNATURE PAGE** (Instructions, Page 17)

Permit Number_____

Applicant Far Hills Utility District

I, Jim Haymon — Board President

Typed or printed name — *Title*

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations.

I further certify that I am authorized under 30 Texas Administrative Code Section 305.44 to sign this document and can provide documentation in proof of such authorization upon request.

Signature: Jim Haymon

Subscribed and Sworn to before me by the said Jim Haymon

on this 29 day of March, 20 07

My commission expires on the 29 day of May, 20 09

Gwendolyn Hundley

Notary Public

Harris

County, Texas

GWENDOLYN HUNDLEY
Notary Public, State of Texas
My Commission Expires

IF CO-PERMITTEES ARE NECESSARY, BOTH ENTITIES MUST SUBMIT SEPARATE SIGNATURE PAGES.

SPIF

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)
FOR AGENCIES REVIEWING
DOMESTIC TPDES WASTEWATER PERMIT APPLICATIONS

TCEQ USE ONLY:
Application type: _____ Renewal _____ Major Amendment _____ Minor Amendment _____ New
County:_____
Admin Complete Date:_____
Agency Receiving SPIF:
_____ Texas Historical Commission _____ U.S. Fish and Wildlife
_____ Texas Parks and Wildlife Department _____ U.S. Army Corps of Engineers

SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF) (Instructions, Page 18)

This form applies to TPDES permit applications only. The SPIF must be completed as a separate document. The TCEQ will mail a copy of the SPIF to each agency as required by the TCEQ agreement with EPA. If any of the items are not completely addressed and/or further information is needed, you will be contacted to provide the information before the permit is issued. Each item must be completely addressed.

DO NOT REFER TO A RESPONSE OF ANY ITEM IN THE PERMIT APPLICATION FORM. Each attachment must be provided with this form, separately from the administrative report of the application. The application will not be declared administratively complete without this form being completed in its entirety including all attachments.

The following applies to all applications:

1. Permittee: **Far Hills Utility District**

2. Permit No._____(EPA ID No.)_____

3. Address of the project (location description that includes street/highway, city/vicinity, county):

Approximately 5.34 acre tract located along the east frontage of Cude Cemetery Road, approximately 1,800 ft. south of FM 830.

4. Provide the name, address, telephone and fax number of an individual that can be contacted to answer specific questions about the property.

Name: **Timothy B. Hardin, P.E.** Telephone number: **713-461-3530**
Company: **Langford Engineering, Inc.** Fax number: **713-932-7505**
Street No. **1080** Street name: **W Sam Houston N Ste 200** Street type: **Parkway**
City: **Houston** State: **TX** ZIP code: **77043**

5. List the county in which the facility is located. **Montgomery County**

6. If the property is publicly owned and the owner is different that the permittee/applicant, please the owner of the property.

N/A

7. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the Segment Number.

From the plant site, via a storm sewer, south and east to Lake Breeze, Section 2 subdivision storm sewers, then to Lake Conroe, Segment 1012.

8. Please provide a separate 7.5 minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required **in addition to** the map in the administrative report.)

9. Please provide original photographs of any structures 50 years or older on the property.

10. Does your project involve any of the following? If Yes, check the appropriate items.

- ☑ a. Proposed access roads, utility lines, construction easements
- ☐ b. Visual effects that could damage or detract from a historic property's integrity
- ☐ c. Vibration effects during construction, or as a result of project design
- ☑ d. Additional phases of development that are planned for the future
- ☐ e. Sealing caves, fractures, sinkholes, other karst features
- ☑ f. Disturbance of vegetation or wetlands

11. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves or other karst features).

5.34 acres; clearing and grubbing, yard piping, and structural excavation - approximately 10 feet in depth

12. Describe existing disturbances, vegetation & land use.

Portion of residential lot (10 acres). The affected property is undeveloped grass land (pasture).

THE FOLLOWING ITEMS APPLY ONLY TO APPLICATIONS FOR NEW TPDES PERMITS AND MAJOR AMENDMENTS TO TPDES PERMITS.

13. List construction dates of any buildings or structures on the property.

No structures located on the plant site.

14. Provide a brief history of the property, and name of the architect/builder, if known.

Portion of 10-acre lot with one (1) residence.

ADMIN 1.1

DOMESTIC ADMINISTRATIVE REPORT 1.1

THE FOLLOWING IS REQUIRED FOR NEW AND AMENDMENT APPLICATIONS

1. AFFECTED LANDOWNER INFORMATION (Instructions, Page 19)

a. Indicate by a check mark that the landowners map or drawing, with scale, includes the following, as applicable.

- ✓ The applicant's property boundaries
- ✓ The plant site boundaries within the applicant's property boundaries
- ✓ The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone
- ✓ The property boundaries of all landowners surrounding the applicant's property
- ✓ The point(s) of discharge and highlighted discharge route clearly shown for one mile downstream
- ✓ The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge
- ✓ The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay estuary, or effected by tides
- ____ The boundaries of the effluent disposal site (for example, irrigation area or subsurface drainfield site), all evaporation/holding ponds within the applicant's property
- ___ The property boundaries of all landowners surrounding the applicant's property boundaries where the effluent disposal site is located
- ____ The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners surrounding the applicant's property boundaries where the sewage sludge land application site is located
- ____ The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (for example, sludge surface disposal site or sludge monofill) is located

b. Indicate by a check mark which format the landowners list is submitted:
✓ Disk ____ 4 sets of labels

c. Indicate by a check mark that the list of landowners is cross-referenced to the landowners map. ✓
Provide the source of the landowner's names and mailing addresses.

Montgomery County Appraisal District

d. As required by Texas Water Code 5.115, is any permanent school fund land affected by this application?
____ Yes ✓ No

If Yes, provide the location and foreseeable impacts and effects this application has on the land(s).

2. BUFFER ZONE MAP (Instructions, Page 20)

a. Provide a buffer zone map on 8.5 by 11-inch paper. Indicate by a check mark that all the following information is included on the map.

- ✓ The applicant's property boundary
- ✓ The required buffer zone
- ✓ Each treatment unit
- ✓ The distance from each treatment unit to the property boundaries

b. How will the buffer zone requirement be met?

✔ Ownership _____ Restrictive easement _____ Nuisance odor control _____ Variance

c. Does the facility comply with unsuitable site characteristics found in 30 TAC 309.13(a) through (d)?

✔ Yes _____ No

3. ORIGINAL PHOTOGRAPHS (Instructions, Page 22)

Provide original ground level photographs. Indicate by checking that the following information is provided.

- ✓ At least one original photograph of the new and/or expanded treatment unit location
- ✓ At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured on film. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured on film.
- _____ At least one photograph of the existing/proposed effluent disposal site
- ✓ A plot plan or map showing the location and direction of each photograph

TECH 1.0

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ DOMESTIC WASTEWATER PERMIT APPLICATION
DOMESTIC TECHNICAL REPORT 1.0

THE FOLLOWING IS REQUIRED FOR ALL APPLICATIONS; RENEWAL, NEW, AND AMENDMENT

1. **PERMITTED AND/OR PROPOSED FLOWS** (Instructions, Page 23)

PERMITTED AND/OR PROPOSED FLOW:	Existing/Interim I Phase	Interim II Phase	Final Phase
Design Flow (MGD)	**0.230**	**0.350**	**0.700**
2-Hr Peak Flow (MGD)	**0.690**	**1.05**	**2.10**
Date construction estimated to commence	**June 2007**	**June 2008**	**June 2010**
Date waste disposal estimated to commence	**December 2007**	**Dec. 2008**	**Dec. 2010**

Phase currently in operation: **N/A**

2. **NAICS and SIC CODE** (Instructions, Page 23)

Provide the appropriate SIC Code: **4952** and NAICS code: **22132**

3. **TREATMENT UNITS** (Instructions, Page 23)

a. Provide a detailed description of the treatment process. Include the **type of treatment plant, mode of operation, and all treatment units**. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of each phase must be provided.**

See Attachments

Port or pipe diameter at the discharge point: **18** inches

b. Provide the startup date of the current treatment facility **N/A**

Have plans and specifications been approved for the existing facilities and/or each proposed phase?
____ Yes ✔ No If yes, provide the date of approval_____

c. Have the buffer zone requirements been met? ✔ Yes ____ No

d. Provide flow diagrams for the existing facilities and/or each proposed phase of construction. Indicate by a check mark that the required information is included.
✔

e. Provide the type and dimensions (length, width, height) of each **treatment unit and for all phases.**

TREATMENT UNITS	DIMENSIONS (L x W x D)
See Attachments	

4. POLLUTANT ANALYSIS OF TREATED EFFLUENT (Instructions, Page 24)

Provide an analysis of the treated effluent for the following pollutants:
(Not required for new permit applications unless the facility is in operation)

POLLUTANT	CONCENTRATION		NUMBER OF SAMPLES	TYPE OF SAMPLE	SAMPLE DATE/ TIME
	AVG.	MAX.			
(1) $CBOD_5$ mg/l					
(2) Total Suspended Solids, mg/l					
(3) Ammonia-Nitrogen, mg/l					
(4) Nitrate-Nitrogen, mg/l					
(5) Total Kjeldahl Nitrogen, mg/l					
(6) Sulfate, mg/l					
(7) Chloride, mg/l					
(8) Total Phosphorus, mg/l					
(9) pH, standard units					
(10) Dissolved Oxygen, mg/l					
(11) Chlorine Residual, mg/l					
(12) Fecal Coliform (colonies/100ml)					
(13) Total Dissolved Solids, mg/l					
(14) Elec. Conductivity, umhos/cm					
(15) Enterococci, (colonies/100mg)					
(16) Oil and Grease, mg/l					

5. FACILITY OPERATOR (Instructions, Page 24)

Provide the name and operator certification number for the facility operator:

Aqua Management; 456824805

6. SEWAGE SLUDGE MANAGEMENT AND DISPOSAL (Instruction, Page 24)

a. Please check the current sludge disposal method or methods. More than one method can be checked.

_____ Permitted landfill
_____ Permitted or Registered land application site for beneficial use
_____ Land application for beneficial use authorized in the wastewater permit
_____ Permitted sludge processing facility
_____ Marketing and distribution as authorized in the wastewater permit
_____ Composting as authorized in the wastewater permit
_____ Permitted surface disposal site (sludge monofill)
_____ Surface disposal site (sludge monofill) authorized in the wastewater permit
_____ Transported to another permitted wastewater treatment plant
_____ Written statement/contractual agreement from the facility accepting the sludge is attached
_____ Other method (provide description):

New Permit; proposed method is disposal (by licensed transporter) at permitted landfill or permitted land application site.

b. Provide the disposal site name, TCEQ Permit or Registration Number, and County where the site is located:

CELOSO, 04518, Waller Co.

c. Provide the method of transportation (truck, train, pipe, other), name of the hauler and hauler Registration Number:

Truck, 22430

Transported in: ✔ liquid _____ semi-liquid _____ semi-solid _____ solid state
Land application for: _____ Reclamation _____ Soil Conditioning

7. PERMIT AUTHORIZATION FOR SEWAGE SLUDGE DISPOSAL (Instructions, Page 24)

a. Does the existing permit include authorization for land application of sewage sludge for beneficial use?
_____ Yes ✔ No
If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use?
_____ Yes ✔ No
If yes, is the completed **APPLICATION FOR PERMIT FOR BENEFICIAL LAND USE OF SEWAGE SLUDGE (TCEQ Form No. 10451)** attached to this permit renewal application (see the instructions for details)?
_____ Yes ✔ No

b. Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?
Sludge Composting _____ Yes ✔ No
Marketing and Distribution of sludge _____ Yes ✔ No
Sludge Surface Disposal or Sludge Monofill _____ Yes ✔ No
Temporary storage of sludge in sludge lagoons _____ Yes ✔ No

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056)** attached to this permit renewal application? _____ Yes ✔ No

8. SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN (Instructions, Page 25)

Does the facility discharge in the Lake Houston watershed? _____ Yes ✔ No
Does the facility accept sludge from other domestic wastewater treatment facilities? _____ Yes ✔ No
If yes to either question, is the required solids management plan attached? _____ Yes ✔ No

9. SEWAGE SLUDGE LAGOONS (Instructions, Page 25)

a. Location information

Indicate by a check mark that the following required maps are submitted as part of the application and that they contain the required information.

_____ Original General Highway (County) Map
_____ USDA Natural Resources Conservation Service Soil Map
_____ Federal Emergency Management Map
_____ Site map

Indicate by a check mark if any of the following existing within the area used/proposed for the lagoons.

_____ Overlap a designated 100-year frequency flood plain
_____ Soils with flooding classification
_____ Wetlands
_____ Located less than 60 meters from a fault
_____ Overlap an unstable area
_____ None of the these

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures.

b. Temporary storage information

Provide the results of the following in addition to the pollutants listed in the Technical Report 1.0

Pollutant	mg/kg
Nitrate Nitrogen	
Total Nitrogen	
Phosphorus	
Potassium	
pH (Standard Units)	
Ammonia Nitrogen	

Provide the following information:

Volume and frequency of sludge to lagoon(s): _____

Total dry tons stored in the sludge lagoon(s) per 365-day period: _____

Total dry tons stored in the sludge lagoon(s) over the life of the unit: _____

c. Facility information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of 1×10^{-7} cm/sec?

Yes ____ No ____

If yes, describe the liner. Please note that lining is required.

d. Site Development Plan

Provide a detailed description of the methods used to deposit sludge in the lagoon(s).

In addition to the detailed description, please indicate by a check mark that the following information is provided.

____ Plan view and cross-section of the sludge lagoon(s)

____ Copy of the closure plan

____ Copy of deed recordation for the site

____ Size of the sludge lagoon(s) in surface acres and capacity if cubic feet and gallons

____ Description of the method of controlling infiltration of groundwater and surface water from entering the site

____ Procedures to prevent the occurrence of nuisance conditions

e. Groundwater Monitoring

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

____ Yes ____ No If groundwater monitoring data are available, provide a copy.

Provide a profile of soil types encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

9. AUTHORIZATIONS/REQUIREMENTS/COMPLIANCE/ENFORCEMENT (Instructions, Page 27)

a. Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc?

____ Yes ✔ No

If yes, provide the TCEQ authorization number and description of the authorization.

b. Is the permittee currently under enforcement? _____ Yes ✔ No

Is the permittee required to meet any implementation schedule for compliance or enforcement?
_____ Yes _____ No

If yes to either question for item 9, provide a brief summary of the enforcement and/or implementation schedule, and a status update.

10. UNBUILT PHASES (Instructions, Pages 27)

Is the application for renewal of a permit that contains an unbuilt phase or phases? _____ Yes ✔ No

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ? _____ Yes ✔ No

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

11. SITE DRAWING (Instructions, Page 27)

Provide a site drawing for the facility. Indicate by a check mark that it contains the following:
✔ The boundaries of the treatment facility
✔ The boundaries of the area served by the treatment facility
_____ If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds
_____ If sludge disposal authorized in the permit, the boundaries of the land application or disposal site

Provide the name and description of the area served by the treatment facility.

Approximately ___ acres of land, comprising Far Hills Utility District boundaries, as well as adjacent properties.

12. RCRA/CERCLA/OTHER WASTES (Instructions, Page 27)

a. Does the facility receive, will it receive, or has it received RCRA hazardous waste in the past three years?
_____ Yes ___✓___ No

b. Does the facility receive, will it receive, or has it received in the past three years, CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater?
_____ Yes ___✓___ No

c. If yes to either **a.** or **b.**, is a detailed attachment with information concerning these wastes provided?
_____ Yes ___✓___ No

TECH1.1

DOMESTIC TECHNICAL REPORT 1.1

THE FOLLOWING IS REQUIRED FOR NEW AND AMENDMENT APPLICATIONS

1. PERMITTED AND/OR PROPOSED FLOWS (Instructions, Page 28)

a. Complete the following chart.

PERMITTED AND /OR PROPOSED FLOW:	Initial/existing Phase	Intermediate Phase	Final Phase
Design Flow (MGD)	**0.230**	**0.350**	**0.700**
2-Hr Peak Flow (MGD)	**0.690**	**1.05**	**2.10**
Construction estimated to start	**June 2007**	**June 2008**	**June 2010**
Date waste disposal to start	**Dec. 2007**	**Dec. 2008**	**Dec. 2010**

Phase currently in operation: **N/A**

b. Provide a detailed discussion regarding the need for the proposed permit or proposed phase(s). Failure to provide sufficient justification may result in the Executive Director recommending denial of the proposed phase(s) or permit.

See Attachments

c. Provide the following information concerning regionalization of domestic wastewater treatment facilities:

1. If the applicant is a city, check N/A and proceed to item 2. _____ N/A

Is any portion of the proposed service area located in an incorporated city? _____ Yes ✔ No
If yes, within the city limits of: _____
If yes, is correspondence from the city attached? _____ Yes _____ No
If consent to provide service is available from the city, is justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the city versus the cost of the proposed facility or expansion attached? _____ Yes ✔ No

2. Is any portion of the proposed service area located inside another utility's CCN area? _____ Yes ✔ No

If yes, is justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the CCN facilities versus the cost of the proposed facility or expansion attached?
_____ Yes ✔ No

3. Are there any domestic permitted wastewater treatment facilities and/or collection systems located within a three-mile radius of the proposed facility? ✔ Yes _____ No

If yes, is a list of these facilities that includes the permittee's name and permit number, and an area map showing the location of these facilities attached? ✔ Yes _____ No

If yes, are copies of your certified letters to these facilities and their response letters concerning connection with their system attached? ✔ Yes _____ No

Does a permitted domestic wastewater treatment facility or a collection system located within three (3) miles of the proposed facility currently have the capacity or is willing to expand to accept the volume of wastewater proposed in this application? _____ Yes ✔ No

If yes, is an analysis of expenditures required to connect to a permitted wastewater treatment facility or collection system located within 3 miles versus the cost of the proposed facility or expansion attached?
✔ Yes _____ No

2. PROPOSED ORGANIC LOADING (Instructions, Page 29)

a. Is this a new permit application? ✔ Yes _____ No

b. If no, and the application is to amend an existing permit, provide the following information.

Facility Design Flow (flow being requested in application) _____
Average Organic Strength or BOD_5 Concentration in mg/l _____
Average Loading (lbs/day=total average flow x average BOD_5 conc. X 8.34) _____
Provide the source of the average organic strength or BOD_5 concentration _____
If the increased flow will impact the existing organic strength, the following table must be completed.

c. If yes to question 2.a on Page 5, this table must be completed.

SOURCE	TOTAL AVERAGE FLOW, (MGD)	ORGANIC STRENGTH BOD_5 CONCENTRATION, (mg/l)
Municipality	**See Attachments**	
Subdivision		
Trailer Park-Transient		
Mobile Home Park		
School with cafeteria and showers		
School with cafeteria, no showers		
Recreational Park, overnight use		
Recreational Park, day use		
Office Building of Factory		
Motel		
Restaurant		
Hospital		
Nursing Home		
Other		
	Total Flow:	Average BOD_5:

3. PROPOSED EFFLUENT QUALITY / PROPOSED DISINFECTION (Instructions, Page 29)

Phase:	Initial/existing	Intermediate	Final
BOD_5, mg/l	10	10	10
TSS, mg/l	15	15	15
NH_3-N, mg/l	3	3	3
Total P, mg/l	N/A	N/A	N/A
DO, mg/l	4	4	4
Other:_____			

Check the proposed method of disinfection.

✔ Chlorine: < 4 mg/l after 20 minutes detention time at peak flow

_____ Ultraviolet:_____seconds contact time at peak flow

_____ Other:_____

_____ Dechlorination process: N/A

4. DESIGN CALCULATIONS (Instructions, Page 29)

Indicate by a check mark that design calculations and plant features for each proposed phase are provided. Example 4 of the instructions includes example design calculations and plant features.

✔

5. FACILITY SITE (Instructions, Page 29)

a. Will the proposed facilities be located above the 100-year frequency flood level? ✔ Yes ____ No

If no, describe measures used to protect the facility. Include a site map showing the location of the treatment plant within the 100-year frequency flood level. If applicable, provide the size of dikes or other protective structures.

Provide the source(s) used to determine 100-year frequency flood plain.

FEMA FIRM, PANEL 4804830220 F, DATED DECEMBER 19, 1996

For a new or expansion of a facility, will a wetland or part of a wetland be filled?____ Yes ✔ No

If yes, has the applicant applied for a U.S. Army Corps of Engineers 404 Dredge and Fill permit?

_____ Yes ✔ No

If yes, provide the permit number._____

b. Indicate by a check mark that a wind rose has been submitted. ✔

6. AUTHORIZATION FOR SEWAGE SLUDGE DISPOSAL (Instructions, Page 29)

a. Are you requesting to include authorization to land apply sewage sludge for beneficial use on property located adjacent to the wastewater treatment facility under the wastewater permit?

_____ Yes ✔ No

If yes, is the completed **APPLICATION FOR PERMIT FOR BENEFICIAL LAND USE OF SEWAGE SLUDGE (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details)?
_____ Yes _____ No

b. Are you requesting to include authorization for any of the following sludge processing, storage or disposal options at the wastewater treatment facility?

Sludge Composting _____ Yes ___✔___ No
Marketing and Distribution of Sludge _____ Yes ___✔___ No
Sludge Surface Disposal or Sludge Monofill _____ Yes ___✔___ No

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056)** attached to this permit application? _____ Yes _____ No

7. SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN (Instructions, Page 30)

Provide a sewage sludge solids management plan. Indicate by a check mark that it contains the following:

___✓___ Treatment units and processes dimensions and capacities
___✓___ Solids generated at 100, 75, 50, and 25 percent of design flow
___✓___ Mixed liquor suspended solids operating range at design and projected actual flow
___✓___ Quantity of solids to be removed and a schedule for solids removal
___✓___ Identification and ownership of the ultimate sludge disposal site
_____ For facultative lagoons, design life calculations, monitoring well locations and depths, and the ultimate disposal method for the sludge from the facultative lagoon

An example of a sewage sludge solids management plan has been included as Example 5 of the instructions.

DOMESTIC WORKSHEET 2.0 - RECEIVING WATERS

THE FOLLOWING IS REQUIRED FOR ALL TPDES PERMIT APPLICATIONS

1. DOMESTIC DRINKING WATER SUPPLY (Instructions, Page 32)

Is there a surface water intake for domestic drinking water supply located within 5 (five) miles downstream from the point/proposed point of discharge? _____ Yes ___✔___ No
If yes, identify owner of the drinking water supply, the distance and direction to the intake, and locate and identify the intake on the USGS map. Indicate by a check mark that the requested information is provided: _____

2. DISCHARGE INTO TIDALLY AFFECTED WATERS (Instructions, Page 32)

a. Width of the receiving water at the outfall: _____ feet

b. Are there oyster reefs in the vicinity of the discharge? _____ Yes _____ No
If yes, provide the distance and direction from outfall(s): _____

c. Are there any Sea Grasses within the vicinity of the point of discharge? _____ Yes _____ No
If yes, provide the distance and direction from the outfall(s): _____

3. CLASSIFIED SEGMENT (Instructions, Page 32)

Is the discharge directly into (or within 300 feet of) a classified segment? ___✔___ Yes _____ No
If yes, stop here. Worksheets 2.0 and 2.1 are complete. **If no**, complete items 4 and 5.

4. DESCRIPTION OF IMMEDIATE RECEIVING WATERS (Instructions, Page 32)

Name of the immediate receiving waters: _____

a. Check the appropriate description of the receiving waters

_____ Stream
_____ Freshwater Swamp or Marsh
_____ Lake or Pond
Surface area: _____ acres
Average depth of the entire water body: _____ feet
Average depth of water body within a 500-foot radius of the discharge point: _____ feet
_____ Man-made Channel or Ditch
_____ Other: _____
_____ Open Bay
_____ Tidal Stream, Bayou, or Marsh

b. If a man-made channel, ditch or stream was checked above, provide the following. Check one of the following that best characterizes the area **upstream** of the discharge. For new discharges, characterize the area **downstream** of the discharge (check one).

_____ Intermittent (dry for at least one week during most years)
_____ Intermittent with Perennial Pools
(enduring pools with sufficient habitat to maintain significant aquatic life uses)
_____ Perennial (normally flowing)

Check the method used to characterize the area upstream (or downstream for new dischargers):

_____ USGS flow records _____ historical observation by adjacent landowner(s)

_____ personal observation _____ other, specify:

c. List the name(s) of all perennial streams that join the receiving water within three miles downstream of the discharge point.

d. Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)? _____Yes _____No If yes, discuss how.

e. Provide general observations of the water body during normal dry weather conditions.

Date and time of observation:_____

Was water body influenced by storm water runoff during observations? _____ Yes _____ No

5. GENERAL CHARACTERISTICS OF WATER BODY (Instructions, Page 33)

a. Is the receiving water upstream of the discharges or proposed discharge site influenced by (check as appropriate)?

_____ oil field activities _____ urban runoff _____ upstream discharges

_____ agricultural runoff _____ septic tanks _____ others, specify below

b. Uses of water body, observed or evidences of (check as appropriate).

_____ livestock watering _____ contact recreation _____ irrigation withdrawal

_____ non contact recreation _____ fishing _____ navigation

_____ domestic water supply _____ industrial water supply _____ picnic park activities

_____ others, specify below

c. Check one of the following to best describe the aesthetics of the receiving water and the surrounding area.

____ Wilderness: outstanding natural beauty; usually wooded or unpastured area: water clarity exceptional

____ Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored

____ Common Setting: not offensive, developed but uncluttered; water may be colored or turbid

____ Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

DOMESTIC WORKSHEET 2.1 - STREAM PHYSICAL CHARACTERISTICS AND WORKSHEET REQUIRED FOR NEW APPLICATIONS, MAJOR FACILITIES, AND APPLICATIONS ADDING AN OUTFALL

Date of study: _____ Time of study: _____

Stream name: _____

Location: _____

Type of stream upstream of existing discharge or downstream of proposed discharges, (check one).

_____ **perennial** _____ **intermittent with perennial pools**

COMPLETE THE TRANSECTS DOWNSTREAM OF THE EXISTING OR PROPOSED DISCHARGES:

1. DATA COLLECTION (Instructions, Page 34)

No. of stream bends: _____ well defined _____ moderately defined _____ poorly defined

No. of riffles: _____

Evidence of Flow fluctuations (check one): _____minor _____ moderate _____ severe

Indicate the observed stream uses and if there is evidence or flow fluctuations or channel obstructions/modifications.

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide ☐ pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

Stream Type at Transect Location: riffle☐, run☐, glide☐, pool☐, (check one)

Location of Transect	Water Surface Width (ft)	Stream Depths (ft) at Points Across Transect (channel bed to water surface)									

2. SUMMARIZE MEASUREMENTS (Instructions, Page 34)

Streambed slope of entire reach (from USGS map in ft./ft.): _____

Approximate drainage area above the most downstream transect (from USGS map or county highway map in ml2): _____

Length of stream evaluated (in feet): _____

Number of lateral transects made: _____

Average stream width (in feet): _____

Average stream depth (in feet): _____

Average stream velocity (in ft/second): _____

Instantaneous stream flow (in ft^3/sec): _____

Indicate flow measurement method: _____

(VERY IMPORTANT -type of meter, floating chip timed over a fixed distance, etc.)

Flow fluctuations (minor, moderate, severe): _____

Size of pools (large, small, moderate, none): _____

Maximum pool depth (in feet): _____

Total number of stream bends: _____

- Number well defined: _____
- Number moderately defined: _____
- Number poorly defined: _____
- Total number of riffles: _____

DOMESTIC WORKSHEET 3.0 - LAND DISPOSAL OF EFFLUENT

THE FOLLOWING IS FOR ALL PERMIT APPLICATIONS, RENEWAL, NEW AND AMENDMENTS

1. TYPE OF DISPOSAL SYSTEM (Instructions, Page 35)

_____ Surface Application
_____ Evaporation
_____ Irrigation
_____ Other (describe below in detail)
_____ Subsurface Application
_____ Evapotranspiration beds
_____ Subsurface soils absorption
_____ Subsurface area drip dispersal system

NOTE: All applicant's authorized or proposing subsurface disposal MUST complete and submit Worksheet 7.0.

2. LAND APPLICATION AREA (Instructions, Page 35)

Effluent Application in GPD	Irrigation Acreage in Acres	Describe land use & indicate type of crop (alfalfa or wheat, bermuda grass, park, golf course, pastureland, etc.)	Public Access Y/N

3. STORAGE AND EVAPORATION PONDS (Instructions, Page 35)

Pond Number	Surface Area (acres)	Storage volume (acre-feet)	Dimensions	Liner Type

Indicate by a check mark that a liner certification completed by a Texas licensed professional engineer is included.
_____

4. FLOOD AND RUNON PROTECTION (Instructions, Page 35)

Is the existing/proposed application site within the 100-year frequency flood level?
_____ Yes _____ No

Source:_____

If yes, describe how the site will be protected from inundation.

Provide a description of tailwater controls and rainfall runon controls used for the irrigation site.

5. ANNUAL CROPPING PLAN (Instructions, Page 35)

Provide the required cropping plan. Indicate by a check mark that each of the following is provided.

_____ Soils map with crops
_____ Cool and warm season plant species
_____ Crop growing season
_____ Crop nutrient requirements
_____ Minimum/maximum harvest height
_____ Additional fertilizer requirements
_____ Supplemental watering requirements
_____ Crop salt tolerances
_____ Harvesting method/number of harvests
_____ Justification for not removing existing vegetation to be irrigated

6. WELL AND MAP INFORMATION (Instructions, Page 36)

Indicate by a check mark that the following information is shown and labeled on the USGS map:

_____ The boundaries of the land application site(s)
_____ Waste disposal or treatment facilities
_____ On-site buildings
_____ Buffer zones
_____ Effluent storage and tailwater control facilities
_____ All water wells within 1 mile radius of the disposal site or property boundaries
_____ All springs and seeps onsite and within 500 feet of the property
_____ All surface waters in the state onsite and within 500 feet of the property

List and cross reference all water wells shown on the USGS map in the following table.
Attach additional pages as necessary to include all of the wells.

Well ID	Well Use	Producing?	Open, cased, capped, or plugged?	Proposed Best Management Practice

Do you plan to install ground water monitoring wells or lysimeters around the land application site?
_____ Yes _____ No
If yes, then provide the proposed location of the monitoring wells or lysimeters on a site map

7. SOIL MAP AND SOIL ANALYSES (Instructions, Page 36)

a. Indicate by a check mark that the USDA Soil Survey map has been provided and the map shows the area to be used for effluent disposal. _____

b. Indicate by a check mark that results from soil analyses have been submitted as part of the application. _____

List all USDA designated soil series on the proposed land application area. Attach additional pages as necessary.

Soil Series	Depth from Surface	Permeability	Available Water Capacity

8. EFFLUENT MONITORING DATA (Instructions, Page 36)

Provide the SAR of the incoming water to the facility _____

Date (mo/yr)	Flow (30-day) avg. in GPD)	BOD in mg/l	TSS in mg/l	TKN in mg/l	Conductivity ds/m *	Phosphorus mg/l	Total acres irrigated

*ds/m is equivalent to mmhos/cm

Provide a discussion of all persistent excursions to permitted parameters and corrective actions taken.

DOMESTIC WORKSHEET 3.1 - SURFACE LAND DISPOSAL OF EFFLUENT

THE FOLLOWING IS REQUIRED FOR NEW, RENEWAL, AND AMENDMENT APPLICATIONS

1. **LAND APPLICATION REQUIREMENTS** (Instructions, Page 37)
   Complete the item that is applicable for the method of disposal being utilized.

a. Irrigation

Area under irrigation:	_____	acres
Design application frequency:	_____	hours/day **and** _____ days/week
Land grade: average:	_____	percent (%)
maximum:	_____	percent (%)
Design application rate:	_____	acre-feet/acre/year
Design Total Nitrogen loading rate:	_____	lbs N/acre/day

Provide a separate engineering report with water balance and storage volume calculations, method of application, irrigation efficiency, and nitrogen balance.
Indicate by a check mark that the information is provided. _____

b. Evaporation Ponds

Daily average effluent flow into ponds:_____ gallons per day

Provide a separate engineering report with water balance and storage volume calculations.
Indicate by a check mark that the necessary information is provided. _____

c. Evapotranspiration Beds

Number of beds:	_____	
Area of bed(s):	_____	acres
Depth of bed(s):	_____	feet
Void ratio of soil in the beds:	_____	
Storage volume within the beds:	_____	

Provide a separate engineering report with water balance and storage volume calculations, and description of the lining. Indicate by a check mark that the necessary information is provided. _____

d. Overland Flow

Area used for application:	_____	acres
Slopes for application area:	_____	percent (%)
Design application rate:	_____	gpm/foot of slope width
Slope length:	_____	feet
Design BOD5 loading rate:	_____	lbs BOD5/acre/day
Design application frequency:	_____	hours/day **and** _____ days/week

Provide a separate engineering report with the method of application and design requirements according to 30 TAC Section 317.10. Indicate by a check mark that the necessary information is provided. _____

2. **EDWARDS AQUIFER RECHARGE AREA** (Instructions, Page 37)

Is the facility subject to 30 TAC Chapter 213, Edwards Aquifer Rules? _____ Yes _____ No
If yes, provide a report concerning the recharge area.
Indicate with a check mark that the necessary information is provided. _____

DOMESTIC WORKSHEET 3.2 - SUBSURFACE LAND DISPOSAL OF EFFLUENT

THE FOLLOWING IS REQUIRED FOR NEW, RENEWAL, AND AMENDMENT APPLICATIONS

NOTE: All applicant's authorized or proposing subsurface disposal MUST complete and submit Worksheet 7.0.

1. **SUBSURFACE APPLICATION** (Instructions, Page 38)
   Complete the item that is applicable for the method of disposal being utilized.
   Check the type of system:
   _____ Conventional Drainfield, Beds, or Trenches
   _____ Pressure Dosing
   _____ Mound System
   _____ Other:_____

Application area:	_____	acres	Area of drainfield:	_____	square feet
Application rate:	_____	gal/square foot/day	Depth to groundwater:	_____	feet
Area of trench:	_____	square feet	Dosing duration per area:	_____	hours
Number of beds:	_____		Dosing amount per area:	_____	inches/day
Infiltration Rate:	_____	inches/hour	Storage volume:	_____	gallons
Area of bed(s):	_____	square feet			
Soil Classification:	_____				

Provide a separate engineering report with all information required in 30 TAC Section 309.20 and a description of the schedule of dosing basin rotation attached. Indicate by a check mark the information is provided. ____

2. **EDWARDS AQUIFER RECHARGE AREA** (Instructions, Page 38)

Is the subsurface system and/or wastewater treatment plant located on the Edwards Aquifer Recharge Zone as mapped by the TCEQ? _____ Yes _____ No
If yes, than the subsurface system may be prohibited by 30 TAC Section 213.8. Please call the Municipal Permits Team to schedule a pre-application meeting.

Is the subsurface system and/or wastewater treatment plant located on the Edwards Aquifer Transition Zone as mapped by the TCEQ? _____ Yes _____ No
If yes, than the subsurface system may be prohibited by 30 TAC Section 213.8. Please call the Municipal Permits Team to schedule a pre-application meeting.

DOMESTIC WORKSHEET 3.3
SUBSURFACE AREA DRIP DISPERSAL SYSTEM LAND DISPOSAL OF EFFLUENT

THE FOLLOWING IS REQUIRED FOR NEW, RENEWAL, AND AMENDMENT SUBSURFACE AREA DRIP DISPERSAL SYSTEM APPLICATIONS

NOTE: All applicant's authorized or proposing subsurface disposal MUST complete and submit Worksheet 7.0.

1. **SUBSURFACE AREA DRIP DISPERSAL SYSTEM** (Instructions, Page 39)
   Complete the item that is applicable for the method of disposal being utilized.

a. Check the type of system:
_____ Subsurface Drip Irrigation
_____ Surface Drip Irrigation
_____ Other:_____

b. Application area: _____ acres
Infiltration Rate: _____ inches/hour
Average slope of the application area: _____
Maximum slope of the application area: _____
Storage volume: _____ gallons
Major soil series: _____
Depth to groundwater: _____ feet

c. Indicate whether the facility is located west of the boundary shown in 30 TAC Section 222.83 and the facility is using a vegetative cover of non-native grasses over seeded with cool season grasses.
_____ Yes _____ No
If yes, than the facility may propose a hydraulic application rate not to exceed 0.1 gal/square foot/day.

Indicated whether the facility is located east of the boundary shown in 30 TAC Section 222.83 OR the facility is proposing any crop other than non-native grasses.
_____ Yes _____ No
If yes, than the facility must use the formula in 30 TAC Section 222.83 to calculate the maximum hydraulic application rate.

Indicate with a check mark if you plan to submit an alternative method to calculate the hydraulic application rate for approval by the executive director. _____

Hydraulic application rate: _____ gal/square foot/day
Nitrogen application rate: _____ gal/square foot/day

d. Number of doses per day: _____
Dosing duration per area: _____ hours
Rest period between doses: _____
Dosing amount per area: _____ inches/day
Number of zones: _____

If the proposed system is a surface drip irrigation system proposing to use existing native vegetation as a crop, then provide a vegetation survey by a certified arborist describing the percent canopy cover and relative percentage of major overstory and understory plant species. Indicate by a check mark the information is provided.

2. **REQUIRED PLANS** (Instructions, Page 39)

a. Provide a Recharge Feature Plan with all information required in 30 TAC Section 222.79. Indicate by a check mark the information is provided. _____

b. Provide a Soil Evaluation with all information required in 30 TAC Section 222.73. Indicate by a check mark the information is provided. _____

c. Provide a Site Preparation Plan with all information required in 30 TAC Section 222.75. Indicate by a check mark the information is provided. _____

d. Indicate by a check mark that soil sampling and testing has been submitted with all information required in 30 TAC Section 222.157. ____

3. **FLOODWAY DESIGNATION** (Instructions, Page 39)

a. Is the existing/proposed application site within a designated floodway?_____ Yes _____ No

b. Indicate by a check that either the FEMA flood map or alternate information used to determine the floodway is included with the application. ____

4. **SURFACE WATERS IN THE STATE** (Instructions, Page 39)

a. Indicate by a check mark that a map is provided showing appropriate buffers on surface waters in the state, water wells, and springs/seeps. _____

b. Do you plan to request a buffer variance from water wells or waters in the state?_____ Yes _____ No
If yes, then provide the additional information required in 30 TAC Section 222.81(c).

5. **EDWARDS AQUIFER RECHARGE AREA** (Instructions, Page 40)

Is the SADDS and/or WWTP located on the Edwards Aquifer Recharge Zone as mapped by the TCEQ?
_____ Yes _____ No
If yes, than the SADDS is prohibited by 30 TAC Section 213.8. Please call the Municipal Permits Team to schedule a pre-application meeting.

Is the SADDS and/or WWTP located on the Edwards Aquifer Transition Zone as mapped by the TCEQ?
_____ Yes _____ No
If yes, then the SADDS is prohibited by 30 TAC Section 213.8. Please call the Municipal Permits Team to schedule a pre-application meeting.

DOMESTIC WORKSHEET 4.0 - POLLUTANT ANALYSES REQUIREMENTS

THE FOLLOWING IS REQUIRED FOR FACILITIES WITH A PERMITTED OR PROPOSED FLOW OF 1.0 MGD OR GREATER, OR FACILITIES WITH AN APPROVED PRETREATMENT PROGRAM
(SEE INSTRUCTIONS FOR FURTHER DETAILS.)

1. **TABLE 1** (Instructions, Page 41)

POLLUTANT	CONCENTRATION(ug/l) AVG.	CONCENTRATION(ug/l) MAX.	NUMBER OF SAMPLES	MAL (ug/l)
Aldrin	_____	_____	_____	0.05
alpha-hexachlorocyclohexane	_____	_____	_____	0.05
Aluminum	_____	_____	_____	30
Arsenic	_____	_____	_____	10
Barium	_____	_____	_____	10
Benzene	_____	_____	_____	10
Benzidine	_____	_____	_____	50
beta-hexachlorocyclohexane	_____	_____	_____	0.05
Benzo(a)anthracene	_____	_____	_____	10
Benzo(a)pyrene	_____	_____	_____	10
Cadmium	_____	_____	_____	1
Carbon Tetrachloride	_____	_____	_____	10
Carbaryl	_____	_____	_____	5
Chlordane	_____	_____	_____	0.15
Chlorobenzene	_____	_____	_____	10
Chloroform	_____	_____	_____	10
Chlorpyrifos	_____	_____	_____	0.05
Chromium (Total)	_____	_____	_____	10
Chromium (Tri)	_____	_____	_____	(*1)
Chromium (Hex)	_____	_____	_____	10
Copper	_____	_____	_____	10
Chrysene	_____	_____	_____	10
Cresols	_____	_____	_____	(*3)
Cyanide (see instructions for explanation)	_____	_____	_____	20
4,4'- DDD	_____	_____	_____	0.1
4,4'- DDE	_____	_____	_____	0.1
4,4'- DDT	_____	_____	_____	0.1
2,4-D	_____	_____	_____	10
Demeton (O and S)	_____	_____	_____	0.20
Diazinon	_____	_____	_____	0.5
Dibromochloromethane	_____	_____	_____	10
1,2-Dibromoethane	_____	_____	_____	2
Dieldrin	_____	_____	_____	0.1
1,4-Dichlorobenzene (p-Dichlorobenzene)	_____	_____	_____	10
1,2-Dichloroethane	_____	_____	_____	10
1,1-Dichloroethylene	_____	_____	_____	10
Dicofol	_____	_____	_____	20
Diuron	_____	_____	_____	0.09
Endosulfan I (alpha)	_____	_____	_____	0.1
Endosulfan II (beta)	_____	_____	_____	0.1

POLLUTANT	CONCENTRATION(ug/l) AVG.	MAX.	NUMBER OF SAMPLES	MAL (ug/l)
Endosulfan Sulfate	_____	_____	_____	0.1
Endrin	_____	_____	_____	0.1
Fluoride	_____	_____	_____	500
Guthion	_____	_____	_____	0.1
Heptachlor	_____	_____	_____	0.05
Heptachlor Epoxide	_____	_____	_____	1
gamma-Hexachlorocyclohexane (Lindane)	_____	_____	_____	0.05
Hexachlorobenzene	_____	_____	_____	10
Hexachlorobutadiene	_____	_____	_____	10
Hexachloroethane	_____	_____	_____	20
Hexachlorophene	_____	_____	_____	10
Lead	_____	_____	_____	5
Malathion	_____	_____	_____	0.1
Mercury	_____	_____	_____	0.2
Methoxychlor	_____	_____	_____	2
Methyl Ethyl Ketone	_____	_____	_____	50
Mirex	_____	_____	_____	0.2
Nickel	_____	_____	_____	10
Nitrate-Nitrogen	_____	_____	_____	1000
Nitrobenzene	_____	_____	_____	10
n-Nitrosodiethylamine	_____	_____	_____	20
n-Nitroso-di-n-Butylamine	_____	_____	_____	20
Parathion (ethyl)	_____	_____	_____	0.1
Pentachlorobenzene	_____	_____	_____	20
Pentachlorophenol	_____	_____	_____	50
Phenanthrene	_____	_____	_____	10
Polychlorinated Biphenyls (PCB's) (see instructions for explanation)	_____	_____	_____	1
Pyridine	_____	_____	_____	20
Selenium	_____	_____	_____	10
Silver	_____	_____	_____	2
1,2,4,5-Tetrachlorobenzene	_____	_____	_____	20
Tetrachloroethylene	_____	_____	_____	10
Toxaphene	_____	_____	_____	5
2,4,5-TP (Silvex)	_____	_____	_____	2
Tributyltin (see instructions for explanation)	_____	_____	_____	0.010
Trichloroethylene	_____	_____	_____	10
1,1,1-Trichloroethane	_____	_____	_____	10
2,4,5-Trichlorophenol	_____	_____	_____	50
TTHM (Total Trihalomethanes)	_____	_____	_____	10
Vinyl Chloride	_____	_____	_____	10
Zinc	_____	_____	_____	5

Table 1 sample information: Indicate type of sample: _____Grab _____Composite

Date and time sample(s) collected:_____

2. **TABLE 2** (Instructions, Page 42)

POLLUTANT	CONCENTRATION(ug/l) AVG.	MAX.	NUMBER OF SAMPLES	MAL (ug/l)
METALS, CYANIDE AND PHENOLS				
Antimony	_____	_____	_____	60
Arsenic	_____	_____	_____	10
Beryllium	_____	_____	_____	5
Cadmium	_____	_____	_____	1
Chromium (Total)	_____	_____	_____	10
Chromium (Hex)	_____	_____	_____	10
Chromium (Tri)	_____	_____	_____	(*1)
Copper	_____	_____	_____	10
Lead	_____	_____	_____	5
Mercury	_____	_____	_____	0.2
Nickel	_____	_____	_____	10
Selenium	_____	_____	_____	10
Silver	_____	_____	_____	2
Thallium	_____	_____	_____	10
Zinc	_____	_____	_____	5
Cyanide (see page 39 of the instructions)	_____	_____	_____	20
Phenols, Total	_____	_____	_____	10
VOLATILE COMPOUNDS				
Acrolein	_____	_____	_____	50
Acrylonitrile	_____	_____	_____	50
Benzene	_____	_____	_____	10
Bromoform	_____	_____	_____	10
Carbon Tetrachloride	_____	_____	_____	10
Chlorobenzene	_____	_____	_____	10
Chlorodibromomethane	_____	_____	_____	10
Chloroethane	_____	_____	_____	50
2-Chloroethylvinyl Ether	_____	_____	_____	10
Chloroform	_____	_____	_____	10
Dichlorobromomethane	_____	_____	_____	10
1,1-Dichloroethane	_____	_____	_____	10
1,2,-Dichloroethane	_____	_____	_____	10
1,1-Dichloroethylene	_____	_____	_____	10
1,2-Dichloropropane	_____	_____	_____	10
1,3-Dichloropropylene	_____	_____	_____	10
Ethylbenzene	_____	_____	_____	10
Methyl Bromide	_____	_____	_____	50
Methyl Chloride	_____	_____	_____	50
Methylene Chloride	_____	_____	_____	20
1,1,2,2-Tetrachloroethane	_____	_____	_____	10
Tetrachloroethylene	_____	_____	_____	10
Toluene	_____	_____	_____	10
1,2-Trans-Dichloroethylene	_____	_____	_____	10
1,1,1-Trichloroethane	_____	_____	_____	10

POLLUTANT	CONCENTRATION (ug/l) AVG.	MAX.	NUMBER OF SAMPLES	MAL (ug/l)
1,1,2-Trichloroethane	_____	_____	_____	10
Trichloroethylene	_____	_____	_____	10
Vinyl Chloride	_____	_____	_____	10
ACID COMPOUNDS				
2-Chlorophenol	_____	_____	_____	10
10 2,4-Dichlorophenol	_____	_____	_____	10
2,4-Dimethylphenol	_____	_____	_____	10
4,6-Dinitro-o-Cresol	_____	_____	_____	50
2,4-Dinitrophenol	_____	_____	_____	50
2-Nitrophenol	_____	_____	_____	20
4-Nitrophenol	_____	_____	_____	50
P-Chloro-m-Cresol	_____	_____	_____	10
Pentachlorophenol	_____	_____	_____	50
Phenol	_____	_____	_____	10
2,4,6-Trichlorophenol	_____	_____	_____	10
BASE/NEUTRAL COMPOUNDS				
Acenaphthene	_____	_____	_____	10
Acenaphthylene	_____	_____	_____	10
Anthracene	_____	_____	_____	10
Benzidine	_____	_____	_____	50
Benzo(a)Anthracene	_____	_____	_____	10
Benzo(a)Pyrene	_____	_____	_____	10
3,4-Benzofluoranthene	_____	_____	_____	10
Benzo(ghi)Perylene	_____	_____	_____	20
Benzo(k)Fluoranthene	_____	_____	_____	10
Bis(2-Chloroethoxy)Methane	_____	_____	_____	10
Bis(2-Chloroethyl)Ether	_____	_____	_____	10
Bis(2-Chloroisopropyl)Ether	_____	_____	_____	10
Bis(2-Ethylhexyl)Phthalate	_____	_____	_____	10
4-Bromophenyl Phenyl Ether	_____	_____	_____	10
Butylbenzyl Phthalate	_____	_____	_____	10
2-Chloronaphthalene	_____	_____	_____	10
4-Chlorophenyl Phenyl Ether	_____	_____	_____	10
Chrysene	_____	_____	_____	10
Dibenzo(a,h)Anthracene	_____	_____	_____	20
1,2-Dichlorobenzene	_____	_____	_____	10
1,3-Dichlorobenzene	_____	_____	_____	10
1,4-Dichlorobenzene	_____	_____	_____	10
3,3-Dichlorobenzidine	_____	_____	_____	50
Diethyl Phthalate	_____	_____	_____	10
Dimethyl Phthalate	_____	_____	_____	10
Di-n-Butyl Phthalate	_____	_____	_____	10
2,4-Dinitrotoluene	_____	_____	_____	10
2,6-Dinitrotoluene	_____	_____	_____	10
Di-n-Octyl Phthalate	_____	_____	_____	10

POLLUTANT	CONCENTRATION (ug/l) AVG	MAX	NUMBER OF SAMPLES	MAL (UG/L)
1,2-Diphenyl Hydrazine (as Azobenzene)	_____	_____	_____	20
Fluoranthene	_____	_____	_____	10
Fluorene	_____	_____	_____	10
Hexachlorobenzene	_____	_____	_____	10
Hexachlorobutadiene	_____	_____	_____	10
Hexachlorocyclopentadiene	_____	_____	_____	10
Hexachloroethane	_____	_____	_____	20
Indeno(1,2,3-cd)pyrene	_____	_____	_____	20
Isophorone	_____	_____	_____	10
Naphthalene	_____	_____	_____	10
Nitrobenzene	_____	_____	_____	10
N-Nitrosodimethylamine	_____	_____	_____	50
N-Nitrosodi-n-Propylamine	_____	_____	_____	20
N-Nitrosodiphenylamine	_____	_____	_____	20
Phenanthrene	_____	_____	_____	10
Pyrene	_____	_____	_____	10
1,2,4-Trichlorobenzene	_____	_____	_____	10
PESTICIDES				
Aldrin	_____	_____	_____	0.05
alpha-BHC	_____	_____	_____	0.05
beta-BHC	_____	_____	_____	0.05
gamma-BHC	_____	_____	_____	0.05
delta-BHC	_____	_____	_____	0.05
Chlordane	_____	_____	_____	0.15
4,4,-DDT	_____	_____	_____	0.1
4,4,-DDE	_____	_____	_____	0.1
4,4,-DDD	_____	_____	_____	0.1
Dieldrin	_____	_____	_____	0.1
alpha-Endosulfan	_____	_____	_____	0.1
beta-Endosulfan	_____	_____	_____	0.1
Endosulfan Sulfate	_____	_____	_____	0.1
Endrin	_____	_____	_____	0.1
Endrin Aldehyde	_____	_____	_____	0.1
Heptachlor	_____	_____	_____	0.05
Heptachlor Epoxide	_____	_____	_____	1.0
PCB-1242	_____	_____	_____	1.0
PCB-1254	_____	_____	_____	1.0
PCB-1221	_____	_____	_____	1.0
PCB-1232	_____	_____	_____	1.0
PCB-1248	_____	_____	_____	1.0
PCB-1260	_____	_____	_____	1.0
PCB-1016	_____	_____	_____	1.0
Toxaphene	_____	_____	_____	5.0

Table 2 sample information: Indicate type of sample: _____Grab _____Composite

Date and time sample(s) collected:_____

DOMESTIC WORKSHEET 5.0
TOXICITY TESTING REQUIREMENTS

Required Tests (Instructions, Page 47)

Indicate the number of 7-day chronic or 48-hour acute Whole Effluent Toxicity (WET) tests performed in the four and one-half years prior to submission of the application:

7-day Chronic _____ 48-hour Acute:_____

Individual Test Data

Complete the following chart for each 7-day chronic or 48-hour acute WET test performed in the four and one-half years prior to submission of the application. Allow one column per test (where each species constitutes a test). Copy these pages for the second set of four tests and any other additional tests.

	Test number_____	Test number_____	Test number _____	Test number_____
a. Test Information				
Test species				
Test Method No.				
Age at initiation				
Outfall number				
Sample date(s)				
Test start date				
Duration				

b. Toxicity Test Methods				
Manual title				
Edition No., year				
Page number(s)				

c. Sample Information (check appropriate column; for multiple grab samples, indicate number used)				
24-hour composite				
Grab				

Test number_____Test number_____Test number _____ Test number_____

d. Sample Disinfection Information (check appropriate column for where sample was collected)				
Before disinfection				
After disinfection				
After dechlor.				

e. Sample Collection Point (describe)				
Location				

f. Test Type (check appropriate column)				
Chronic				
48-Hour Acute				

g. Test Type (check appropriate column)				
Static				
Static renewal				
Flow through				

h. Dilution Water Source				
Synthetic (type)				
Receiving (source)				

i. Dilution Water Type				
Fresh				
Salt (source)				

j. Dilution Series (in percentages)				
e.g., 3%, 5%, 6%, 8%, 11%				

Test number_____ Test number_____ Test number _____ Test number_____

k. Measured Parameters (check if appropriate; must meet test method specifications)				
pH				
Salinity				
Temperature				
Ammonia				
Dissolved oxygen				

l. Test Results (in percentages)				
Control survival				
NOEC lethal				
NOEC sublethal				

m. Reference Toxicant Test (check if appropriate)				
Data available?				
Within boundaries?				
Date performed				

Toxicity Reduction Evaluations (TREs)

Is this facility currently performing, or has completed in the past four and one-half years, a TRE?
_____ Yes _____ No

If yes, describe the progress to date, if applicable, in identifying and/or confirming the toxicant:

Summary of Submitted Test Information

If the required biomonitoring test information has been previously submitted via both the Discharge Monitoring Reports (DMRs) and the Table 1 (as found in the permit), Part 2 need not be completed. Instead, a summary of the testing results for all valid and invalid tests performed over the past four and one-half years should be submitted instead. The summary should, in a format similar to the table below, include the test species, the date the test was initiated, the NOEC for survival, and the NOEC for sublethal effects (if a chronic test).

SUMMARY OF WET TESTS

Test No.	Test Date	Test Species	NOEC survival	NOEC sublethal

DOMESTIC WORKSHEET 6.0
INDUSTRIAL WASTE CONTRIBUTION

1. ALL POTWs (Instructions, Page 48)

a. Provide the number of each of the following types of industrial users that discharge to your POTW and the flows from each.

Type of industrial user	Number of industrial users	Average Flows in MGD
CIUs	0	0
SIUs - Non-categorical	0	0
Other IUs	0	0

b. In the past three years, has your POTW experienced treatment plant interference as defined in the Definitions section of the instructions? _____ Yes __✔__ No

If yes, identify all dates, duration, description of interference, probable cause(s) and possible source(s).

c. In the past three years, has your POTW experienced pass through as defined in the Definitions section of the instructions? _____ Yes __✔__ No

If yes, identify all dates, duration, description of pollutants passing through the treatment plant, probable cause(s) and possible source(s).

d. Does your POTW have, or is it required to develop an approved pretreatment program?
_____ Yes __✔__ No

If yes, answer all questions in item 2, but skip item 3 questions.
If no, skip item 2 and answer all questions in item 3 for each significant industrial user.

2. POTWs WITH APPROVED PROGRAMS OR THOSE REQUIRED TO DEVELOP PROGRAM (Instructions, Page 48)

a. Have there been any substantial modifications to the POTW's approved pretreatment program that have not been approved according to 40 CFR Section 403.18? _____ Yes _____ No

If yes, identify on a separate attachment all substantial and nonsubstantial modifications that have not been submitted to the Approval Authority (TCEQ).

b. List all parameters measured above the MAL in the POTW's effluent annual monitoring scans during the last three years.

Pollutant	Concentration	MAL	Units	Date

c. Has an IU caused or contributed to any problems (e.g., interferences, pass through) at your POTW in the past three years? _____ Yes _____ No

If yes, identify the industry, describe each episode, including dates, duration, description of problems, and probable pollutants. Submit a separate attachment if necessary.

3. SIGNIFICANT INDUSTRIAL USER (SIU) INFORMATION (Instructions, Page 48)

a. Company Name:_____ SIC Code:_____
Telephone number:_____ Fax number:_____
Contact name:_____
Street No.:_____Street name:_____Street type:_____
City:_____ State:_____ ZIP Code:_____

b. Describe the industrial processes of other activities that affect or contribute to the SIU's discharge.

c. Provide a description of the principal product(s).

d. Flow rate information:

Flow information	Gallons per day discharged	Continuous, batch or intermittent discharge
Process wastewater		
Non-process wastewater		

e. Pretreatment Standards: Indicate whether the SIU is subject to the following.

Technically based local limits as defined in the Definitions section of the instructions: _____ Yes_____ No

Categorical pretreatment standards (40 CFR Parts 405-471): _____ Yes _____ No

If subject to categorical pretreatment standards, indicate the applicable category and subcategory for each categorical process.

Category in 40 CFR	Subcategory in 40 CFR	Subcategory in 40 CFR	Subcategory in 40 CFR	Subcategory in 40 CFR

f. Has the SIU caused or contributed to any problems (e.g., interferences, pass through) at your POTW in the past three years? _____ Yes _____ No

If yes, identify the SIU, describe each episode, including dates, duration, description of problems, and probable pollutants. Provide a separate attachment if necessary.

SUBMIT TO:
TCEQ Industrial and Hazardous Waste Permits Section MC130 PO Box 13087 Austin, Texas 78711-3087 512/239-6075

WORKSHEET 7.0

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CLASS V INJECTION WELL INVENTORY/ AUTHORIZATION FORM

For TCEQ Use Only
Reg. No.
Date Received
Date Authorized

Reg. No. 5_____

Section I General Information

Provide the information in items 1 through 8

1. TCEQ Program Area (PST, VCP, IHW, etc.), Contact Name and Phone Number
2. Agent/Consultant, Contact Name, Address (Street, City, State, and Zip Code), and Phone Number
3. ____ Owner ____Operator Owner/Operator, Contact Name, Address (Street, City, State, and Zip Code), and Phone Number
4. Facility Name, Address (Street, City, County, State, and Zip Code) or location description (if no address is available) and Facility Contact Person and Phone Number
5. Latitude and Longitude (degrees-minutes-seconds) and method of determination (GPS, TOPO, etc.) (Attach topographic quadrangle map as attachment A)
6. Type of Well Construction (Vertical Injection, Subsurface Fluid Distribution System, Infilltration Gallery, Temporary Injection Points, etc.) and Number of Injection Wells
7. Detailed Description regarding purpose of Injection System. Attach a Site Map as Attachment B (Attach the Approved Remediation Plan (if appropriate))
8. Water Well Driller/Installer, Address (Street, City, State, and Zip Code), Phone Number, and License Number

Section II Proposed Down Hole Design
Attach a diagram signed and sealed by a licensed engineer as Attachment C

Name of String	Size	Setting Depth	Sacks Cement/Grout - Slurry Volume - Top of Cement	Hole Size	Weight PVC/Steel (lbs/ft)
9. Casing					
10. Tubing					
11. Screen					

Section III Proposed Trench System, Subsurface Fluid Distribution System, or Infiltration Gallery
Attach a diagram signed and sealed by a licensed engineer as Attachment D

12. System(s) Dimensions	13. System(s) Construction

Section IV Site Hydrogeological and Injection Zone Data
Provide the information in items 14 through 31

14. Name of Contaminated Aquifer

15. Receiving Formation Name of Injection Zone

16. Well/Trench Total Depth

17. Surface Elevation

18. Depth to Ground Wate

19. Injection Zone Depth

20. Injection Zone vertically isolated geologically? Y/N Impervious Strata between Injection Zone and nearest Underground Source of Drinking Water
Name: _____
Thickness: _____

21. Provide a list of contaminants and the levels (ppm) in contaminated aquifer

Attach as Attachment E

22. Horizontal and Vertical extent of contamination and injection plume

Attach as Attachment F

23. Formation (Injection Zone) Water Chemistry (Background levels) TDS, etc.

Attach as Attachment G

24. Injection Fluid Chemistry in PPM at point of injection Attach as Attachment H
25. Lowest Known Depth of Ground Water with < 10,000 PPM TDS
26. Maximum injection Rate/Volume/Pressure
27. Water wells within 1/4 mile radius (attach map as Attachment I)
28. Injection wells within 1/4 mile radius (attach map as Attachment I)
29. Monitor wells within 1/4 mile radius (attach drillers logs and map as Attachment I)
30. Sampling frequency
31. Known hazardous components in injection fluid
Section V Site History Provide the information in items 32 through 35
32. Type of Facility
33. Contamination Dates
34. Original Contamination (VOCs, TPH, BTEX, etc.) and Concentrations Attach as attachment J
35. Previous Remediation Attach results of any previous remediation as attachment K

NOTE: Authorization Form should be completed in detail and authorization given by TCEQ before construction, operation, and/or conversion can begin. Attach additional pages as necessary.

LIST OF ATTACHMENTS

Far Hills Utility District
Domestic Wastewater Permit Application

List of Attachments

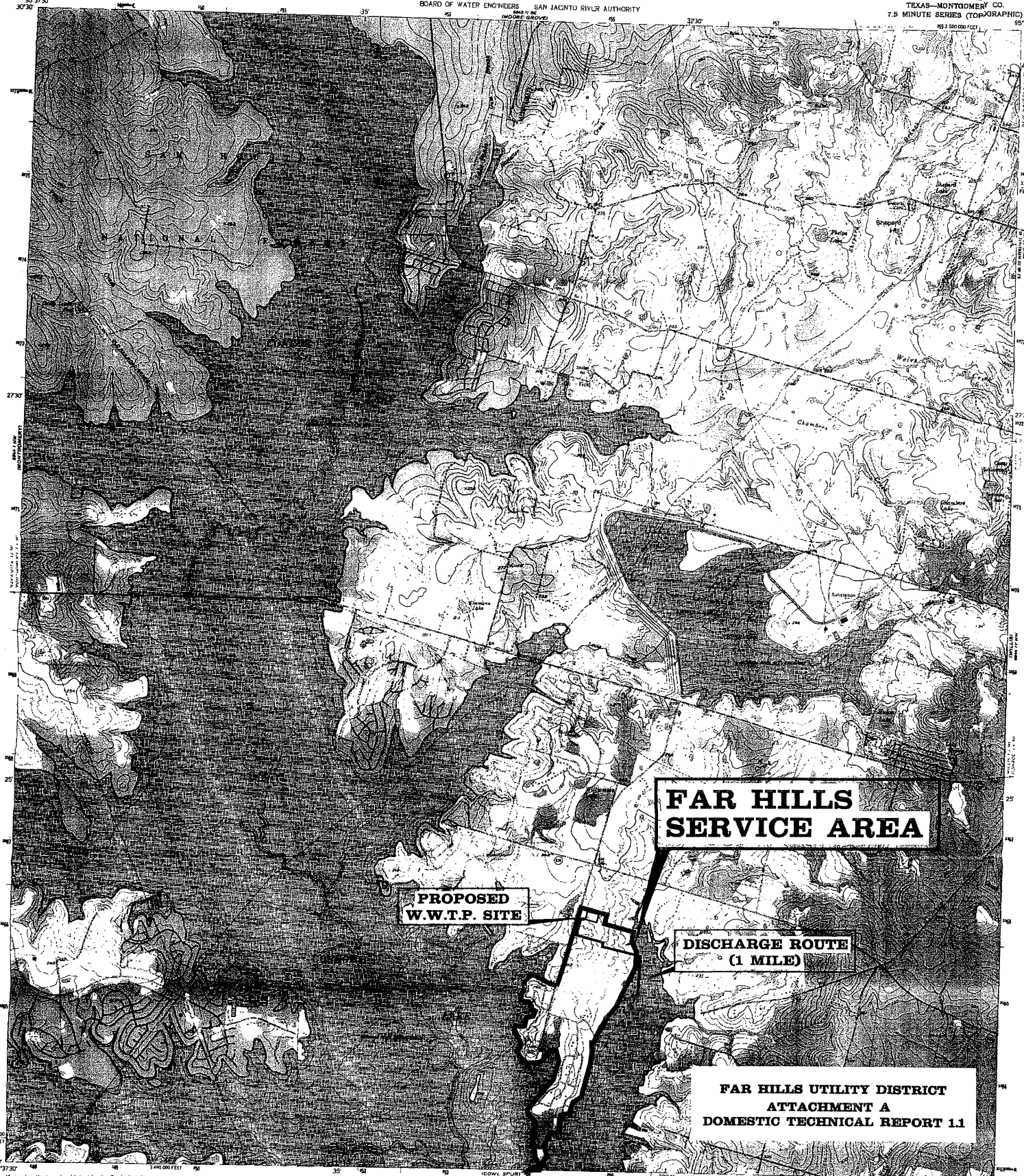
Attachment	Content	Application Item No
A	USGS Map	SPIF, Item 8
1.	USGS Map	Admin. 1.0, Item 5.g
2.	Landowner Map	Admin. 1.1, Item 1.a.
3.	Landowner Contact Info	Admin. 1.1, Item 1.b.
4.	Buffer Zone Map	Admin. 1.1., Item 2.a.
5.	Photos/Map	Admin. 1.1, Item 3
6.	Description of Treatment Process	Tech. 1.0, Item 3.a.
7.	Flow Diagrams	Tech. 1.0, Item 3.d.
8.	Treatment Units/Dimensions	Tech. 1.0, Item 3.e.
9.	Site Drawing	Tech. 1.0, Item 11
10.	Discussion of Need	Tech. 1.1, Item 1.b.
11.	Map of Nearby Facilities (and Correspondence)	Tech. 1.1, Item1.c.3.
12.	Flow/Organic Strength Tables	Tech. 1.1, Item 2.c.
13.	Design Calcs/Plant Features	Tech. 1.1, Item 4
14.	Wind Rose	Tech. 1.1, Item 5.b.
15.	Solids Management Plan	Tech. 1.1, Item 7

ATT.A

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF TEXAS
BOARD OF WATER ENGINEERS SAN JACINTO RIVER AUTHORITY

SHEPARD HILL QUADRANGLE
(FORMERLY LAKE PAULA)
TEXAS—MONTGOMERY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



FAR HILLS UTILITY DISTRICT
ATTACHMENT A
DOMESTIC TECHNICAL REPORT 1.1

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1957 Field check 1958

Polyconic projection 1927 North American datum
10,000-foot grid based on Texas coordinate system central zone
1000-meter Universal Transverse Mercator grid ticks, zone 15, shown in blue

Unchecked elevations are shown in brown

Revisions shown in purple compiled from aerial photographs taken 1976. This information not field checked

UTM GRID AND 1976 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

SCALE 1:24 000

CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

DIAGRAM-LE LOCATION

3095-244

ROAD CLASSIFICATION

Primary highway, all weather, hard surface
Light-duty road, all weather, improved surface
Secondary highway, all weather, hard surface
Unimproved road, fair or dry weather

Interstate Route
U. S. Route
State Route

SHEPARD HILL, TEX.
(FORMERLY LAKE PAULA)
N3022.5—W9530/7.5

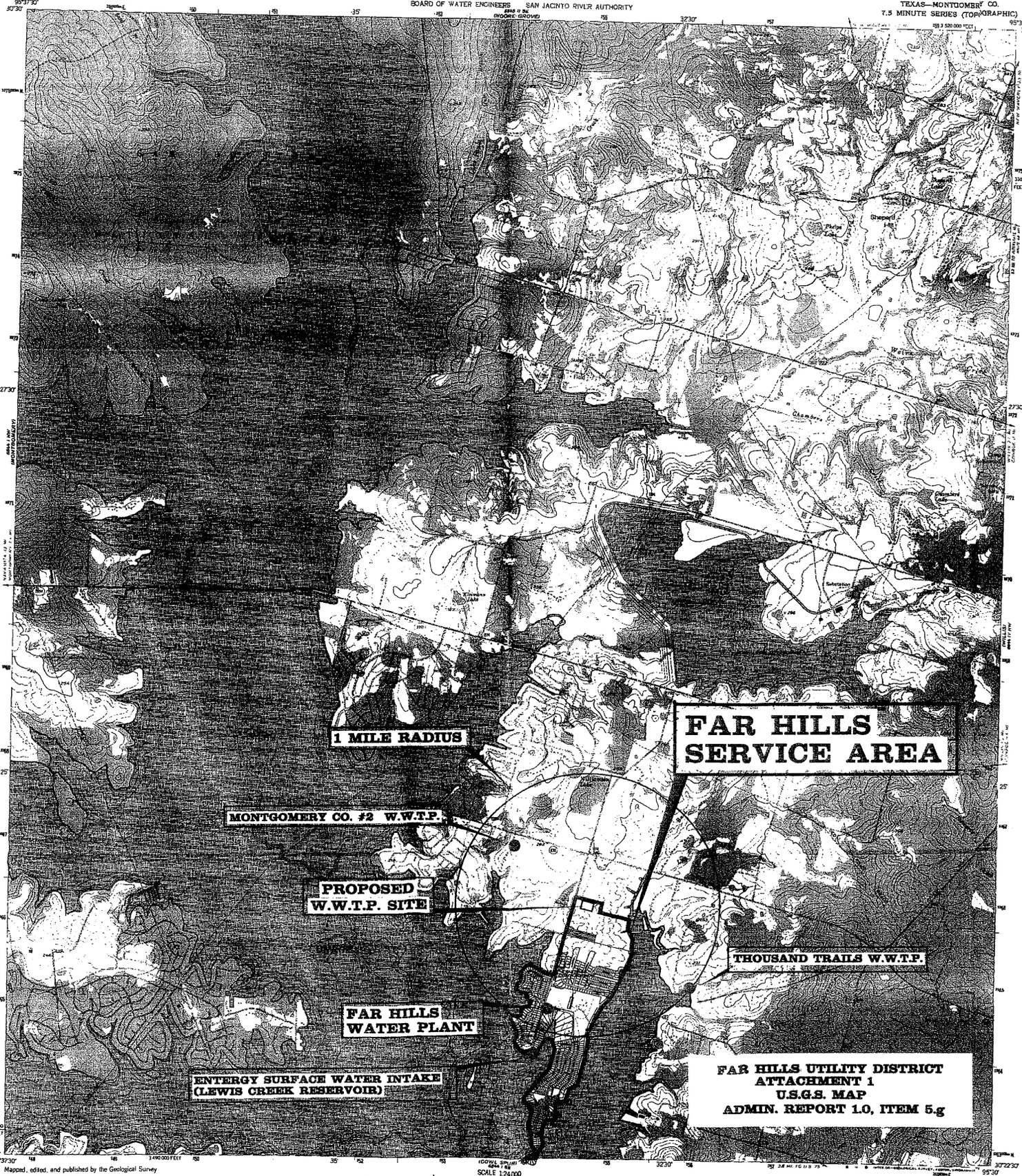
1958
PHOTOREVISED 1976
AMS 6844 I NE—SERIES V882

ATT.1

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF TEXAS
BOARD OF WATER ENGINEERS SAN JACINTO RIVER AUTHORITY

SHEPARD HILL QUADRANGLE
(FORMERLY LAKE PAULA)
TEXAS—MONTGOMERY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



FAR HILLS UTILITY DISTRICT
ATTACHMENT 1
U.S.G.S. MAP
ADMIN. REPORT 1.0, ITEM 5.g

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1957 Field check 1958

Polyconic projection. 1927 North American datum
10,000-foot grid based on Texas coordinate system
central zone
1000-meter Universal Transverse Mercator grid ticks,
zone 15, shown in blue

Unchecked elevations are shown in brown

Revisions shown in purple compiled from aerial photographs
taken 1976. This information not field checked

UTM GRID AND 1976 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

SCALE 1:24 000

CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

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FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

QUADRANGLE LOCATION

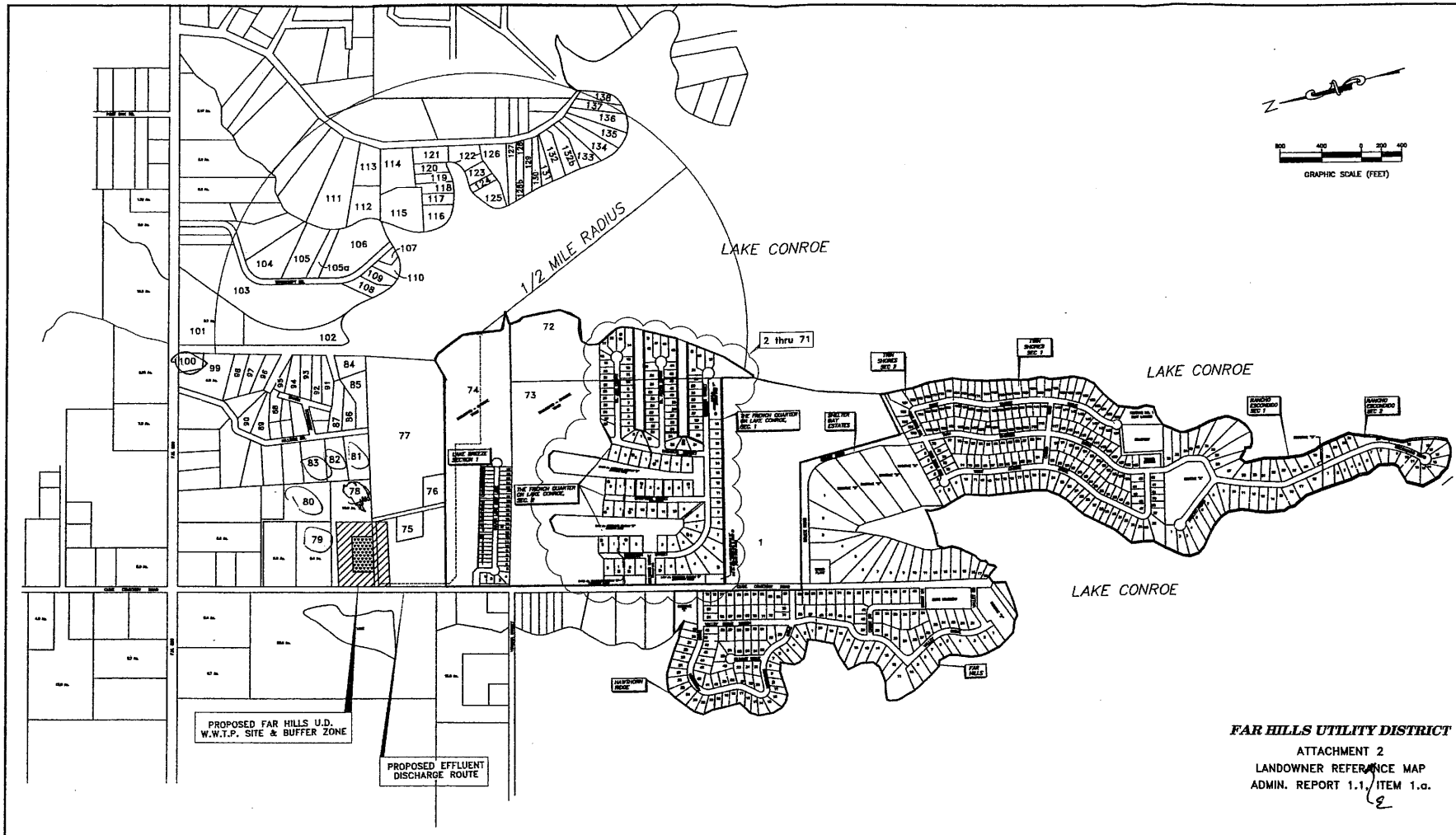
3095-244

ROAD CLASSIFICATION
Primary highway, all weather, hard surface — Light-duty road, all weather, improved surface
Secondary highway, all weather, hard surface — Unimproved road, fair or dry weather
Interstate Route U.S. Route State Route

SHEPARD HILL, TEX.
(FORMERLY LAKE PAULA)
N3022.5—W9530/7.5

1958
PHOTOREVISED 1976

ATT.2



FAR HILLS UTILITY DISTRICT
ATTACHMENT 2
LANDOWNER REFERENCE MAP
ADMIN. REPORT 1.1, ITEM 1.a.
2

FAR HILLS UTILITY DISTRICT

REGIONAL MAP

Langford Engineering, inc. consulting engineers
Phone 713-461-2550 Fax 713-932-7505
1050 N. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-5014

ATT.3

Far Hills Utility District
Domestic Administrative Report 11
Attachment 3 (Item 1b)

Parcel Number (ref Att 2 Map)	Owner/ Address
1	JO ANN WALKER 10498 WALKER HILL LN WILLIS TX 77318-6666
	JAMES M WALKER JR 10494 CUDE CEMETERY RD WILLIS TX 77318-5521
	JO ANN WALKER & PAUL ARTHUR ETAT 10498 WALKER HILLL LN WILLIS TX77318-6666
	DANIEL W & BRENDA W WENDT 12972 BRUCE RD WILLIS TX 77318-6603
	DAVID ALLEN & BRENDA WALKER 10480 WALKER HILL LN WILLIS TX 77318-6666
2	BROUSSARD- CHRISTIE LP 10510 CUDE CEMETERY RD WILLIS TX 77318-5522
2A	ALBERT E FOLLIS 1 REGENCY CT CONROE TX 77034
2B	MANUEL & DIANA ELIZALDE 12814 PRESTIGE ROW HOUSTON TX 77065-4061
2C	WILLIAM JR & LINDA STRICKLAND 12306 4TH ST E TREASURE ISLAND FL 33706
2D	BROUSSARD -CHRISTIE LP 10510 CUDE CEMETERY RD WILLIS TX 77318
3	DOUG & DIANE B OWENS 212 BELAIR DR SCOTT VALLEY CA 95066-3604

4

CHRISTIE BROUSSARD
10883 BOURBON ST
WILLIS TX 77318

5

ASHLEY F & SHARON C FIELDS
404 TIMBER GROVE PL
FREINDSWOOD TX 77546-8410

6

CRAIG C WILTFANG & MARCIE L WATERWALL
10788 BOURBON ST
WILLIS TX 77318

7

CHRISTIE BROUSSARD
10883 BOURBON ST
WILLIS TX 77318

8

TURKEY INC
58 PARKER RD
HOUSTON TX 77076-3525

9

MARTIN H & KATHLEEN SMITH
436 ROYAL NAVIGATOR RD
MONTGOMERY TX 77316-6868

10

DANIEL M FERRAZ
3626 SIERRA PINES DR
HOUSTON TX 77068

11

RONNIE AND SARA FRINGS
15 SPLIT ROCK CT
SPRING TX 77381

12

VANESSA J PERRY
10812 BOURBON ST
WILLIS TX 77318-6505

13

STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

14

STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

15

JAMES C & JULIE E WESTHOFF
51 S INDIAN SAGE CIR
SPRING TX 77381-463

16

TERRY L & DENISE J COLE
POBOX 4569
HOUSTON TX 77210

17

WILLIAM F & JOYCE A PALM
14015 NAPLES PARK LN
HOUSTON TX 77070-3764

18

LEMUEL R & NITA D EUBANKS
1603 W CHELSEA PL
SEABROOK TX 77586-5822

19

LAWRENCE W & SHARON REBECCA SANDER
1735 RYAN DR
CRESTON IA 50801-8352

20

BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

21

ELENA S BROWN
12583 ST PETER CT
WILLIS TX77318-6511

22

JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

23

JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

24

SAMMY M & MARSHA GEPHART
5108 SADDLERIDGE CV
AUSTIN TX 78759-7124

25

RICHARD M & KAY E VOSBURGH
793 DAVIS RD
LEAGUE CITY 77573-2883

26

JEFFERY DAVIS & NATALIE NIESNER
269 BENTWROOD DR
WILLIS TX 77318

27

THOMAS GREEN LUXURY HOMES LTD
32823 FM 2978 RD
MAGNOLIA TX 77354-6060

28

DOUG & RENE DENHAM
5008 COMETA CT NE
ALBUQUERQUE NM 87111

29

ROCK N & PATRICIA B HOUSTOUN
100 SADDLEBROOK LN
HOUSTON TX 77024-3413

30

ASHLEY F & SHARON C FIELD
404 TIMBER GROVE PL
FRIENDSWOOOD TX 77546-8410

31

VU T VIET T TRAN
17307 ROTHKO LN
SPRING TX 77379-6227

32

BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY LN
WILLIS TX 77318-5522

33

RAYMOND L & LINDA M NOEL
20731 MISTY CROSSING LN
SPRING TX 77379-8554

34

JACK BOTELER
1003 GRUENWALD AVE
SEABROOK TX 77586-3851

35

ROBERT H FLETCHER & SUSAN M MCGARRY
14 LEAF TRACE CT
SPRING TX 77381-4503

36

INDYMAC BANK FSB
460 SIERRA MADRE VALLIA AVE
101-HS01-04
PASADENA CA 91107

37

JAMISON PALMER
128574 SAINT PETER CT
WILLIS TX 77318

38

JOSEPHINE ROBAIR
4639 HEADLET ST
JACKSONVILLE TX 32205

39

JAMES L & PATRICA LEWIS
16767 CALUMET TRL
COLLEGE STA TX 77845-8219

40

TSU WEN GHENG
12586 STPETER CT
WILLIS TX 77318-6511

41

TSU WEN GHENG
12590 ST PETER CT
WILLIS TX 77318-6511

42

MARK S SANTOS & DIANA MORROW
7823 GLENN CLIFF DR
HOUSTON TX 77064-3313

43

MICHAEL MANORE
180 TIMBER MILL ST
HOUSTON TX 77380-1426

44

EDWARD L LOSACK & SANDRA S STANLEY
2910 HIGHLAND LAKES DR
MISSOURI CITY TX 77459-4219

45

BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

46

CHAD BROWN
2047 WINROCK BLVD
HOUSTON TX 77057-3964

47

JASON AND KRISTIN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

48

JASON AND KRISTEN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

49

DOUG AND DIANE B OWENS
212 BELAIR DR
SCOTTS VALLEY CA 95066-3604

50

THEREAS JARMON
8311 NORTHRIDGE
SPRING TX 77379

51

JEMILA A WILLIAMS
9511 TALLOW CT
MISSOURI CITY TX 77459-6668

52

JEFFERY B HALL
23219 TIMERBROOK
SPRING TX 77373

53

JOHN AND BESSY FARRIS
13185 BLUFF VIEW DR
WILLIS TX 77318-5303

54

DERRICK WILLIAMS
3947 TOWN PARK LN
MISSOURI CITY TX 77459-3090

55 DENNIS DIRKSEN AND CAROL J MARKER
23709 DEL MONTE DR #232
VEALENCIA CA 91355-3814

56 ERICH D TROMBLEY AND DONALD O STOCKWELL
5369 SAN KRISTIA AVE
LAS VEGAS NV 89141

57 PAUL A HESTER
1014 SAINT ANN CT
WILLIS TX 77318

58 MARK C AND JANICE M ROBINSON
8131 TEAKWOOD FOREST DR
SPRING TX 77379-4537

59 MICHAEL S AND KIMBERLY A MCDONOUGH
8206 RENMARK LN
HOUSTON TX 77070-3633

60 MICHEAL F JOYCE ALLMANDINGER
27200 BARKERS WAY
TEHACHAPI CA 93561-7054

61 JEMIAL A WILLIAMS
9511 TALLOW CT
MISSOURI CITY TX 77459-6668

62 JEFFERY B HALL
23915 VERNGATE DR
SPRING TX 7737-9320

63 CAROLYN WINSEY
11915 POMPTON DR
HOUSTON TX 77089

64 MICHAEL R AND CHERYL VINCENT
12770 CAPRICORNUS DR
WILLIS TX 77318-5114

65 BYRON LUNDY
13719 FIREROCK DR
HOUSTON TX 770858-1339

66 JOSEPH W REVOCABLE
DECLARATION OF TRUST
1754 TEAGUE LN
KERNERSVILLE NC 27284-7525

67

JOSEPH W WILLARD
REVOCABLE DECLARATION OF TRUST
1754 TEAGUE LN
KERNERSVILLE NC 27284-7525

68

JOSE EDUARDO AND MEGAN MARIE GARCIA
137 MILTON AVE
YOUNGSTOWN OH 44509-2846

69

CAROLYN WINSEY
2823 BROKEN ARROW
MISSOURI CITY TX 77459-6917

70

KEVIN B SMITH
2211 S KIRKWOOD DR
HOUSTON TX 77077-6116

71

RONALD GLENN AND CAROL HARDY
22304 PINE TREE LN
HOCKLEY TX 77447-8770

72

BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

73

BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

74

BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

75

THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

76

THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

77

THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

78

DENNIS BAYLOR
11266 CUDE CEMETERY RD
WILLIS TX 77318-5525

79

SUZANNE V O'NEAL
11280 CUDE CEMETERY RD
WILLIS TX 77318-5525

80

JUDITH A SPENCER
11298 CUDE CEMETERY RD
WILLIS TX 77318-5525

81

EVERETT H SIMMONS
11071 HILLSIDE DR
WILLIS TX 77318-6542

82

MARK D GROVES
11125 HILLSIDE DR
WILLIS TX 77318-6543

83

MARK AND REBECCA L DAVIS
11163 HILLSIDE DR
WILLIS TX 77318-6543

84

THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 77006-2512

85

DOUGLAS C MILWARD
11008 HILLSIDE DR
WILLIS TX 77318-6538

86

PERICLES M AND SILKA PUJOLS
2401 MUSTANG DR
CONROE TX 77384-3358

87

RISHAD AND NATALIE ALIKHAN
2401 ALABANS RD
HOUSTON TX 77005-1417

88

DAVID AND DIANA SCRUTON
11126 STARK ST
WILLIS TX 77318-6552

89

RISHAD ALIKHAN
12411 DONNA DR
HOUSTON TX 77067

90

HERB AND MARY BETH TUTTLE
11156 STARK ST
WILLIS TX 77318-6552

91 DENISE L FONTAINE HACKETT
11172 STARK ST
WILLIS TX 77318-2808

92 DORIS STARK AND TINA THOMAS
POBOX 2808
PALESTINE TX 75802-2808

93 DOYLE J AND SHIRLEY W BLEVINS
14944 LAKE PAULA DR
WILLIS TX 77318-6891

94 WILBUR W JR AND CHERYL MARTIN
11280 HILLSIDE DR
WILLIS TX 77318-6540

95 JOSEPH V AND PEGGY J TURNER
POBOX 7856
SPRING TX 77387-7856

96 JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

97 JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

98 JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

99 VERNON B MILLER
SHORELINE STORAGE
12435 FM 832 RD
WILLIS TX 77318-5564

100 SHORELINE SERVICES INC
VERNON MILLER
12435 FM 832 RD
WILLIS TX 77318-5564

101 PARK ON THE LAKE
CATHY BROOKS- ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

102 PARK ON THE LAKE
CATHY BROOKS- ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

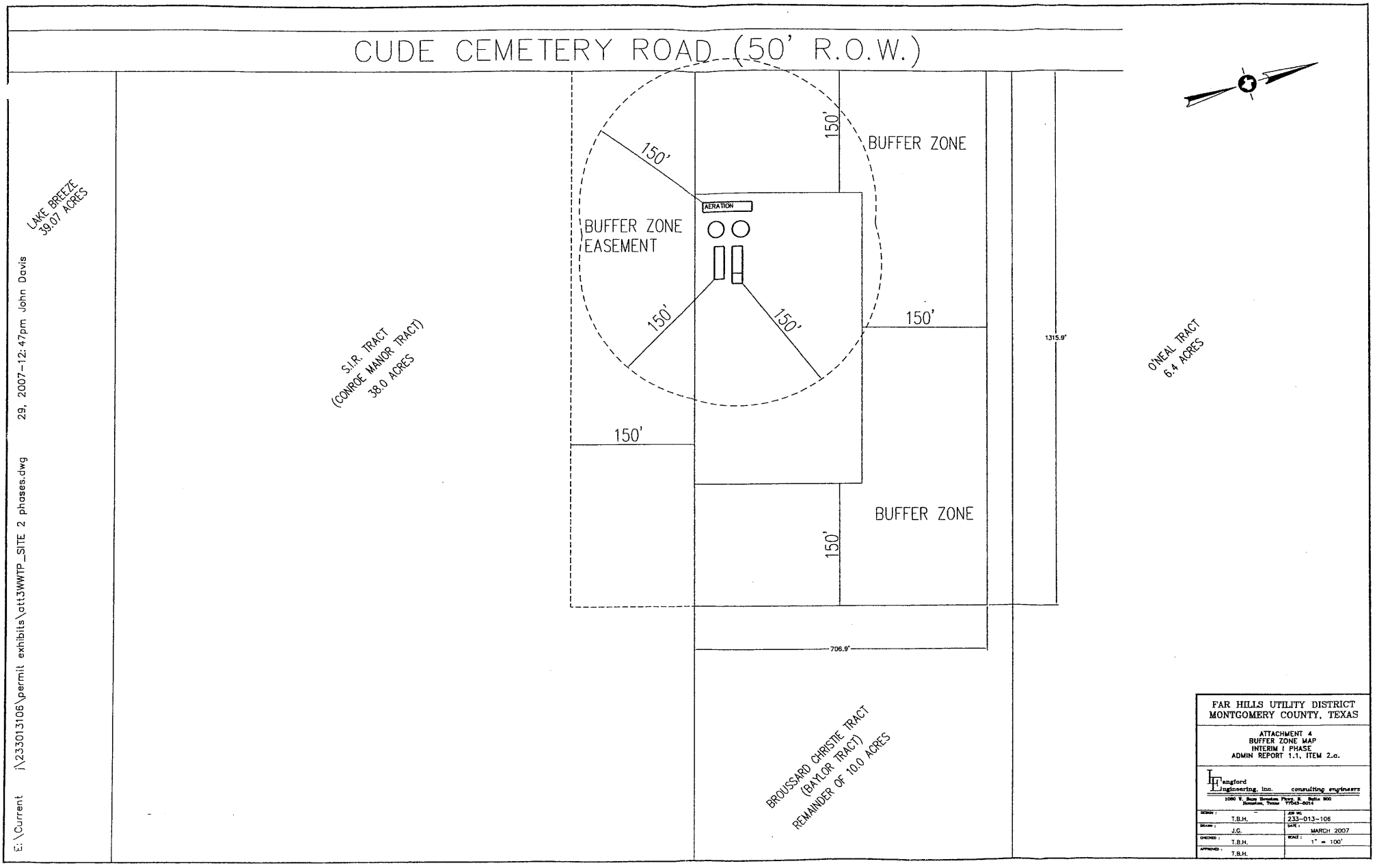
103	CIRCLE M PROPERTIES LLC 2323 S SHEPHERD DR STE924 HOUSTON TX 77019-7029
104	WILLIAM AND MAURCIA NEELEY 11200 WINDSWEPT DR WILLIS TX 77318-6580
105	JAMES M SCHILLER 11140 WINDSWEPT DR WILLIS TX 77318-6559
105A	YI LEE YOHNUI 50 VILLAGE HILL DR CONROE TX 77304-3554
106	YI LEE YOHNUI 50 VILLAGE HILL DR CONROE TX 77304-3554
106A	VICKY JAMESON 11011 BLUE BELL DR WILLIS TX 77318-6526
107	RICKY AND KAYLA BISHOP 11025 WINDSWEPT DR WILLIS TX 77013-7029
108	CIRCLE M DEVELOPMENTS LLC 2323 S SHEPHERD DR STE924 HOUSTON TX 77019-7029
108	CIRCLE M DEVELOPMENTS LLC 1214 RIPPLE CREEK DR HOUSTON TX 77057
109	RICKY AND KAYLA BISHOP 11025 WINDSWEPT DR WILLIS TX 77318-6563
110	STEPHEN F AND SALLY J SCHMIDT 10905 WINDSWEPT DR WILLIS TX 77318-6562

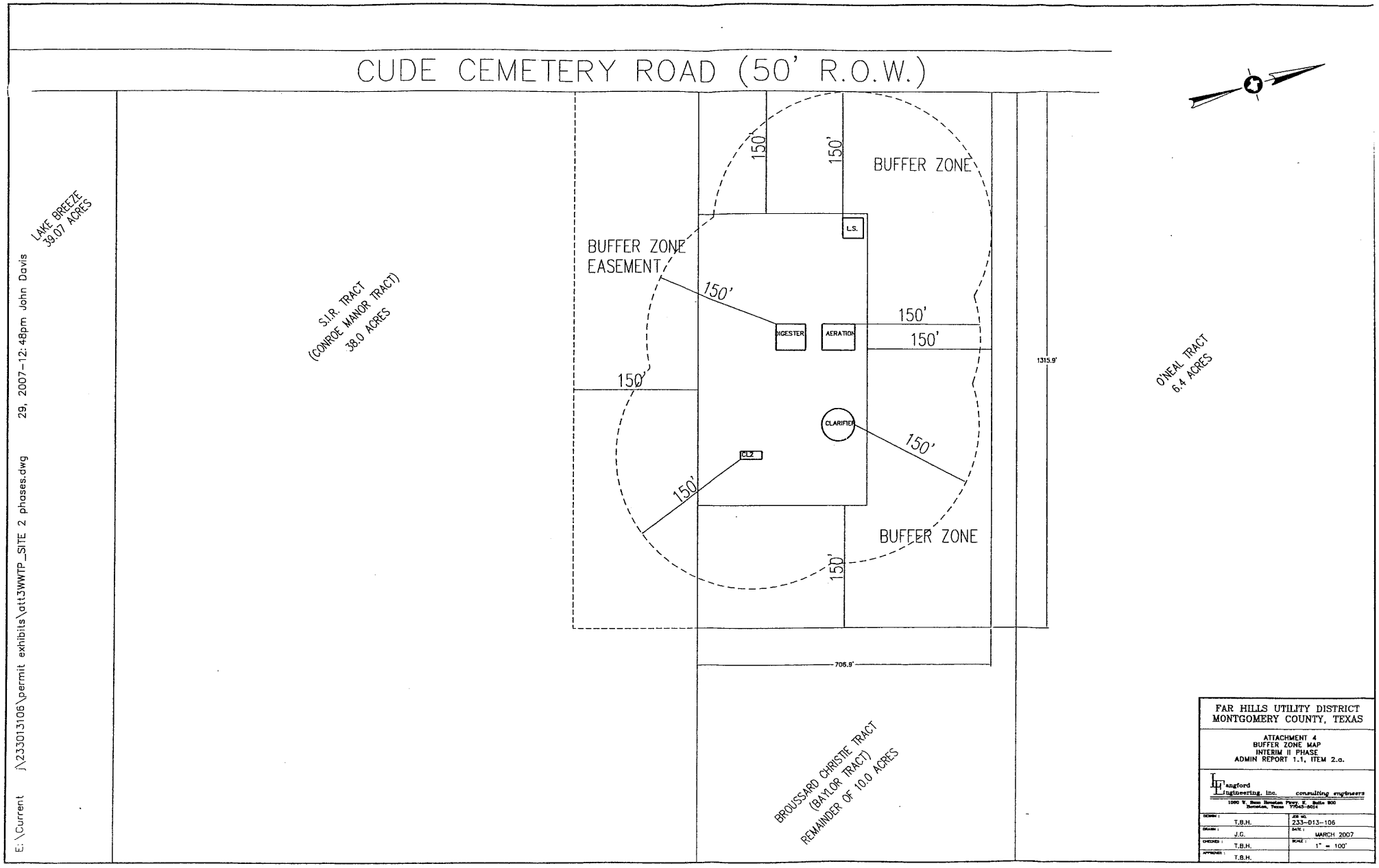
111	GEORGIA STRONG WITT 10993 BLUE BELL DR WILLIS TX 77318-6525
111A	GARY L AND CORENE A FINLEY 10985 BLUE BELL DR WILLIS TX 77318
112	BOARDMAN LEE MUNSON 11261 MEADOR RD CONROE TX 77303
113	WILLIM AND JOANNE R HARWELL 10961 BLUE BELL DR WILLIS TX 77378
114	BOARDMAN LEE MUNSON 11261 MEADOW RD CONROE TX 77303-2351
115	GERALD JONES 13107 S POST OAK RD HOUSTON TX 77045-3005
116	WALTER R AND SUSAN ROSEMUND 12259 WREN CV WILLIS TX 77318
117	MAURINE BLAIR 12221 WREN CV WILLIS TX 77318-5481
118	EDWARD A AND MICHELLE HOLLER 12187 WREN CV WILLIS TX 77318-5481
119	EDWARD A AND MICHELLE HOLLER 12187 WREN CV WILLIS TX 77318-5481
120	EDWARD A AND MICHELLE HOLLER 12187 WREN CV WILLIS TX 77318-5481
121	BEN G AND DONNA WORLEY 10833 WREN COVE WILLIS TX 77378

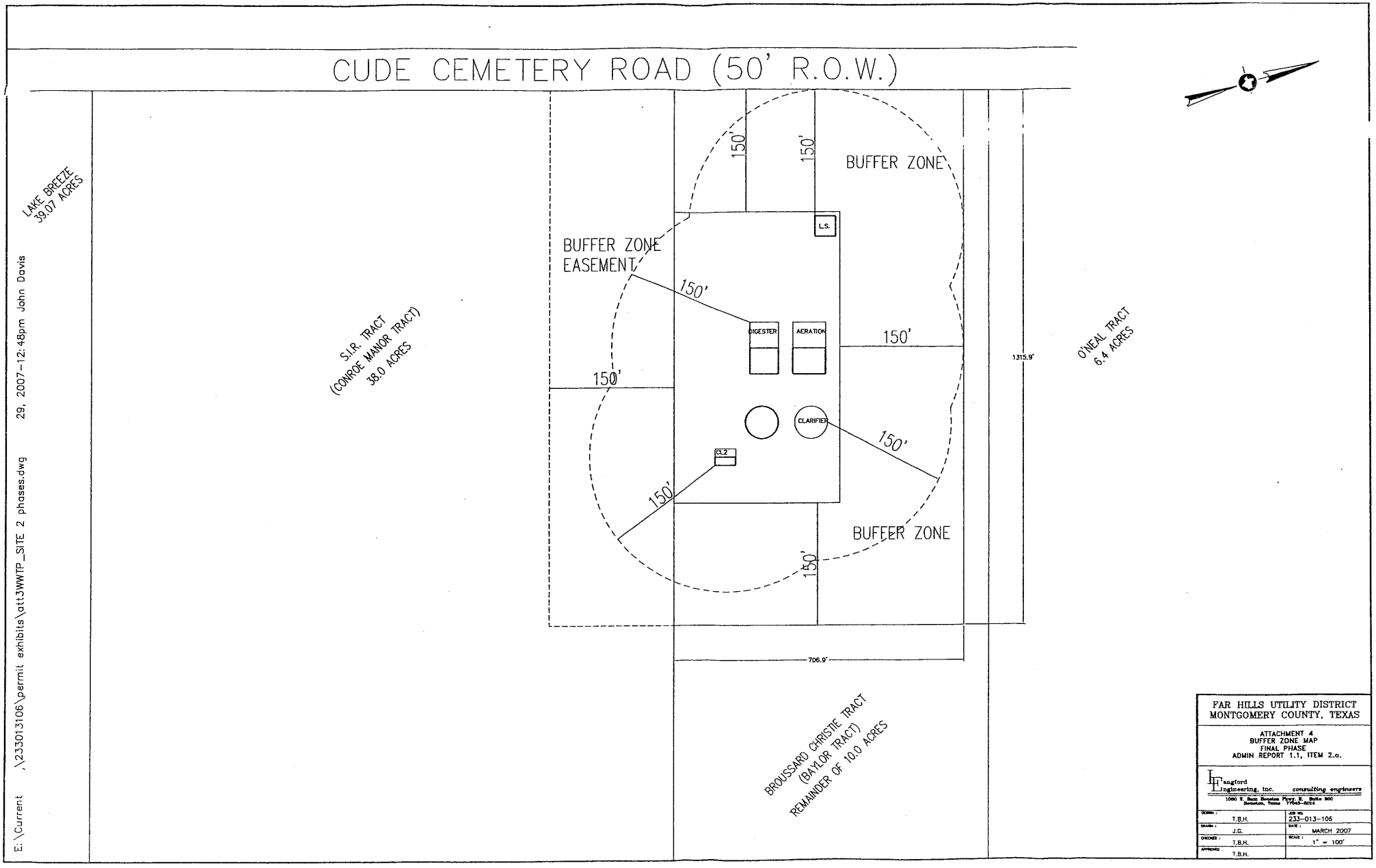
122	EMIT AND CHERYL PEAVY 10751 BLUE BELL DR WILLIS TX 77318-6523
123	BRADLEY J AND PAULA BURCH 12239 GABLE DR WILLIS TX 77318-6533
124	BRADLEY J AND PAULA BURCH 12239 GABLE DR WILLIS TX 77318-6533
124	GARLAND AND SANDRA BRAUN 12243 GABLE DR WILLIS TX 77318-6533
125	GARLAND AND SANDRA BRAUN 12243 GABLE DR WILLIS TX 77318-6533
126	TRAVIS KNIGHT 10651 BLUE BELL DR WILLIS TX 77318-6522
127	TRAVIS KNIGHT 10651 BLUE BELL DR WILLIS TX 77318-6522
128	RANDAL J AND MARSHA D PARROTT 10621 BLUE BELL DR WILLIS TX 77318-6522
129	RANDAL J AND MARSHA D PARROTT 10621 BLUE BELL DR WILLIS TX 77318-6522
128b	TRAVIS KNIGHT 10651 BLUE BELL DR WILLIS TX 77318-6522
130	BARBARA S BRIGGS 1103 HEATHWOOD CT HOUSTON TX 77077-2601
131	BARBARA S BRIGGS 1103 HEATHWOOD CT HOUSTON TX 77077-2601

132	GEORGE A PORTELE 505 LA COSTA DR MONTGOMERY TX 77356-5363
132b	JOHN P TUXHORN 12588 LAKE VISTA DR WILLIS TX 77318-5237
133	BLUE BELL EST PROP OWNERS ASSOC INC 10664 BLUE BELL DR WILLIS TX 77318-6515
134	ROBERT ZIRL AND CYNTHIA HUDSON 42 N CASTLEGREEN CIRCLE SPRING TX 77381-6335
135	MELBA C CHAMPION 10561 BLUE BELL DR WILLIS TX 77318-6521
136	WILLIAM M REAID 10551 BLUE BELL DR WILLIS TX 77318-6521
137	PATRICIA ANN CARBERRY 9809 TANAGER LN CONROE TX 77385-3424

ATT.4


CUDE CEMETERY ROAD (50' R.O.W.)
LAKE BREEZE
39.07 ACRES
S.I.R. TRACT
(CONROE MANOR TRACT)
38.0 ACRES
BUFFER ZONE
EASEMENT
150'
AERATION
BUFFER ZONE
BUFFER ZONE
1,315.9'
O'NEAL TRACT
6.4 ACRES
706.9'
BROUSSARD CHRISTIE TRACT
(BAYLOR TRACT)
REMAINDER OF 10.0 ACRES
FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS
ATTACHMENT 4
BUFFER ZONE MAP
INTERIM I PHASE
ADMIN REPORT 1.1, ITEM 2.a.
Lengford Engineering, Inc. consulting engineers
1080 W. Sam Houston Pkwy. N. Suite 300
Houston, Texas 77043-6014
DESIGN : T.B.H.
DRAWN : J.G.
CHECKED : T.B.H.
APPROVED : T.B.H.
JOB NO. 233-013-106
DATE : MARCH 2007
SCALE : 1" = 100'
E:\Current j\233013106\permit exhibits\ctt3WWTP_SITE 2 phases.dwg 29, 2007-12:47pm John Davis


CUDE CEMETERY ROAD (50' R.O.W.)
LAKE BREEZE
39.07 ACRES
S.I.R. TRACT
(CONROE MANOR TRACT)
38.0 ACRES
BUFFER ZONE
EASEMENT
BUFFER ZONE
BUFFER ZONE
150'
L.S.
DIGESTER
AERATION
CLARIFIER
CL2
1315.9'
706.9'
O'NEAL TRACT
6.4 ACRES
BROUSSARD CHRISTIE TRACT
(BAYLOR TRACT)
REMAINDER OF 10.0 ACRES
FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS
ATTACHMENT 4
BUFFER ZONE MAP
INTERIM II PHASE
ADMIN REPORT 1.1, ITEM 2.a.
Langford Engineering, Inc. consulting engineers
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-5014
DESIGN: T.B.H.
JOB NO. 233-013-106
DRAWN: J.G.
DATE: MARCH 2007
CHECKED: T.B.H.
SCALE: 1" = 100'
APPROVED: T.B.H.
E:\Current j\233013106\permit exhibits\att3WWTP_SITE 2 phases.dwg 29, 2007-12:48pm John Davis



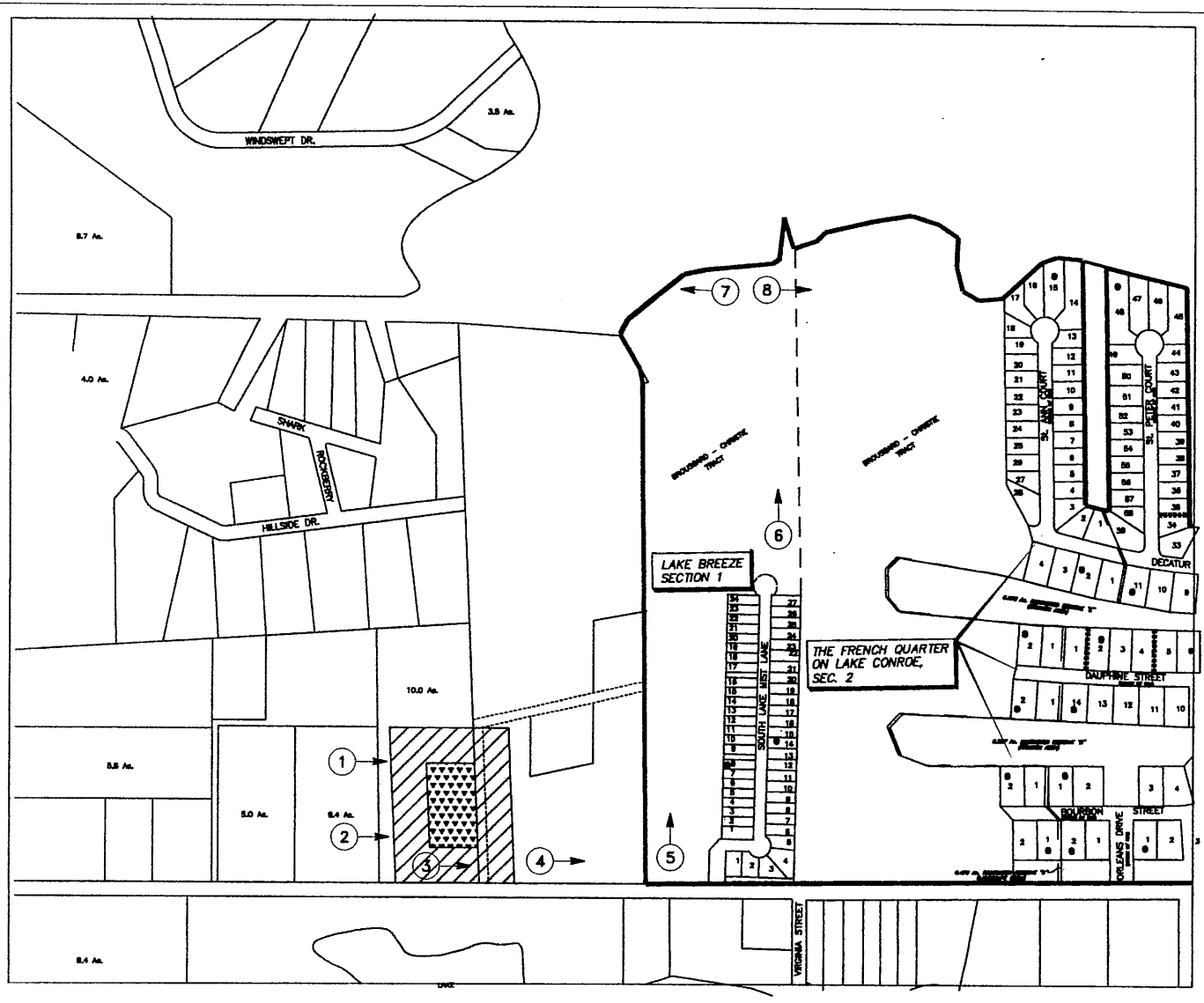
FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS

ATTACHMENT 4
BUFFER ZONE MAP
FINAL PHASE
ADMIN REPORT 1.1, ITEM 2.a.

Langford Engineering, Inc. consulting engineers
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-6014

DESIGN :	T.B.H.	JOB NO.	233-013-106
DRAWN :	J.G.	DATE :	MARCH 2007
CHECKED :	T.B.H.	SCALE :	1" = 100'
APPROVED :	T.B.H.		

ATT.5



LEGEND

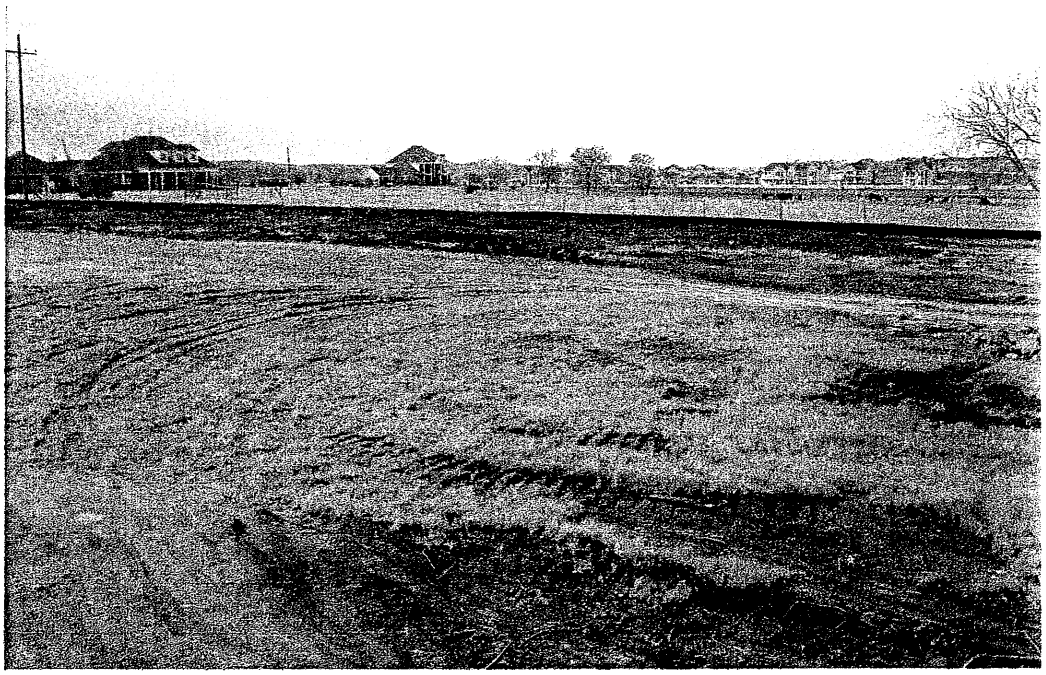
4 → PICTURE NUMBER & LOCATION

FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS

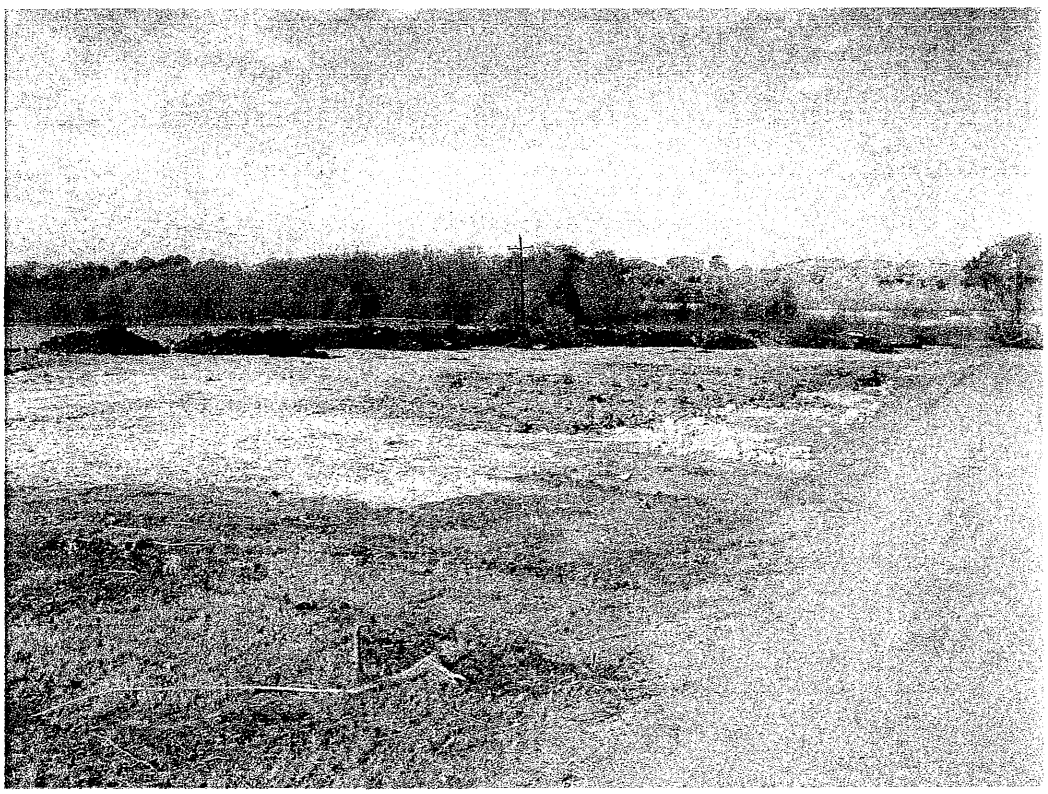
ATTACHMENT 5
PICTURE LOCATIONS
ADMIN. REPORT 1.1, ITEM 3

Hungford Engineering, Inc. consulting engineers

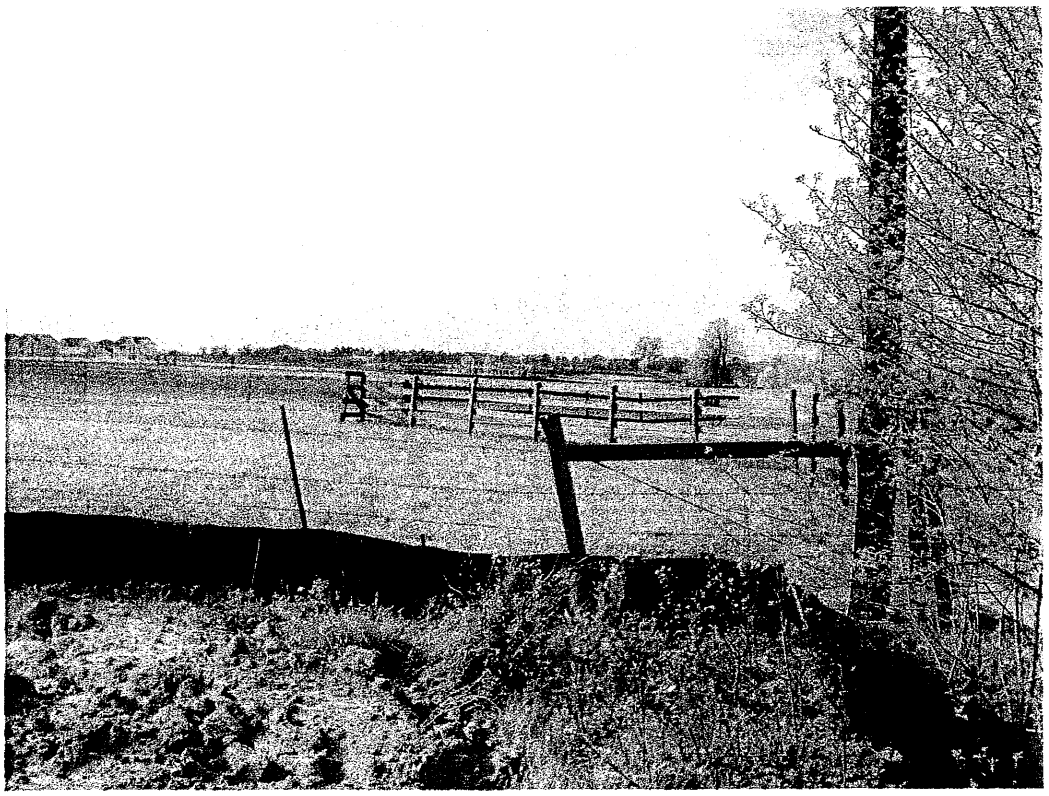
T.B.H.	233-013-106
J.G.	MARCH 2007
T.B.H.	1" = 200'
T.B.H.	ATTACHMENT 4



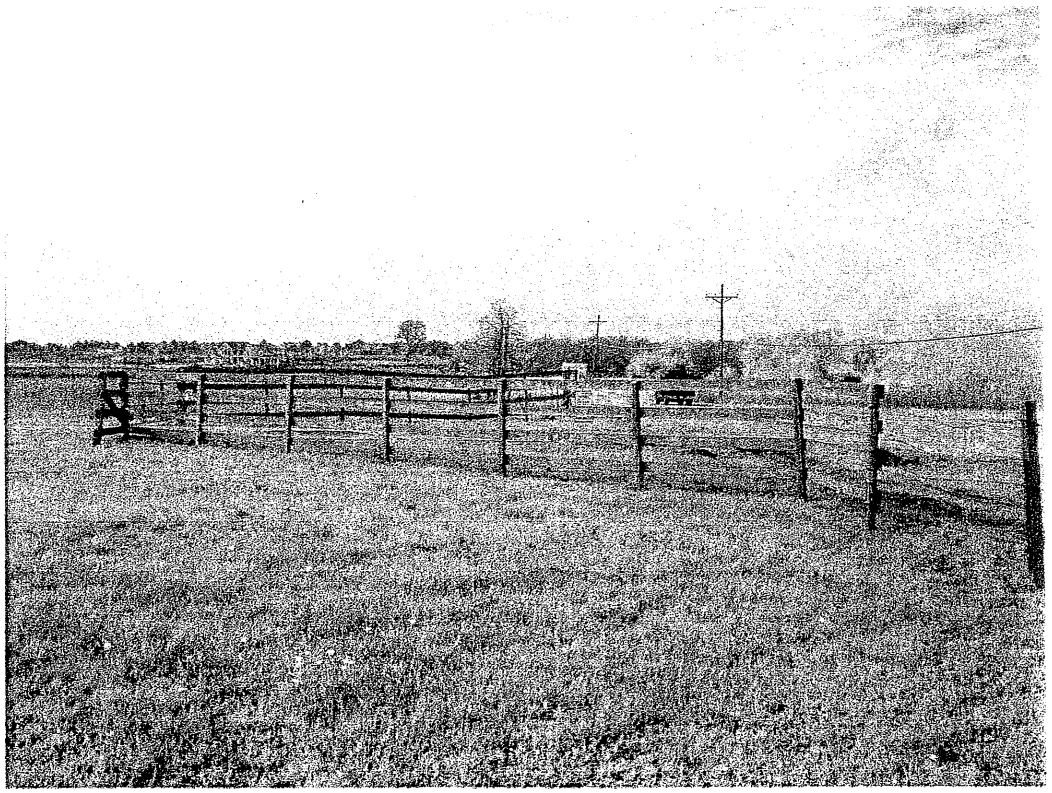
1. PROPOSED W.W.T.P. SITE, LOOKING SOUTHEAST



2. PROPOSED W.W.T.P. SITE, LOOKING SOUTHWEST

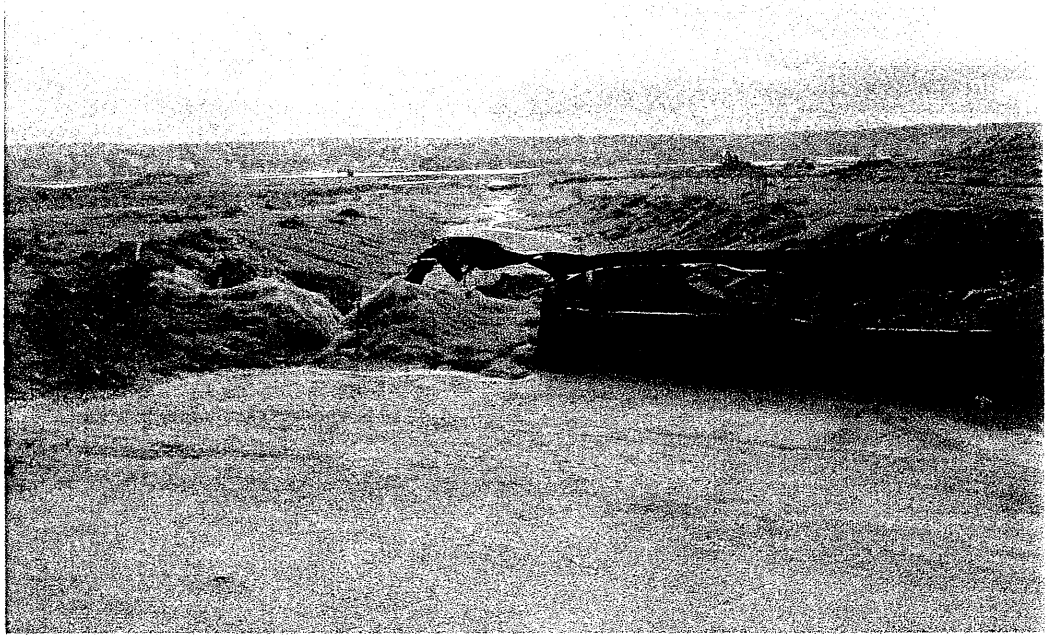


3. PROPOSED DISCHARGE ROUTE, LOOKING SOUTH

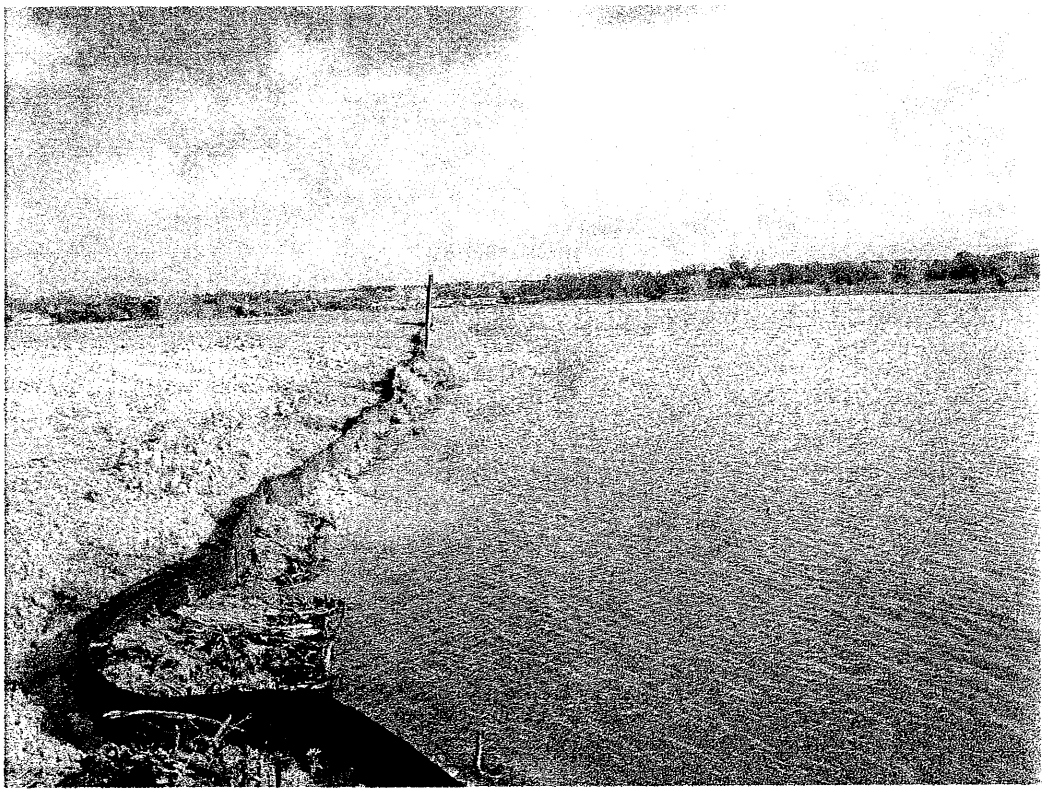


4. PROPOSED DISCHARGE ROUTE, LOOKING SOUTH

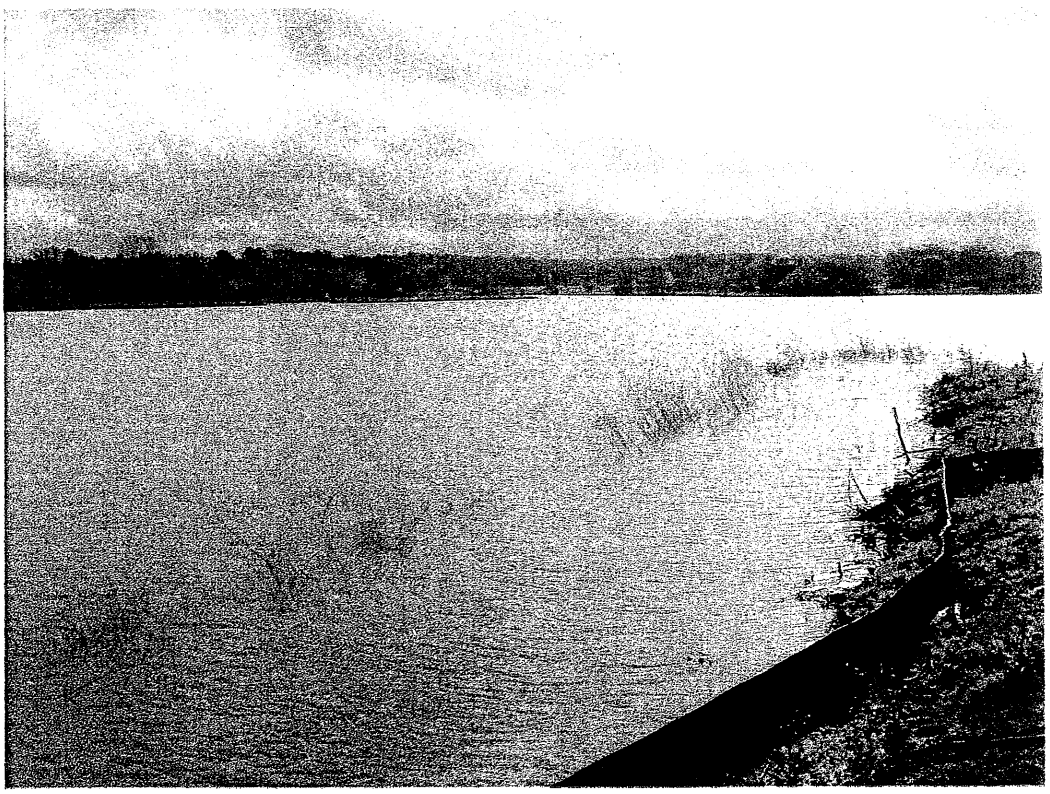
5. PROPOSED DISCHARGE ROUTE, LOOKING EAST



6. PROPOSED DISCHARGE ROUTE, LOOKING EAST



7. PROPOSED DISCHARGE @ LAKE CONROE, LOOKING NORTH



8. PROPOSED DISCHARGE @ LAKE CONROE, LOOKING SOUTH

ATT.6

Far Hills Utility District
Domestic Technical Report 1.0
Attachment 6, (item 3.a)

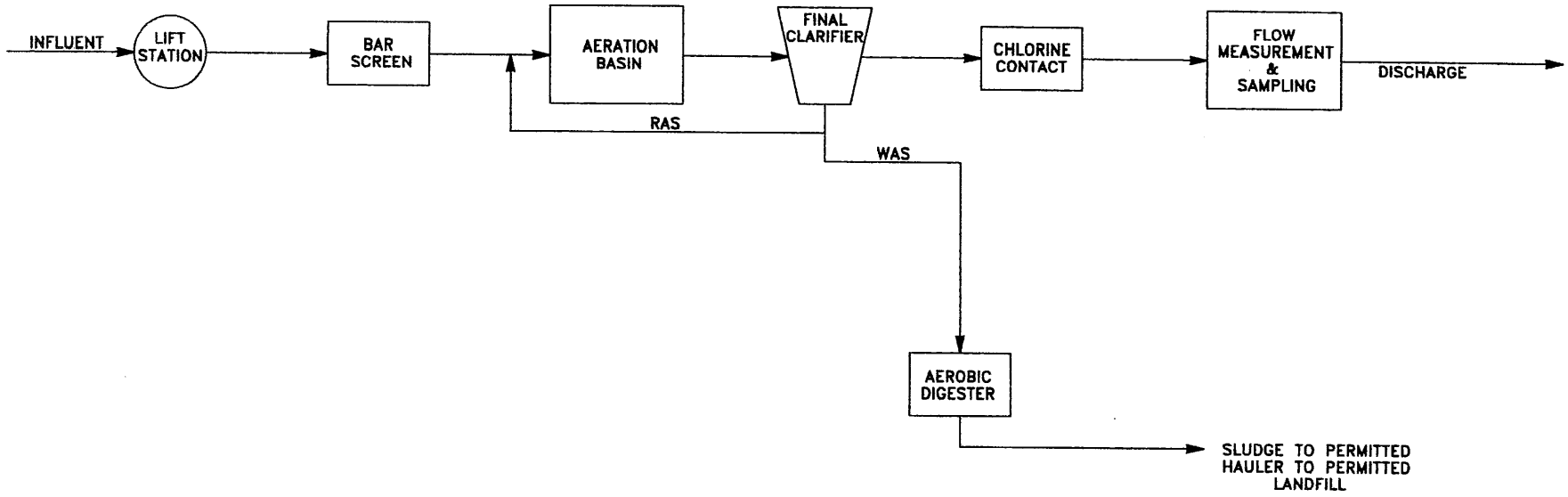
Interim I Phase-

The proposed (temporary facility) will operate as an activated sludge facility in the complete mix mode. Raw sewage will enter the plant via pump station(s) first through a bar screen. Sewage will then enter the aeration chamber, followed by a final clarifier, then the chlorine contact chamber. Sludge and scum will be collected in the clarifier and either returned to aeration or wasted to an aerobic digester. Chlorinated effluent will be discharged finally from the facility. Waste sludge (liquid) will be hauled to a permitted disposal site by a licensed sludge hauler.

Interim II Phase, and Final Phase-

Interim II Phase will consist of the first phase of the permanent facility, and will replace the temporary structure in use for Interim Phase I. The permanent facility will operate as an activated sludge facility in the complete mix mode. Raw sewage will enter the plant via pump station(s) first through a bar screen. Sewage will then enter the aeration chamber, followed by a final clarifier, then the chlorine contact chamber. Sludge and scum will be collected in the clarifier and either returned to aeration or wasted to an aerobic digester. Chlorinated effluent will be discharged finally from the facility. The Final Phase will include the addition of parallel treatment units operated in the same fashion to provide the proposed treatment capacity. Waste sludge (liquid) will be hauled to a permitted disposal site by a licensed sludge hauler.

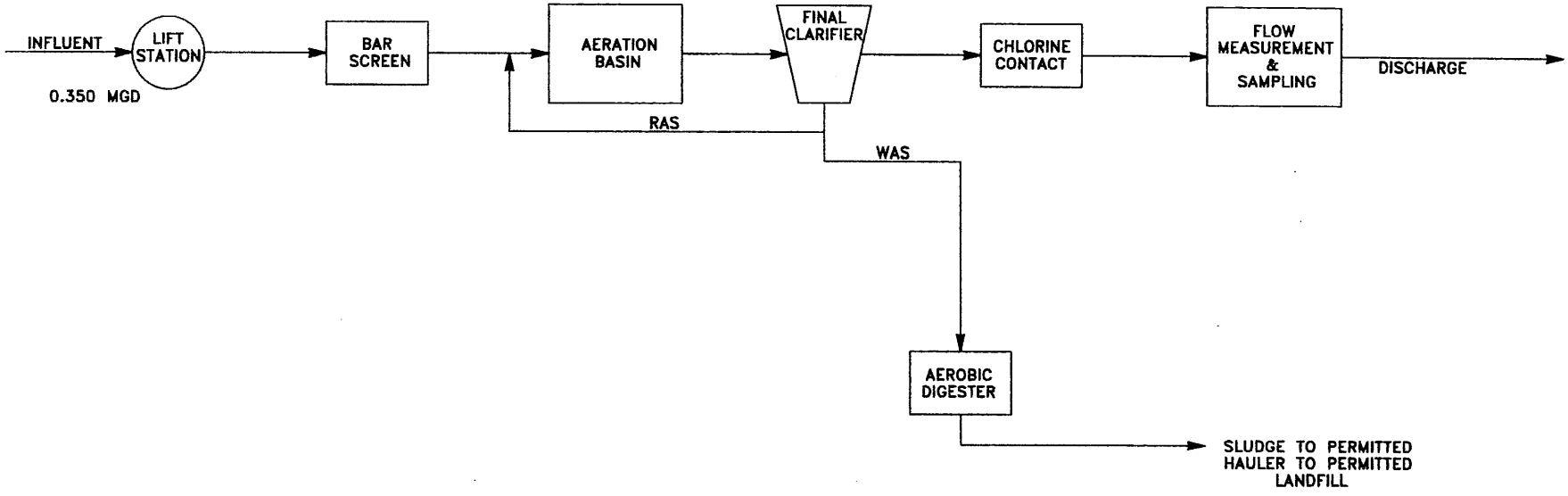
ATT.7



ATTACHMENT 7

FLOW DIAGRAM – INTERIM I PHASE
FAR HILLS UTILITY DISTRICT
WASTE DISCHARGE PERMIT APPLICATION
TECH. REPORT 1.0, ITEM 3.d.

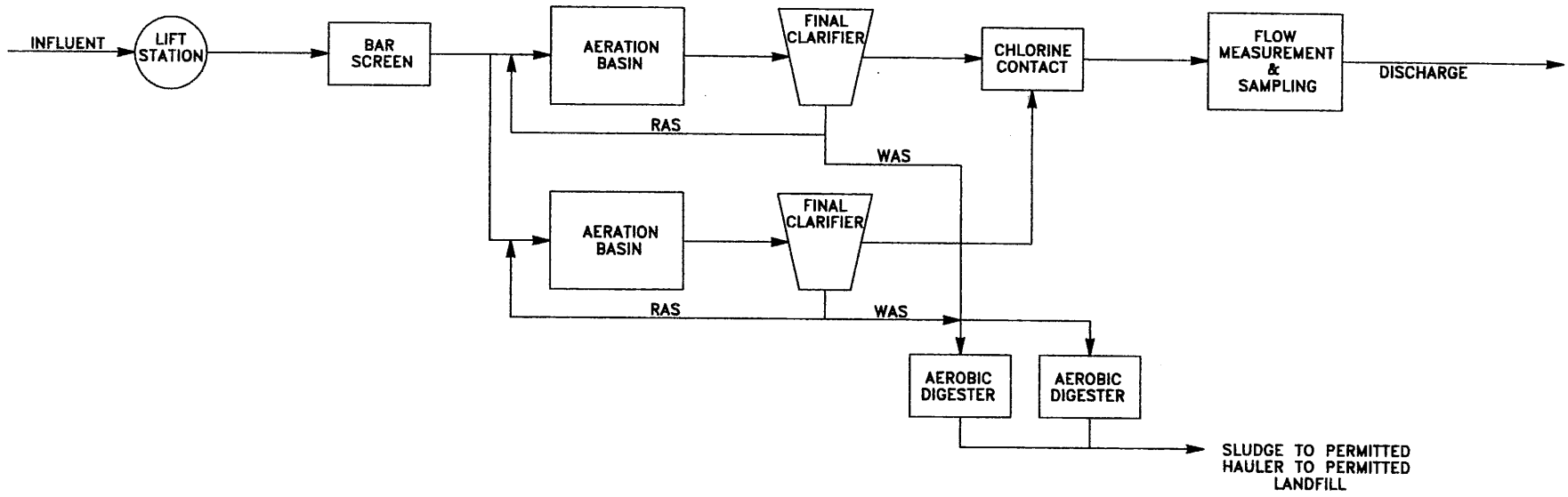
JOB NO. 233-013-106



ATTACHMENT 7

FLOW DIAGRAM – INTERIM II PHASE
FAR HILLS UTILITY DISTRICT
WASTE DISCHARGE PERMIT APPLICATION
TECH. REPORT 1.0, ITEM 3.d.

JOB NO. 233-013-106



ATTACHMENT 7

FLOW DIAGRAM – FINAL PHASE
FAR HILLS UTILITY DISTRICT
WASTE DISCHARGE PERMIT APPLICATION
TECH. REPORT 1.0, ITEM 3.d.

JOB NO. 233-013-106

Far Hills Utility District
Domestic Technical Report 1.0
Attachment 8 (item 3.e)

Interim I Phase 0.230 MGD Lease Plant

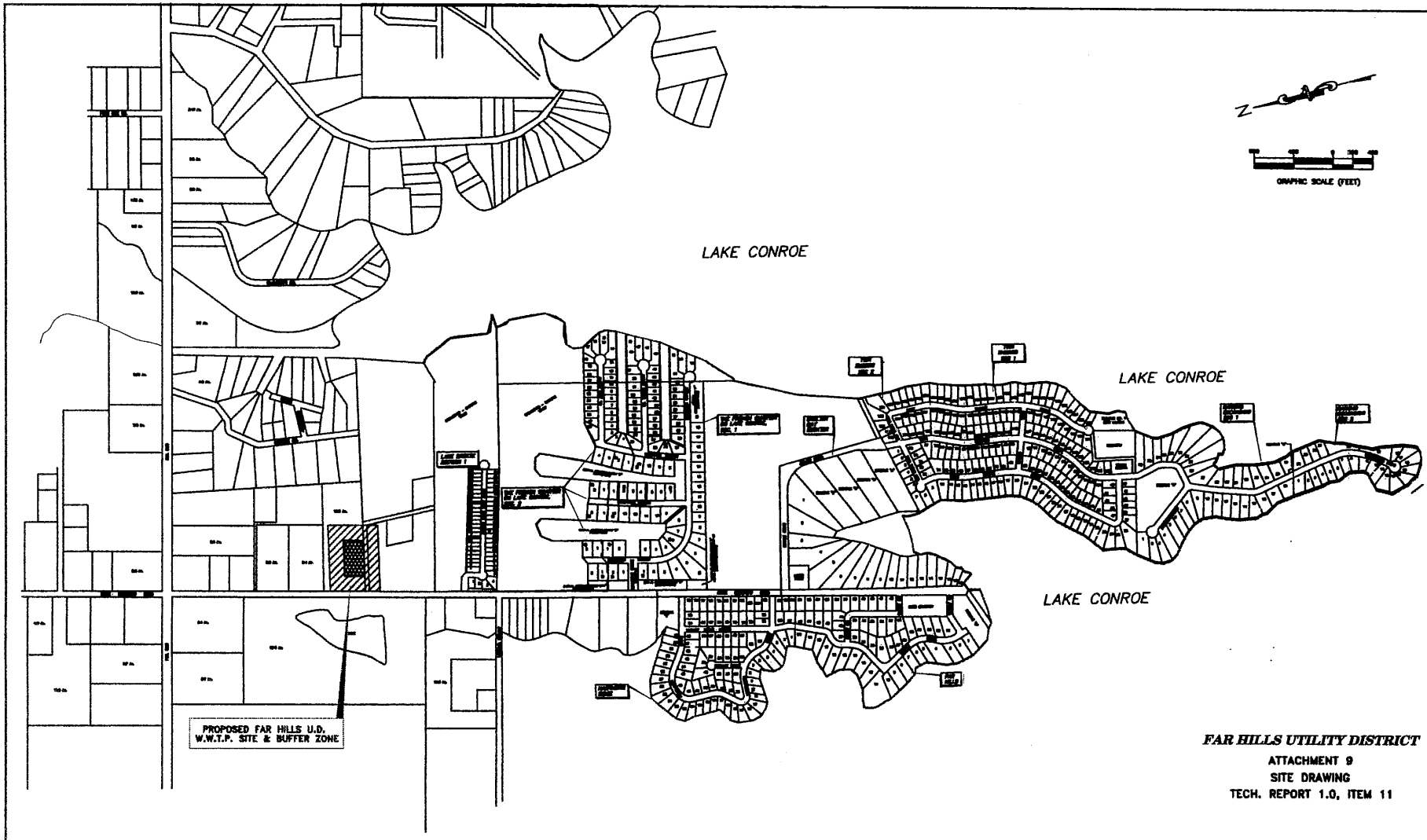
Treatment Unit	Dimensions	Geometry
Aeration Basins	2 @ 30L x 12'W x 10' SWD	Single Tank with divider wall at 60'L x 12'W x 11.5 D
Clarifiers	2 @ 20' Diameter x 10' SWD	Two Tanks at 20' dia. each, 11.5' tall with 6' dia. stilling well
Digester 1	33'L x 12'W x 10.5' SWD	Portion of existing Contact Stabilization Plant, 33'L section of 12' dia round tankage
Digester 2	40'L x 12'W x 10.5' SWD	Portion of existing Contact Stabilization Plant, 40'L section of 12' dia round tankage
Chlorine Contact	13'L x 12'W x 10.5' SWD	Portion of existing Contact Stabilization Plant, 13'L section of 12' dia round tankage

Interim II Phase - 0.350 MGD

Treatment Unit	Dimensions	Geometry
Aeration Basins	2 @ 40L x 16'W x 14' SWD	Common Wall Concrete Structure with divider wall - total size 40'L x 32'W x 15.5 D
Clarifier	40' Diameter x 13' SWD	40' dia., 15' tall with 8' dia. stilling well
Digesters	2 @ 35L x 16'W x 14' SWD	Common Wall Concrete Structure with divider wall - total size 35'L x 32'W x 15.5 D
Chlorine Contact	25'L x 10'W x 10' SWD	Concrete Structure - total size 25'L x 10'W x 12'D

Final Phase - 0.700 MGD

Treatment Unit	Dimensions	Geometry
Aeration Basins	4 @ 40L x 16'W x 14' SWD	2 Common Wall Concrete Structures with divider wall - total size 40'L x 32'W x 15.5 D (each unit)
Clarifier	2 @ 40' Diameter x 13' SWD	2 @ 40' dia., 15' tall with 8' dia. stilling well
Digesters	4 @ 35L x 16'W x 14' SWD	2 Common Wall Concrete Structures with divider wall - total size 35'L x 32'W x 15.5 D (each unit)
Chlorine Contact	2 @ 25'L x 10'W x 10' SWD	2 Concrete Structures - total size 25'L x 10'W x 12'D (each unit)



FAR HILLS UTILITY DISTRICT

ATTACHMENT 9

SITE DRAWING

TECH. REPORT 1.0, ITEM 11

FAR HILLS UTILITY DISTRICT

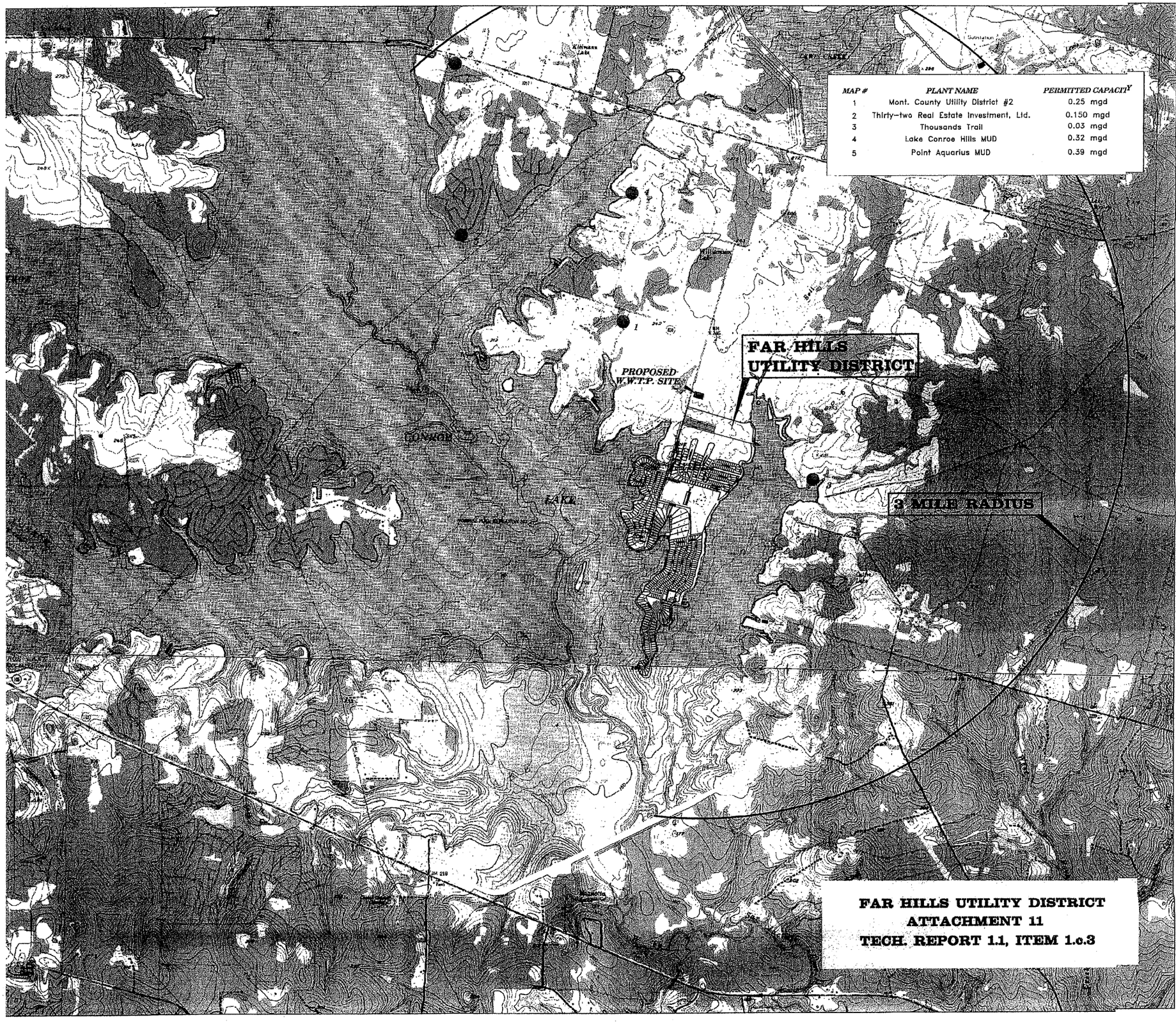
REGIONAL MAP

Langford Engineering, inc. consulting engineers
Phone 713-461-5530 Fax 713-952-7505
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-3014

ATT.10

Far Hills Utility District
Domestic Technical Report 1.1
Attachment 10, (item 1.b)

Far Hills Utility District ("FHUD") is currently under contract to discharge domestic wastewater for up to 401 single-family connections to the Montgomery County Utility District No. 2 ("MCUD 2") Wastewater Treatment Plant. This contract will expire in 2012. FHUD will require capacity for existing and planned development upon expiration of the existing contract. MCUD 2 does not have capacity to continue provide wastewater treatment for FHUD, and accommodate growth and increased demand in both Districts. Therefore, FHUD plans to construct a phased facility proposed under this permit application, and upon completion of Interim Phase I, discontinue its discharge to MCUD 2.



MAP #	PLANT NAME	PERMITTED CAPACITY
1	Mont. County Utility District #2	0.25 mgd
2	Thirty-two Real Estate Investment, Ltd.	0.150 mgd
3	Thousands Trail	0.03 mgd
4	Lake Conroe Hills MUD	0.32 mgd
5	Point Aquarius MUD	0.39 mgd

FAR HILLS UTILITY DISTRICT
ATTACHMENT 11
TECH. REPORT 1.1, ITEM 1.c.3

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

March 9, 2007

Certified Mail, Return Receipt Requested

Larry W. Folk
President
Montgomery County Utility District 2
3 East Greenway Plaza, Suite 2000
Houston, Texas 77046-0307

RE: Far Hills Utility District – Proposed TCEQ Domestic Wastewater Permit Application
LEI Job No. 233-013-106

Dear Utility Official:

Far Hills Utility District proposes to apply for a TCEQ Domestic Wastewater Permit to provide wastewater treatment for customers within its service area. In accordance with the state's policy regarding regionalization, the applicant is required to determine whether there are existing permitted domestic wastewater treatment facilities or collection systems located within three miles of the proposed facility, and whether such facility or system has capacity or would be willing to expand to accept the volume of wastewater proposed in the application.

We have enclosed a map showing the location of the proposed facility. The applicant is requesting a written response to the following questions:

1. Does the Montgomery County Utility District 2 wastewater facility and/or collection system currently have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow), up to 0.700 mgd (ultimate average flow)?

2. If not, is Montgomery County Utility District 2 willing to expand the facility and/or collection system to accept the additional wastewater flow?

3. If an expansion is contemplated to provide additional capacity to serve the applicant, what is the estimated cost and time frame to complete permitting and expansion of the existing facility and/or collection system?

Far Hills Utility District appreciates your consideration of this request. Please contact the undersigned if you have questions or if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosure

E:\Current Proj\Far Hills UD\233-013-106\Montgomery County March 9 2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

03/08/2007
3:39:44PM

Texas Commission on Environmental Quality
District Information Report

ERPT0001

MONTGOMERY COUNTY UTILITY DISTRICT 2

District: **5858500** **MONTGOMERY COUNTY UTILITY DISTRICT 2**
CCN RegNum: **P0373** **3 E GREENWAY PLZ STE 2000**
HOUSTON, TX 77046-0307

Business Phone:	**(713) 651-0111**		
Activity Status:	**ACTIVE**	Type:	**MUNICIPAL UTILITY DISTRICT**
Financial Status:	**AUDIT FILED**		
Date Created:	**06/04/1971**	Date Ended:	
Registration Received:	**05/21/2004**	Way Created:	**LEGISLATURE**
Number of Directors:	**5**	Way Chosen:	
Main County:	**MONTGOMERY**		
Other Counties:			

District Size in Acres:	**316.509**
Boundry Change:	**12/01/1982**
Date Confirmed:	**02/19/1972**

Section 49.455 Information

Date Received:	**09/18/2006**
Actual Date of Notice:	**09/15/2006**
Total District Tax Rate:	**$ 0.57000000**
Total Voter Amount Approved:	**$6,000,000.00**

From the District's Audit Report Dated:	**04/30/2006**
Debt Service Tax Rate:	**$ 0.32000000**
Operating/Main Tax Rate:	**$ 0.25000000**
Contract/Other Tax Rate:	
Amount Approved as Tax Bonds:	
Amount Issued as Tax Bonds:	
Amount Approved as Tax & Rev Bonds:	
Amount Issued as Tax & Rev Bonds:	
Refunding Bonds Authorized:	
Refunding Bonds Issued:	

Officials and Consultants:

BVP **BOB W. LONG, VICE PRESIDENT**
2308 KEEL CT
WILLIS, TX 77318-9112
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/06/2006**
Way Chosen: **Elected**

AT **W DICKINSON. YALE, ATTORNEY**
ORG COATS ROSE YALE RYMAN AND LEE PC
3 E GREENWAY PLZ STE 2000
COATS ROSE YALE RYMAN AND LEE PC
HOUSTON, TX 77046-0307
Business Phone: (713) 651-0111
Fax: Unknown

DB **JEANNIE HARGIS, DISTRICT BOOKKEEPER**
ORG PAULA J HARGIS & ASSOCIATES
PO BOX 3335

CONROE, TX 77305-3335
Business Phone: (936) 441-0044
Fax: Unknown

DFA **JAN BARTHOLOMEW, FINANCIAL ADVISOR**
ORG RBC DAIN RAUSCHER INC
1001 FANNIN STE 400
HOUSTON, TX 77002-6708
Business Phone: (713) 651-3342
Fax: Unknown

RP **LARRY W. FOLK, PRESIDENT**
7048 EDGEWATER DR
WILLIS, TX 77318-9185
Business Phone: (936) 760-1203
Fax: Unknown
Term Expires: **05/06/2006**
Way Chosen: **Elected**

BT **WILLIAM K. SANDERS, TREASURER**
5327 MONTEGO COVE DRIVE
WILLIS, TX 77318-9155
Business Phone: (936) 228-0800
Fax: Unknown
Term Expires: **05/03/2008**
Way Chosen: **Elected**

OP **KAREN SEARS, DISTRICT OPERATOR**
ORG AQUASOURCE SERVICES LP
11100 BRITTMOORE PARK DR
HOUSTON, TX 77041-6930
Business Phone: (713) 983-3426
Fax: Unknown

BS **BOBBY G. SEALS, BOARD SECRETARY**
7255 KINGSTON COVE LN
WILLIS, TX 77318-9190
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/06/2006**
Way Chosen: **Elected**

DE **MARK W. ADAM, DISTRICT ENGINEER**
ORG AEI ENGINEERING INC
616 FM 1960 RD W STE 250
HOUSTON, TX 77090-3037
Business Phone: (281) 350-7027
Fax: Unknown

DT **BENNIE PAWLAK, TAX COLLECTOR**
ORG BOB LEARED INTERESTS INC
11111 KATY FWY STE 725
HOUSTON, TX 77079-2175
Business Phone: (713) 932-9011
Fax: Unknown

DAN **BOB LEARED, AGENT FOR NOTICE**
ORG BOB LEARED INTERESTS INC
11111 KATY FWY STE 725
HOUSTON, TX 77079-2175
Business Phone: (713) 932-9011

Fax: Unknown

ORG HEREFORD LYNCH SELLERS & KIRKHAM
PO BOX 2548
CONROE, TX 77305-2548
Business Phone: (409) 756-8127
Fax: Unknown

BD **SHELDON HODGSON, ASST VP/SEC**
2011 LAKEWOOD COURT
WILLIS, TX 77318-9133
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/03/2008**
Way Chosen: **Elected**

The Texas Commission on Environmental Quality is pleased to provide this information to you free of charge. Please understand that we cannot guarantee the accuracy or completeness of the information being supplied. At the time of your query this data was the most current information available from our database, which is updated weekly. Every effort was made to retrieve it according to your query. Thank-you for using WUD.

March 9, 2007

Certified Mail, Return Receipt Requested

Larry W. Folk
President
Montgomery County Utility District 2
3 East Greenway Plaza, Suite 2000
Houston, Texas 77046-0307

RE: Far Hills Utility District – Proposed TCEQ Domestic Wastewater Permit Application
LEI Job No. 233-013-106

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Far Hills Utility District proposes to apply for a TCEQ Domestic Wastewater Permit to provide wastewater treatment for customers within its service area. In accordance with the state's policy regarding regionalization, the applicant is required to determine whether there are existing permitted domestic wastewater treatment facilities or collection systems located within three miles of the proposed facility, and whether such facility or system has capacity or would be willing to expand to accept the volume of wastewater proposed in the application.

We have enclosed a map showing the location of the proposed facility. The applicant is requesting a written response to the following questions:

1. Does the Montgomery County Utility District 2 wastewater facility and/or collection system currently have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow), up to 0.700 mgd (ultimate average flow)? NO
2. If not, is Montgomery County Utility District 2 willing to expand the facility and/or collection system to accept the additional wastewater flow? NO
3. If an expansion is contemplated to provide additional capacity to serve the applicant, what is the estimated cost and time frame to complete permitting and expansion of the existing facility and/or collection system?

Far Hills Utility District appreciates your consideration of this request. Please contact the undersigned if you have questions or if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

RESPONED BY
MARK W. ADAM, PE
DISTRICT ENGINEER
MONTGOMERY COUNTY UD 2
3/26/2007

Enclosure
E:\Current Proj\Far Hills UD\233-013-106\Montgomery County March 9 2007.doc

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

March 9, 2007

Certified Mail, Return Receipt Requested

Thirty-Two Real Estate Ltd.
P. O. Box 525
Willis, Texas 77378-0525

RE: Far Hills Utility District – Proposed TCEQ Domestic Wastewater Permit Application
LEI Job No. 233-013-106

Dear Owner:

Far Hills Utility District proposes to apply for a TCEQ Domestic Wastewater Permit to provide wastewater treatment for customers within its service area. In accordance with the state's policy regarding regionalization, the applicant is required to determine whether there are existing permitted domestic wastewater treatment facilities or collection systems located within three miles of the proposed facility, and whether such facility or system has capacity or would be willing to expand to accept the volume of wastewater proposed in the application.

We have enclosed a map showing the location of the proposed facility. The applicant is requesting a written response to the following questions:

1. Does Thirty-Two Real Estate Ltd. wastewater facility and/or collection system currently have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow), up to 0.700 mgd (ultimate average flow)?

2. If not, is Thirty-Two Real Estate Ltd. willing to expand the facility and/or collection system to accept the additional wastewater flow?

3. If an expansion is contemplated to provide additional capacity to serve the applicant, what is the estimated cost and time frame to complete permitting and expansion of the existing facility and/or collection system?

Far Hills Utility District appreciates your consideration of this request. Please contact the undersigned if you have questions or if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosure

TCEQ TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SITE SEARCH: please enter search phrase Go

SUBJECT INDEX
› Air › Water › Waste
› Search TCEQ Data
› Agency Organization Map

Districts | Utilities | PWSs | Maps | Documents | Reports | WUD Main

Public Water Systems Details/Data Sheet for THIRTY TWO REAL ESTATE LTD (1700660)

Affiliations | Site Visits | Documents | Violations | Sources | Sold Source | Entry Points | Plants

Responsible Party

Organization: **THIRTY TWO REAL ESTATE LTD**
Address: **PO BOX 525**
WILLIS, TX 77378-0525
Individual: **DANA RICHARDSON**
Job Title: **GENERAL PARTNER**
Phone: **(936) 890-1587**

Occurences were successfully retrieved.

Customers

Reference Number	Name	Role
CN600660062	THIRTY TWO REAL ESTATE LTD	RESPONSIBLE PARTY

Properties

CR Regulated Entity Number: **RN101218055**
CCEDS Status: **NO ACTIVE NOE EXISTS**
Ownership Type: **PRIVATE**
System Type: **TRANSIENT/NON-COMMUNITY**
County: **MONTGOMERY (170)**
Region: **HOUSTON (12)**
Monitoring Class: **GROUND WATER**
Out of Season:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Customer Groups

Population	Connection	Meter

Class	Category	Count	Count	Count
TRANSIENT	OTHER TRANSIENT AREA	342	60	0

Customer Group occurrences retrieved.

Capacity

Total Storage:

Total Storage: **0.000 MG**

Elevated Storage: **0.000 MG**

Pressure Tank Capacity: **0.00300 MG**

Production:

Total Production: **0.101 MGD**

Max Purchased Capacity: **0.000 MGD**

Emergency Production: **0.000 MGD**

Total Service Capacity: **0.000 MGD**

Service Pump Capacity: **0.000 MGD**

Emergency Service Capacity: **0.000 MGD**

Consumption:

Avg Daily Consumption: **0.000 MGD**

Max Daily Consumption: **0.000 MGD**

Activity

Activity Date: **05/30/2001**

Activity Status: **ACTIVE**

Operator Grades

Grade	Total
WATER GRADE C GROUND	2
WATER GRADE D	1

Occurrences retrieved.

Site Visits

Survey Date	Visit Type	Deficiency Score	Inspector
	SURVEY	-1	
05/30/2001	SURVEY	0	TOM LAMB
05/26/2004	SURVEY	0	MAGGIE WRIGHT

Site Visit occurrences retrieved.

Run Water System Data Sheet Report

Water System successfully retrieved.

Comments | Webmaster | Disclaimer

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

March 9, 2007

Certified Mail, Return Receipt Requested

Thousand Trails, Inc.
11720 Old Montgomery Road
Willis, Texas 77318-5643

RE: Far Hills Utility District – Proposed TCEQ Domestic Wastewater Permit Application
LEI Job No. 233-013-106

Dear Utility Official:

Far Hills Utility District proposes to apply for a TCEQ Domestic Wastewater Permit to provide wastewater treatment for customers within its service area. In accordance with the state's policy regarding regionalization, the applicant is required to determine whether there are existing permitted domestic wastewater treatment facilities or collection systems located within three miles of the proposed facility, and whether such facility or system has capacity or would be willing to expand to accept the volume of wastewater proposed in the application.

We have enclosed a map showing the location of the proposed facility. The applicant is requesting a written response to the following questions:

1. Does Thousand Trails, Inc. wastewater facility and/or collection system currently have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow), up to 0.700 mgd (ultimate average flow)?

2. If not, is Thousand Trails, Inc. willing to expand the facility and/or collection system to accept the additional wastewater flow?

3. If an expansion is contemplated to provide additional capacity to serve the applicant, what is the estimated cost and time frame to complete permitting and expansion of the existing facility and/or collection system?

Far Hills Utility District appreciates your consideration of this request. Please contact the undersigned if you have questions or if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosure

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

TCEQ TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SITE SEARCH: please enter search phrase Go

SUBJECT INDEX
› Air › Water › Waste
› Search TCEQ Data
› Agency Organization Map

District Utilities PWSs Maps Documents Reports

WUD Main

Public Water Systems Details/Data Sheet for THOUSAND TRAILS CONROE (1700338)

Affiliations Site Visits Documents Violations Sources Sold Source Entry Points Plants

Responsible Party

Organization: **THOUSAND TRAILS INC**
Address: **11720 OLD MONTGOMERY RD**
WILLIS, TX 77318-5643
Individual: **TERRY MUNOZ**
Job Title: **PRESERVE MANAGER** Phone: **(936) 856-3751**

Occurences were successfully retrieved.

Customers

Reference Number	Name	Role
CN600918718	MHC TT INC	RESPONSIBLE PARTY
CN603041666	THOUSAND TRAILS LP	OPERATOR

Properties

CR Regulated Entity Number: **RN102683232**
CCEDS Status: **NO ACTIVE NOE EXISTS**
Ownership Type: **PRIVATE**
System Type: **TRANSIENT/NON-COMMUNITY**
County: **MONTGOMERY (170)**
Region: **HOUSTON (12)**
Monitoring Class: **GROUND WATER**
Out of Season:

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Customer Groups

Population **Connection** **Meter**

Class	Category	Count	Count	Count
TRANSIENT	RECREATION AREA	300	120	250

Customer Group occurrences retrieved.

Capacity

Total Storage:

Total Storage: **0.075 MG**

Elevated Storage: **0.000 MG**

Pressure Tank Capacity: **0.00350 MG**

Production:

Total Production: **0.125 MGD**

Max Purchased Capacity: **0.000 MGD**

Emergency Production: **0.000 MGD**

Total Service Capacity: **0.000 MGD**

Service Pump Capacity: **0.504 MGD**

Emergency Service Capacity: **0.000 MGD**

Consumption:

Avg Daily Consumption: **0.000 MGD**

Max Daily Consumption: **0.000 MGD**

Activity

Activity Status: **ACTIVE**

Operator Grades

Grade	Total
WATER GRADE B GROUND	1

Occurrences retrieved.

Site Visits

Survey Date	Visit Type	Deficiency Score	Inspector
05/13/1999	SURVEY	3	CARLOS ROMO
01/22/2003	SURVEY	2	LETICIA DELEON
10/24/2006	SURVEY MD11/01/2006,RD11/08/2006	0	STACY TANNER

Site Visit occurrences retrieved.

Run Water System Data Sheet Report

Water System successfully retrieved.

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

March 9, 2007

Certified Mail, Return Receipt Requested

Raymond Eggers
Board President
Lake Conroe Hills M.U.D.
1001 McKinney, Suite 1000
Houston, Texas 77002

RE: Far Hills Utility District – Proposed TCEQ Domestic Wastewater Permit Application
LEI Job No. 233-013-106

Dear Utility Official:

Far Hills Utility District proposes to apply for a TCEQ Domestic Wastewater Permit to provide wastewater treatment for customers within its service area. In accordance with the state's policy regarding regionalization, the applicant is required to determine whether there are existing permitted domestic wastewater treatment facilities or collection systems located within three miles of the proposed facility, and whether such facility or system has capacity or would be willing to expand to accept the volume of wastewater proposed in the application.

We have enclosed a map showing the location of the proposed facility. The applicant is requesting a written response to the following questions:

1. Does Lake Conroe Hills M.U.D. wastewater facility and/or collection system currently have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow), up to 0.700 mgd (ultimate average flow)?

2. If not, is Lake Conroe Hills M.U.D. willing to expand the facility and/or collection system to accept the additional wastewater flow?

3. If an expansion is contemplated to provide additional capacity to serve the applicant, what is the estimated cost and time frame to complete permitting and expansion of the existing facility and/or collection system?

Far Hills Utility District appreciates your consideration of this request. Please contact the undersigned if you have questions or if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosure

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
E:\Current Proj\Far Hills UD\233-013-106\Lake Conroe Hills MUD March 9 2007.doc
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

03/08/2007
3:43:47PM

Texas Commission on Environmental Quality
District Information Report

ERPT0001

LAKE CONROE HILLS MUD

District: 5302000 LAKE CONROE HILLS MUD
CCN RegNum: P0319 11197 FM 2854 RD
RAYMOND EGGERS PRESIDENT
CONROE, TX 77304-4187

Business Phone: (409) 856-8257
Activity Status: ACTIVE Type: MUNICIPAL UTILITY DISTRICT
Financial Status: AUDIT FILED
Date Created: 06/20/1973 Date Ended:
Registration Received: 04/19/2002 Way Created: TCEQ
Number of Directors: 5 Way Chosen: Elected
Main County: MONTGOMERY
Other Counties:

District Size in Acres: 380.707
Boundry Change:
Date Confirmed: 07/24/1973

Section 49.455 Information
Date Received: 12/17/2004
Actual Date of Notice: 11/16/2004
Total District Tax Rate: $ 0.50000000
Total Voter Amount Approved: $3,500,000.00

From the District's Audit Report Dated: 05/31/2006
Debt Service Tax Rate:
Operating/Main Tax Rate: $ 0.50000000
Contract/Other Tax Rate:
Amount Approved as Tax Bonds:
Amount Issued as Tax Bonds:
Amount Approved as Tax & Rev Bonds:
Amount Issued as Tax & Rev Bonds:
Refunding Bonds Authorized:
Refunding Bonds Issued:

Officials and Consultants:

BS JAMES R. SCHMIDT, BOARD SECRETARY
13319 LAKE BREEZE LN
WILLIS, TX 77318-5328
Business Phone: Unknown
Fax: Unknown
Term Expires: 05/31/2004
Way Chosen: Elected

RP RAYMOND EGGERS, BOARD PRESIDENT
ORG LAKE CONROE HILLS MUD
13362 BLUFF VIEW DR
WILLIS, TX 77318-5302
Business Phone: Unknown
Fax: Unknown
Term Expires: 05/31/2002
Way Chosen: Elected

BVP NANCY D. OUGHTON, VICE PRESIDENT

13378 BUNKER HILL DR
WILLIS, TX 77318-5307
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/31/2002**
Way Chosen: **Elected**

AT **ROSS J. RADCLIFFE, ATTORNEY**
ORG JOHNSON RADCLIFFE PETROV & BOBBITT PLLC
450 GEARS RD
HOUSTON, TX 77067-4529
Business Phone: (281) 872-1221
Fax: Unknown

DE **DAVID A. VOGT, DISTRICT ENGINEER**
ORG ~~VOGT ENGINEERING LP~~
~~110 VISION PARK BLVD STE 200~~
~~CONROE, TX 77384-3000~~
~~Business Phone: (281) 367-0947~~ (936) 273-9980
Fax: Unknown

ORG MCCALL GIBSON & CO PLLC
13831 NORTHWEST FWY STE 610
HOUSTON, TX 77040
Business Phone: (713) 462-0341
Fax: Unknown

BD **MARTHA MALONE, BOARD DIRECTOR**
13150 BLUFF VIEW DR
WILLIS, TX 77318-5300
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/01/2004**
Way Chosen: **Appointed**

BD **JOHN E. JONES, BOARD DIRECTOR**
ORG LAKE CONROE HILLS MUD
13472 BUNKER HILL DR
WILLIS, TX 77318-5308
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/01/2002**
Way Chosen: **Appointed**

GM **KIM CONATSER, GENERAL MANAGER**
ORG OK UTILITY SERVICE INC
11197 FM 2854 RD
CONROE, TX 77304-4187
Business Phone: (936) 588-6611
Fax: Unknown

ORG HAYS UTILITY SERVICE CORP
PO BOX 2002
CONROE, TX 77305-2002
Business Phone: (936) 588-1166
Fax: Unknown

ORG EQUITAX INCORPORATED
PO BOX 73109
HOUSTON, TX 77273-3109
Business Phone: (281) 444-4866

Fax: Unknown

DFA ORG **DUNCAN L. LAMME, FINANCIAL ADVISOR**
LEGG MASON WOOD WALKER INCORPORATED
1001 FANNIN STE 400
HOUSTON, TX 77002-6708
Business Phone: (713) 651-3346
Fax: Unknown

DT ORG **VICKY SULLIVAN, TAX COLLECTOR**
EQUITAX INCORPORATED
PO BOX 73109
HOUSTON, TX 77273-3109
Business Phone: (281) 444-4866
Fax: Unknown

The Texas Commission on Environmental Quality is pleased to provide this information to you free of charge. Please understand that we cannot guarantee the accuracy or completeness of the information being supplied. At the time of your query this data was the most current information available from our database, which is updated weekly. Every effort was made to retrieve it according to your query. Thank-you for using WUD.

LAKE CONROE HILLS MUNICIPAL UTILITY DISTRICT
11197 FM 2857
CONROE, TEXAS 77304
(936) 588-6611

President: Ray Eggers **Vice President: Nancy Oughton** **Secretary: James Schmidt**
Director: Martha Malone **Director: Richard T. Eldred**

April 7, 2007

To: Langford Engineering, Inc.
c/o Timothy B. Harding, P. E.

Subject: Far Hills Utility District – Proposed Domestic
Wastewater Permit Application

From: K. M. Conatser
General Manager
LCHMUD

In response to your letter of March 9, 2007, The matter will be discussed at the Board meeting that is scheduled for 9:00 am, April 20, 2007.

I will respond immediately after the meeting.

Sincerely,

K. M. Conatser

cc. Board of Directors

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

March 9, 2007

Certified Mail, Return Receipt Requested

Marvin Knoll
President
Point Aquarius M.U.D.
314 Cochran Street
Conroe, Texas 77301-2559

RE: Far Hills Utility District – Proposed TCEQ Domestic Wastewater Permit Application
LEI Job No. 233-013-106

Dear Utility Official:

Far Hills Utility District proposes to apply for a TCEQ Domestic Wastewater Permit to provide wastewater treatment for customers within its service area. In accordance with the state's policy regarding regionalization, the applicant is required to determine whether there are existing permitted domestic wastewater treatment facilities or collection systems located within three miles of the proposed facility, and whether such facility or system has capacity or would be willing to expand to accept the volume of wastewater proposed in the application.

We have enclosed a map showing the location of the proposed facility. The applicant is requesting a written response to the following questions:

1. Does Point Aquarius M.U.D. wastewater facility and/or collection system currently have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow), up to 0.700 mgd (ultimate average flow)?

2. If not, is Point Aquarius M.U.D. willing to expand the facility and/or collection system to accept the additional wastewater flow?

3. If an expansion is contemplated to provide additional capacity to serve the applicant, what is the estimated cost and time frame to complete permitting and expansion of the existing facility and/or collection system?

Far Hills Utility District appreciates your consideration of this request. Please contact the undersigned if you have questions or if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosure

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
E:\Current Proj\Far Hills UD\233-013-106\Point Aquarius MUD March 9 2007.doc
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

03/08/2007
3:49:39PM

Texas Commission on Environmental Quality
District Information Report

ERPT0001

POINT AQUARIUS MUD

District: **7112000** **POINT AQUARIUS MUD**
Water CCN: **10335** **13185 POINT AQUARIUS BLVD**
Sewer CCN: **20133** **WILLIS, TX 77318-5167**

Business Phone: **(936) 890-0368**
Activity Status: **ACTIVE** Type: **MUNICIPAL UTILITY DISTRICT**
Financial Status: **AUDIT FILED**
Date Created: **09/28/1971** Date Ended:
Registration Received: **02/14/2005** Way Created: **TCEQ**
Number of Directors: **5** Way Chosen: **Elected**
Main County: **MONTGOMERY**
Other Counties:

District Size in Acres: **515.744**
Boundry Change: **08/25/1994**
Date Confirmed: **12/18/1971**

Section 49.455 Information
Date Received: **12/08/2003**
Actual Date of Notice: **11/18/2003**
Total District Tax Rate: **$ 0.55800000**
Total Voter Amount Approved: **$6,000,000.00**

From the District's Audit Report Dated: **09/30/2005**
Debt Service Tax Rate: **$ 0.28470000**
Operating/Main Tax Rate: **$ 0.25000000**
Contract/Other Tax Rate:
Amount Approved as Tax Bonds:
Amount Issued as Tax Bonds:
Amount Approved as Tax & Rev Bonds:
Amount Issued as Tax & Rev Bonds:
Refunding Bonds Authorized:
Refunding Bonds Issued:

Officials and Consultants:

BVP **HARLEY F. ERICKSON, BOARD VICE PRESIDENT**
ORG POINT AQUARIUS MUD
12208 SAGITTARIUS DR E
WILLIS, TX 77378-5177
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/01/2006**
Way Chosen: **Elected**

BT **HARRY MORRIS, BOARD TREASURER**
ORG POINT AQUARIUS MUD
12700 PELICAN BLVD
WILLIS, TX 77318-5203
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/15/2008**
Way Chosen: **Elected**

BD **LIONEL L. VENABLE, BOARD DIRECTOR**

ORG POINT AQUARIUS MUD
12909 N PUFFIN LN
WILLIS, TX 77318-5213
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/01/2006**
Way Chosen: **Elected**

AT **M A. WALKER, ATTORNEY**
ORG M A WALKER III ATTORNEY
314 COCHRAN ST
CONROE, TX 77301-2559
Business Phone: (936) 756-3262
Fax: Unknown

DT **J R MOORE, TAX COLLECTOR**
ORG MONTGOMERY COUNTY TAX ASSESSOR-COLLECTOR
400 N SAN JACINTO ST
CONROE, TX 77301-2823
Business Phone: (936) 539-7897
Fax: Unknown

DFA **JOHN F. HOWELL, DISTRICT FINANCIAL ADVISOR**
ORG GMS GROUP LLC
5075 WESTHEIMER RD STE 1175
HOUSTON, TX 77056-5675
Business Phone: (713) 626-3552
Fax: Unknown

DE **ALBERT GUTIERREZ, ENGINEER**
ORG HUITT-ZOLLARS INC
1500 S DIARY ASHFORD ST STE 200
HOUSTON, TX 77077-3858
Business Phone: (281) 496-3199
Fax: Unknown

DAN **M A. WALKER, AGENT FOR NOTICE**
ORG M A WALKER III ATTORNEY
314 COCHRAN ST
CONROE, TX 77301-2559
Business Phone: (936) 756-3262
Fax: Unknown

ORG MARK L ROTH CPA
4915 S MAIN ST STE 114
STAFFORD, TX 77477-4601
Business Phone: (281) 277-9595
Fax: Unknown

AT **CARL O. SANDIN, DELINQUENT TAX ATTY**
ORG PERDUE BRANDON FIELDER COLLINS & MOTT LLP
2600 CITADEL PLAZA DR
HOUSTON, TX 77008-1362
Business Phone: (713) 862-1860
Fax: Unknown

AT **BILL CORSBIE, SPECIAL COUNSEL**
ORG BILL CORSBIE PC
3708 CLAWSON RD
AUSTIN, TX 78704-7802
Business Phone: (512) 443-3199

Fax: Unknown

DB ORG **M A. WALKER, BOOKKEEPER**
M A WALKER III ATTORNEY
314 COCHRAN ST
CONROE, TX 77301-2559
Business Phone: (936) 756-3262
Fax: Unknown

OP ORG **MARK THORPE, OPERATOR**
AQUASOURCE SERVICES LP
11100 BRITTMOORE PARK DR
HOUSTON, TX 77041-6930
Business Phone: (713) 983-3398
Fax: Unknown

RP ORG **MARVIN KNOLL, PRESIDENT**
POINT AQUARIUS MUD
12190 LAKE VISTA DR
WILLIS, TX 77318-5233
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/15/2008**
Way Chosen: **Elected**

BS ORG **CLYDE MILLER, SECRETARY**
POINT AQUARIUS MUD
12626 ANTARES
WILLIS, TX 77318-5100
Business Phone: Unknown
Fax: Unknown
Term Expires: **05/15/2008**
Way Chosen: **Elected**

The Texas Commission on Environmental Quality is pleased to provide this information to you free of charge. Please understand that we cannot guarantee the accuracy or completeness of the information being supplied. At the time of your query this data was the most current information available from our database, which is updated weekly. Every effort was made to retrieve it according to your query. Thank-you for using WUD.

Z33-003-106

HUITT-ZOLLARS

HUITT-ZOLLARS, INC. • 1500 South Dairy Ashford • Suite 200 • Houston, TX 77077-3858 • 281.496.0066 phone • 281.496.0220 fax • huitt-zollars.com

MAR 22 2007

March 21, 2007

Mr. Timothy B. Hardin, P.E.
Langford Engineering, Inc.
1080 W. Sam Houston Parkway N., Suite 200
Houston, TX 77043-5014

Re: Far Hills Utility District
Montgomery County, Texas
Wastewater Permit Application

Dear Mr. Hardin:

In answer to your request of March 9, 2007, regarding the wastewater treatment plant serving Point Aquarius Municipal Utility District (the District), the following are the responses:

1. The District does not have capacity to accept an additional wastewater flow of 0.350 mgd (interim average flow) or up to 0.700 mgd (ultimate average flow).

2. The District will not expand its treatment facility or collection system past its projected ultimate flow.

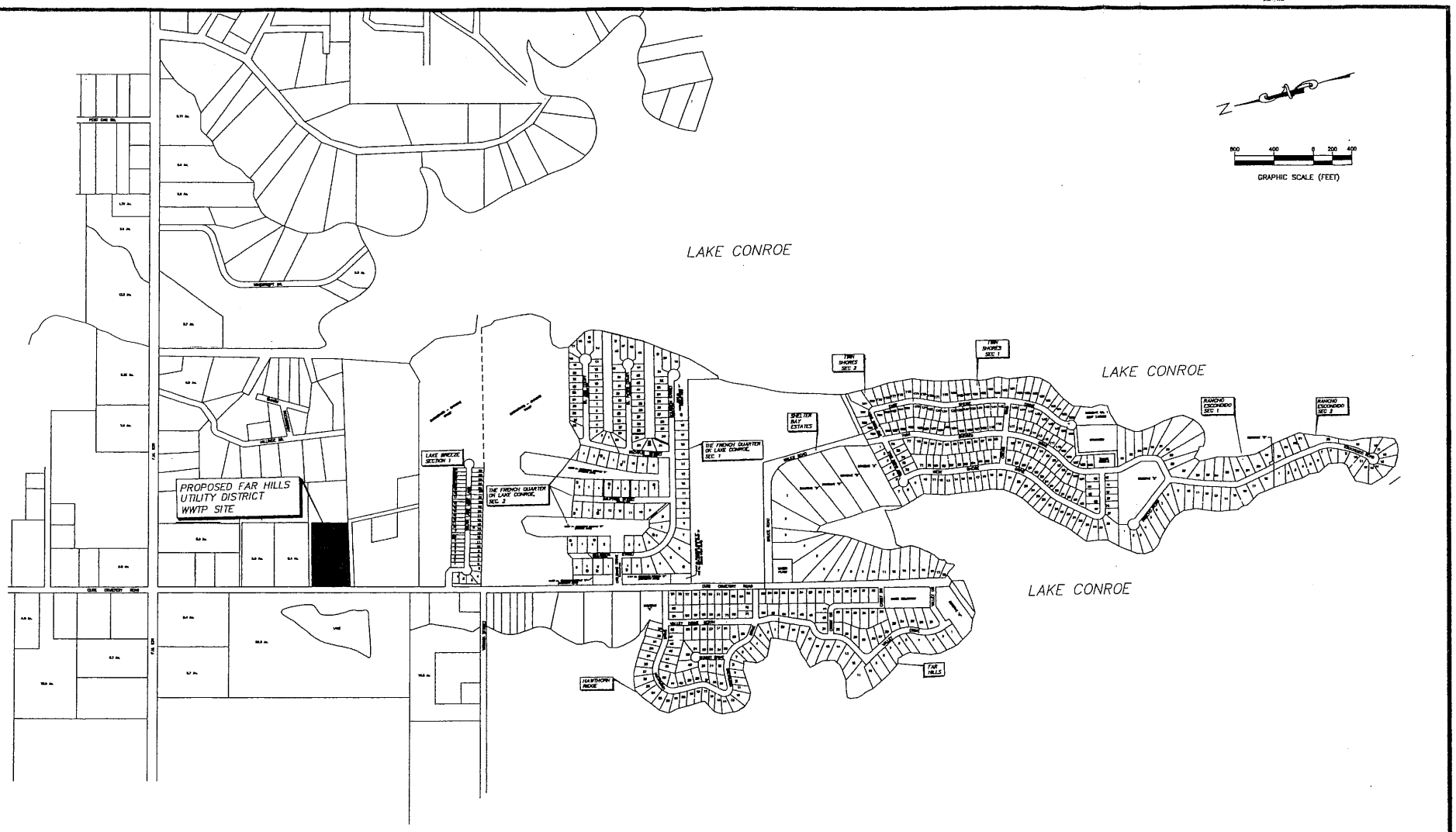
3. The District is currently taking bids to rehabilitate and expand its wastewater treatment plant to its ultimate projected flow of 0.700 mgd average daily flow. The construction should start June 1, 2007 and the estimated cost is $4,500,000.00.

Please advise if you need additional information.

Sincerely,
Huitt-Zollars, Inc.

Alberto D. Gutierrez, P.E.

Cc: Mr. Marvin Knoll
Mr. Andy Walker, III



FAR HILLS
UTILITY DISTRICT

REGIONAL MAP

LEangford Engineering, inc. consulting engineers
Phone 713-461-3530 Fax 713-932-7505
1080 W Sam Houston Pkwy. N Suite 200
Houston, Texas 77043-5014

E:\Current Proj\233013106\LANDOWNER NOTICE MAP.dwg Mar 08, 2007-4:47pm John Davis

ATT.12

Far Hills Utility District

Domestic Technical Report 1.1

Attachment 12 (item 2.c)

Interim I Phase		
Source	Total Average Flow, (MGD), 262 gpd per ESFC*	Organic Strength BOD_5 Concentration (mg/L)*
Subdivision	0.227	162
Recreational Facility, Day Use	0.001	162
(no other sources)	0	0
Totals	**0.228**	**162**

* Note: Interim I Phase of the Facility will consist of a temporary (lease) plant intended to provide service until the permanent facility can be constructed. Engineering Data is provided with this attachment to support the applicants intention to design the Interim I Phase facility based on 262 gpd per ESFC, and 162 mg/L influent BOD

Interim II Phase		
Source	Total Average Flow, (MGD), 350 gpd per ESFC	Organic Strength BOD_5 Concentration (mg/L)
Subdivision	0.340	200
Recreational Facility, Day Use	0.001	200
(no other sources)	0	0
Totals	**0.341**	**200**

Final Phase		
Source	Total Average Flow, (MGD), 350 gpd per ESFC	Organic Strength BOD_5 Concentration (mg/L)
Subdivision	0.665	200
Recreational Facility, Day Use	0.005	200
(no other sources)	0	0
Totals	**0.670**	**200**

Far Hills Utility District
Domestic Technical Report 1.1
Attachment 12 (item 2.c)

Montgomery County UD No. 2
Influent BOD5 & TSS Values (mg/L, presented as monthly averages from weekly sampling during calendar year 2006)

	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06	Yearly Average	Std Dev.	Avg + Std. Dev.
BOD5	149	83	179	68	147	137	133	176	98	138	76	127	126	35	161
TSS	145	173	122	162	150	126	147	216	121	130	156	165	151	26	177

The values presented above reflect averages on influent sampling at the Montgomery County UD No. 2 WWTP (TPDES Permit 11271-001). The applicant is currently a participant in this facility, and currnetly discharges its wastewater for treatment at this facility. The applicants flow generally accounts for about 30% to 35% of the wastewater currently treated at this facility. This information is provided in support of the applicants intent to design Interim I Phase facility to accomodate an BOD loading of 162 mg/L.

Far Hills Utility District
Domestic Technical Report 1.1
Attachment 12 (item 2.c)

Far Hills Utility District - Sewer Flows recorded at Lift Station No. 1

Month	Active Connections	Avg Flow for Month (gpd)	Average Flow per Connection (gpd/conn)	Max Flow for Month (gpd)	Max Flow per Connection (gpd/conn)
Jan-06	298	54323	182	77000	258
Feb-06	298	60464	203	72000	242
Mar-06	302	57452	190	68000	225
Apr-06	302	59600	197	76000	252
May-06	305	55645	182	63000	207
Jun-06	305	52933	174	63000	207
Jul-06	307	69710	227	110000	358
Aug-06	307	55710	181	74800	244
Sep-06	307	49250	160	67000	218
Nov-06	312	66600	213	113000	362
Dec-06	312	65194	209	98000	314
Averages	**305**	**58807**	**193**	**80164**	**262**

The values presented above reflect averages of flow measurements at the Far Hills utility District Lift Station No. 1 for calendar year 2006. This information is provided in support of the applicants intent to design Interim I Phase facility to accomodate an average flow of 262 gpd per ESFC.

ATT.13

Far Hills Utility District
Domestic Technical Report 1.1
Attachment 13 (item 4)

Interim I Phase
Design Calculations and Plant Design Features

Design Calculations

Parameter	Concentration
BOD5	162 mg/l
TSS	177 mg/l

Plant process and hydraulic design:

Flow	Gallons Per Day	Gallons Per Minute
Avg Daily Flow (Qave)	230,000	160
Peak 2-Hour Flow (Qpk)	690,000	479

Loading	Pounds Per Day
BOD5	311
TSS	340

Process Design - The treatment plant will be designed to produce and effluent quality in compliance with anticipated permit parameters of: $CBOD_5$ = 10 mg/l; TSS = 15 mg/l; DO = 4 mg/l; Cl_2 Residual = 1 mg/l after 20 minutes detention time. The plant will be designed as an activated sludge facility, operating in the complete mix mode.

Anticipated operating range for MLSS is 3,000 mg/l and RASS is 6,000 mg/l.

Aeration Basin

TCEQ max. organic loading:	45	lb/day/1,000 cu.ft.
Total aeration volume proposed:	7,200	cu.ft.
Proposed organic loading:	43	lb/day/1,000 cu.ft.

Clarifier

TCEQ max. surface loading (Qave):	600	gal./day/sq.ft.
TCEQ max. surface loading (Qpk):	1,200	gal./day/sq.ft.
TCEQ min. detention time (Qave):	3.0	hours
TCEQ min. detention time (Qpk):	1.5	hours
TCEQ max. weir loading (Qpk):	20,000	gal./day/ft.
Prop. Clarifier surface area:	572	sq.ft. (2 @ 20' dia clarifiers, excluding 6' stilling wells)
Prop. Clarifier side-water depth:	10	ft.
Prop. Clarifier volume:	5,720	cu.ft.
Prop. Clarifier volume:	42,786	gal.
Prop. Clarifier surface loading (Qave):	402	gal./day/sq.ft.
Prop. Clarifier surface loading (Qpk):	1,206	gal./day/sq.ft.
Prop. detention time (Qave):	4.5	hours
Prop. detention time (Qpk):	1.5	hours
Prop. weir length:	107	ft.
Prop. max. weir loading (Qpk):	6,449	gal./day/ft.

Domestic Technical Report 1.1
Attachment 13 (item 4)

Interim I Phase
Design Calculations and Plant Design Features

Aerobic Digester

TCEQ min. design volume:	20	cu.ft./lb BOD_5/day
TCEQ min. sludge retention time:	15	days
Prop. Digester volume:	7,569	cu.ft.
Prop. Digester loading	24	cu.ft./lb BOD_5/day
Prop. Digester sludge retention time:	35	days

Chlorine Contact Chamber

TCEQ min. detention time (Qpk):	20	min.
TCEQ min. volume (Qpk):	9,583	gal.
TCEQ min. volume (Qpk):	1,281	cu.ft.
Prop. Chamber volume:	10,177	gal.
Prop. Chamber volume:	1,361	cu.ft. (13' long Digester section from exist. tanks)
Prop. detention time:	21	min.

Air Requirements

TCEQ min. aeration requirements:	1,800	SCF/lb BOD_5
TCEQ min. digester requirements:	30	SCFM/1000 cu.ft. digester vol.
Aeration air proposed:	1,800	SCF/lb BOD_5
Digester air proposed:	30	SCFM/1000 cu.ft. digester vol.

Plant Design Features

A. Standby Power System - The proposed facility will be equipped to operate under auxilliary power using a diesel powered emergency generator. The unit will provide sufficient power to operate pumps, blowers, clarifier motor(s), disinfection system and control equipment.

B. Alarm Features - The proposed facility will be equipped with a autodialer alarm monitor and audible alarm and beacon. The autodialer and alarm will actuate on the following conditions: 1) power outage, 2) circuit interuption (tripped breaker). In addition, off-site lift stations are equipped with autodialers and alarms that will actuate on high level and power outage.

C. Design Features for Operating Flexibility - Interim I Phase of the proposed facility will include dual aeration chambers and clarifiers capable of continuous operation at 50% design flow, and can be individually isolated for service/maintenance.

D. Equipment Duplicity - Off-site lift stations are designed to include firm pumping capacity at each location with the largest pump out of service. WWTP blowers are designed to provide firm blower capacity with the largest blower out of service.

E. Overflow Prevention - The treatment units at the proposed facility will be designed with sufficient freeboard to allow time for eliminating possible circumstances that could lead to a plant overflow.

Far Hills Utility District
Domestic Technical Report 1.1
Attachment 13 (item 4)

Interim II Phase
Design Calculations and Plant Design Features

Design Calculations

Parameter	Concentration
BOD5	200 mg/l
TSS	240 mg/l

Plant process and hydraulic design:

Flow	Gallons Per Day	Gallons Per Minute
Avg Daily Flow (Qave)	350,000	243
Peak 2-Hour Flow (Qpk)	1,050,000	729

Loading	Pounds Per Day
BOD5	584
TSS	701

Process Design - The treatment plant will be designed to produce and effluent quality in compliance with anticipated permit parameters of: $CBOD_5$ = 10 mg/l; TSS = 15 mg/l; DO = 4 mg/l; Cl_2 Residual = 1 mg/l after 20 minutes detention time. The plant will be designed as an activated sludge facility, operating in the complete mix mode.

Anticipated operating range for MLSS is 3,000 mg/l and RASS is 6,000 mg/l.

Aeration Basin

TCEQ max. organic loading:	45 lb/day/1,000 cu.ft.
Total aeration volume proposed:	17,920 cu.ft.
Proposed organic loading:	33 lb/day/1,000 cu.ft.

Clarifier

TCEQ max. surface loading (Qave):	600 gal./day/sq.ft.
TCEQ max. surface loading (Qpk):	1,200 gal./day/sq.ft.
TCEQ min. detention time (Qave):	3.0 hours
TCEQ min. detention time (Qpk):	1.5 hours
TCEQ max. weir loading (Qpk):	20,000 gal./day/ft.
Prop. Clarifier surface area:	1,206 sq.ft. (40' dia, excludes 8' center well)
Prop. Clarifier side-water depth:	13 ft.
Prop. Clarifier volume:	15,678 cu.ft.
Prop. Clarifier volume:	117,271 gal.
Prop. Clarifier surface loading (Qave):	290 gal./day/sq.ft.
Prop. Clarifier surface loading (Qpk):	871 gal./day/sq.ft.
Prop. detention time (Qave):	8.0 hours
Prop. detention time (Qpk):	2.7 hours
Prop. weir length:	125 ft.
Prop. max. weir loading (Qpk):	8,400 gal./day/ft.

Aerobic Digester

TCEQ min. design volume:	20 cu.ft./lb BOD_5/day
TCEQ min. sludge retention time:	15 days
Prop. Digester volume:	15,680 cu.ft.
Prop. Digester loading	27 cu.ft./lb BOD_5/day
Prop. Digester sludge retention time:	39 days

Interim II Phase
Design Calculations and Plant Design Features

Chlorine Contact Chamber

TCEQ min. detention time (Qpk):	20	min.
TCEQ min. volume (Qpk):	14,583	gal.
TCEQ min. volume (Qpk):	1,950	cu.ft.
Prop. Chamber volume:	18,700	gal.
Prop. Chamber volume:	2,500	cu.ft.
Prop. detention time:	26	min.

Air Requirements

TCEQ min. aeration requirements:	1,800	SCF/lb BOD_5
TCEQ min. digester requirements:	30	SCFM/1000 cu.ft. digester vol.
Aeration air proposed:	1,800	SCF/lb BOD_5
Digester air proposed:	30	SCFM/1000 cu.ft. digester vol.

Plant Design Features

A. Standby Power System - The proposed facility will be equipped with a diesel powered emergency generator with automatic transfer switch. The unit will provide sufficient power to operate lift station pumps, blowers, clarifier motor(s), disinfection system and control equipment.

B. Alarm Features - The proposed facility will be equipped with a autodialer alarm monitor and audible alarm, as well as a lift station high level beacon. The autodialer and alarm will actuate on the following conditions: 1) power outage, 2) circuit interuption (tripped breaker), 3) lift station high level.

C. Design Features for Operating Flexibility - Interim I Phase of the proposed facility will include firm lift station pumping capacity for the lift station with the largest pump out of service and firm blower capacity with the largest blower out of service. Upon completion of the Final Phase, aeration basins (2 units), aerobic digesters (2 units), clarifiers (2 units) and chlorine contact chambers (2 units) will be individually capacble of continuous operation at 50% of design flow and individual units can be removed from service for repairs and/or maintenance.

D. Equipment Duplicity - The proposed facility will include firm lift station pumping capacity for the lift station with the largest pump out of service and firm blower capacity with the largest blower out of service.

E. Overflow Prevention - The plant lift station will be equipped with additional pumping capacity to prevent overflows. In addition, the treatment units at the proposed facility will be designed with sufficient freeboard to allow time for eliminating possible circumstances that could lead to a plant overflow.

Far Hills Utility District
Domestic Technical Report 1.1
Attachment 13 (item 4)

Final Phase
Design Calculations and Plant Design Features

Design Calculations

Parameter	Concentration
BOD5	200 mg/l
TSS	240 mg/l

Plant process and hydraulic design:

Flow	Gallons Per Day	Gallons Per Minute
Avg Daily Flow (Qave)	700,000	486
Peak 2-Hour Flow (Qpk)	2,100,000	1,458

Loading	Pounds Per Day
BOD5	1,168
TSS	1,401

Process Design - The treatment plant will be designed to produce and effluent quality in compliance with anticipated permit parameters of: $CBOD_5$ = 10 mg/l; TSS = 15 mg/l; DO = 4 mg/l; Cl_2 Residual = 1 mg/l after 20 minutes detention time. The plant will be designed as an activated sludge facility, operating in the complete mix mode.

Anticipated operating range for MLSS is 3,000 mg/l and RASS is 6,000 mg/l.

Aeration Basin

TCEQ max. organic loading:	45 lb/day/1,000 cu.ft.
Total aeration volume proposed:	35,840 cu.ft.
Proposed organic loading:	33 lb/day/1,000 cu.ft.

Clarifier

TCEQ max. surface loading (Qave):	600 gal./day/sq.ft.
TCEQ max. surface loading (Qpk):	1,200 gal./day/sq.ft.
TCEQ min. detention time (Qave):	3.0 hours
TCEQ min. detention time (Qpk):	1.5 hours
TCEQ max. weir loading (Qpk):	20,000 gal./day/ft.
Prop. Clarifier surface area:	2,412 sq.ft.
Prop. Clarifier side-water depth:	13 ft.
Prop. Clarifier volume:	31,356 cu.ft.
Prop. Clarifier volume:	234,543 gal.
Prop. Clarifier surface loading (Qave):	290 gal./day/sq.ft.
Prop. Clarifier surface loading (Qpk):	871 gal./day/sq.ft.
Prop. detention time (Qave):	8.0 hours
Prop. detention time (Qpk):	2.7 hours
Prop. weir length:	250 ft.
Prop. max. weir loading (Qpk):	8,400 gal./day/ft.

Aerobic Digester

TCEQ min. design volume:	20 cu.ft./lb BOD_5/day
TCEQ min. sludge retention time:	15 days
Prop. Digester volume:	31,360 cu.ft.
Prop. Digester loading	27 cu.ft./lb BOD_5/day
Prop. Digester sludge retention time:	39 days

Final Phase
Design Calculations and Plant Design Features

Chlorine Contact Chamber

TCEQ min. detention time (Qpk):	20 min.
TCEQ min. volume (Qpk):	29,167 gal.
TCEQ min. volume (Qpk):	3,899 cu.ft.
Prop. Chamber volume:	37,400 gal.
Prop. Chamber volume:	5,000 cu.ft.
Prop. detention time:	26 min.

Air Requirements

TCEQ min. aeration requirements:	1,800 SCF/lb BOD_5
TCEQ min. digester requirements:	30 SCFM/1000 cu.ft. digester vol.
Aeration air proposed:	1,800 SCF/lb BOD_5
Digester air proposed:	30 SCFM/1000 cu.ft. digester vol.

Plant Design Features

A. Standby Power System - The proposed facility will be equipped with a diesel powered emergency generator with automatic transfer switch. The unit will provide sufficient power to operate lift station pumps, blowers, clarifier motor(s), disinfection system and control equipment.

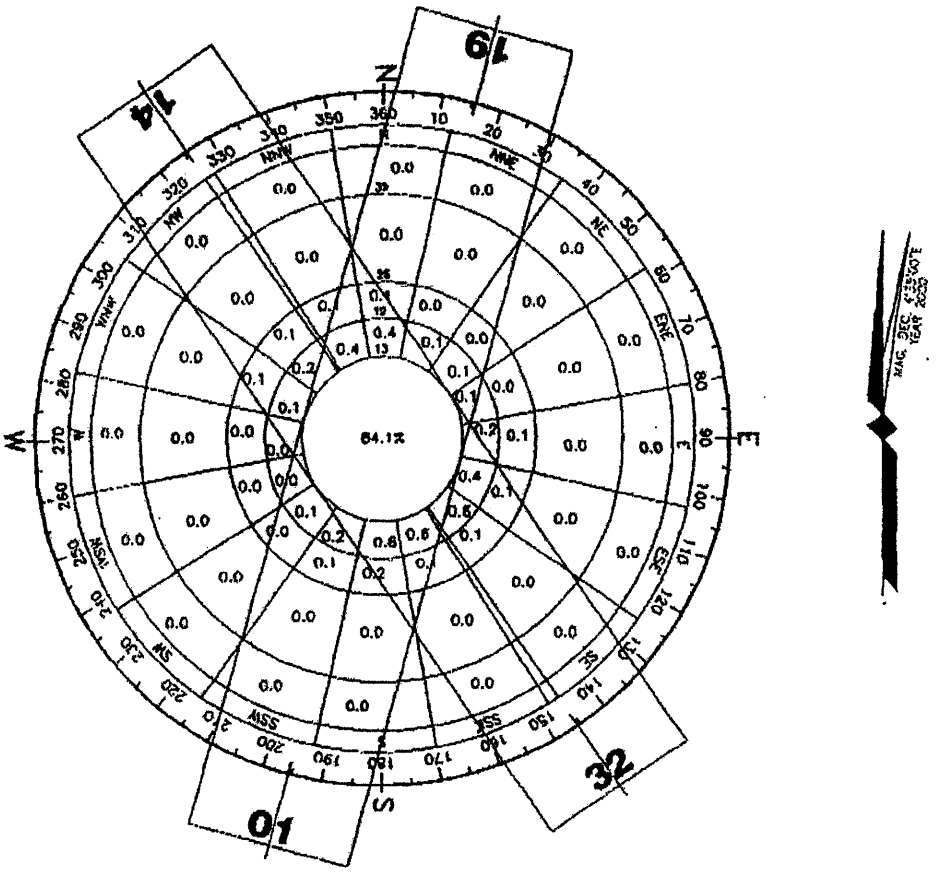
B. Alarm Features - The proposed facility will be equipped with a autodialer alarm monitor and audible alarm, as well as a lift station high level beacon. The autodialer and alarm will actuate on the following conditions: 1) power outage, 2) circuit interuption (tripped breaker), 3) lift station high level.

C. Design Features for Operating Flexibility - Interim I Phase of the proposed facility will include firm lift station pumping capacity for the lift station with the largest pump out of service and firm blower capacity with the largest blower out of service. Upon completion of the Final Phase, aeration basins (2 units), aerobic digesters (2 units), clarifiers (2 units) and chlorine contact chambers (2 units) will be individually capacble of continuous operation at 50% of design flow and individual units can be removed from service for repairs and/or maintenance.

D. Equipment Duplicity - The proposed facility will include firm lift station pumping capacity for the lift station with the largest pump out of service and firm blower capacity with the largest blower out of service.

E. Overflow Prevention - The plant lift station will be equipped with additional pumping capacity to prevent overflows. In addition, the treatment units at the proposed facility will be designed with sufficient freeboard to allow time for eliminating possible circumstances that could lead to a plant overflow.

MONTGOMERY COUNTY AIRPORT - CONROE, TX



WIND ROSE

SOURCE: HOUSTON INTERCONTINENTAL AIRPORT
U.S. DEPT. OF COMMERCE
N.O.A.A. NATIONAL CLIMATE CENTER
ASHVILLE, NORTH CAROLINA
1988 - 1997

COVERAGE

RUNWAY 1/19	RUNWAY 14/32	
98.8%	99.5%	16 KNOTS (18.4 MPH)

ATT. 15

Far Hills Utility District

Domestic Technical Report 1.1

Attachment 15 (item 7)

Permit Phase	**Interim I**
Average Flow (mgd)	0.23

Dimensions and Capacities of Aerobic Digester	
TCEQ Minimum Design Volume c.f./lb BOD_5/day)	20
TCEQ Minimum Sludge Retention Time (days)	15
Digester Length (ft)	73
Digester Width (ft)	9.875
Digester (Liquid) Depth (ft)	10.5
Digester Volume (c.f.)	7569
Digester Design Volume (c.f./lb BOD_5/day)	26.0
Digester Sludge Retention Time (days)	37

$CBOD_5$ Removal:	
Influent Concentration (mg/L)	162
Effluent Concentration (mg/L)	10
Net removal (mg/L)	152

Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Pounds BOD_5/day Removed	292	219	146	73
Pounds of Dry Sludge Produced per day (see Note 1)	102	77	51	26
Pounds of Wet Sludge Produced per day (see Note 2)	6803	5102	3402	1701
Volume of Wet Sludge per day (gal)	816	612	408	204

Note 1: Assumes 0.35 pounds of dry sludge produced per pound of $CBOD_5$ removed.

Note 2: Assumes 1.5% solids.

MLSS Operating Range = 3,000 mg/L

Sludge will stay in the digester, clear liquor is decanted off the digester and returned to the head of the plant. Sludge is intermittently wasted from the clarifier to the digester and returned to the aeration basin.

Removal Schedule (Days)	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Days between sludge removal	70	93	139	278

Sludge will be removed from the digester when it is full of thickened solids. Sludge will be hauled by a licensed sludge hauler to a site owned by K-3 BMI (Celoso, TCEQ Permit No. 22430).

Far Hills Utility District

Domestic Technical Report 1.1

Attachment 15 (item 7)

Permit Phase	**Interim II**
Average Flow (mgd)	0.35

Dimensions and Capacities of Aerobic Digester	
TCEQ Minimum Design Volume c.f./lb BOD_5/day)	20
TCEQ Minimum Sludge Retention Time (days)	15
Digester Length (ft)	40
Digester Width (ft)	28
Digester (Liquid) Depth (ft)	14
Digester Volume (c.f.)	15680
Digester Design Volume (c.f./lb BOD_5/day)	28.3
Digester Sludge Retention Time (days)	41

$CBOD_5$ Removal:	
Influent Concentration (mg/L)	200
Effluent Concentration (mg/L)	10
Net removal (mg/L)	190

Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Pounds BOD_5/day Removed	555	416	277	139
Pounds of Dry Sludge Produced per day (see Note 1)	194	146	97	49
Pounds of Wet Sludge Produced per day (see Note 2)	12941	9706	6470	3235
Volume of Wet Sludge per day (gal)	1552	1164	776	388

Note 1: Assumes 0.35 pounds of dry sludge produced per pound of $CBOD_5$ removed.

Note 2: Assumes 1.5% solids.

MLSS Operating Range = 3,000 mg/L

Sludge will stay in the digester, clear liquor is decanted off the digester and returned to the head of the plant. Sludge is intermittently wasted from the clarifier to the digester and returned to the aeration basin.

Removal Schedule (Days)	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Days between sludge removal	76	101	152	303

Sludge will be removed from the digester when it is full of thickened solids. Sludge will be hauled by a licensed sludge hauler to a site owned by K-3 BMI (Celoso, TCEQ Permit No. 22430).

Far Hills Utility District

Domestic Technical Report 1.1

Attachment 15 (item 7)

Permit Phase	**Final**
Average Flow (mgd)	0.7

Dimensions and Capacities of Aerobic Digester	
TCEQ Minimum Design Volume c.f./lb BOD_5/day)	20
TCEQ Minimum Sludge Retention Time (days)	15
Digester Length (ft)	40
Digester Width (ft)	56
Digester (Liquid) Depth (ft)	14
Digester Volume (c.f.)	31360
Digester Design Volume (c.f./lb BOD_5/day)	28.3
Digester Sludge Retention Time (days)	41

$CBOD_5$ Removal:	
Influent Concentration (mg/L)	200
Effluent Concentration (mg/L)	10
Net removal (mg/L)	190

Solids Generated	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Pounds BOD_5/day Removed	1109	832	555	277
Pounds of Dry Sludge Produced per day (see Note 1)	388	291	194	97
Pounds of Wet Sludge Produced per day (see Note 2)	25882	19411	12941	6470
Volume of Wet Sludge per day (gal)	3103	2328	1552	776

Note 1: Assumes 0.35 pounds of dry sludge produced per pound of $CBOD_5$ removed.

Note 2: Assumes 1.5% solids.

MLSS Operating Range = 3,000 mg/L

Sludge will stay in the digester, clear liquor is decanted off the digester and returned to the head of the plant. Sludge is intermittently wasted from the clarifier to the digester and returned to the aeration basin.

Removal Schedule (Days)	**100% Flow**	**75% Flow**	**50% Flow**	**25% Flow**
Days between sludge removal	76	101	152	303

Sludge will be removed from the digester when it is full of thickened solids. Sludge will be hauled by a licensed sludge hauler to a site owned by K-3 BMI (Celoso, TCEQ Permit No. 22430).

ATTACHMENT K

RDA's Copy 800/9.8

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

April 18, 2007

Ms. Adriene McClarron
TCEQ – Applications Review and Processing Team (MC 148)
12100 Park 35 Circle
Austin, Texas 78753
Ph (512) 239-5137

RE: Far Hills Utility District – TCEQ Domestic Wastewater Permit Application – Revised (required) Information
LEI Job No. 233-013-106

Dear Ms. McClarron:

Pursuant to our discussion earlier this week, I am forwarding the following information for inclusion with the referenced application:

1. One (1) original and three (3) copies of Attachment 2 – Landowner Map (Rev. Apr 18, 2007), including labeled divider,

2. One (1) original and three (3) copies of Attachment 3 – Landowner Contact Info/Map Index (Rev. Apr 18, 2007),

3. One (1) "CD" containing the corrected address label file (Rev. Apr 18, 2007) in Avery format as requested in the application instructions.

Please replace Attachments 2 and 3 from the original and all copies of the referenced application, and return the originally submitted (incorrect) attachments, including the "CD" of address labels to this office.

Thank you for your assistance in this matter. If you have questions, or if you require additional information please contact me at your convenience.

Sincerely,

LANGFORD ENGINEERING, INC.

T. Hardin

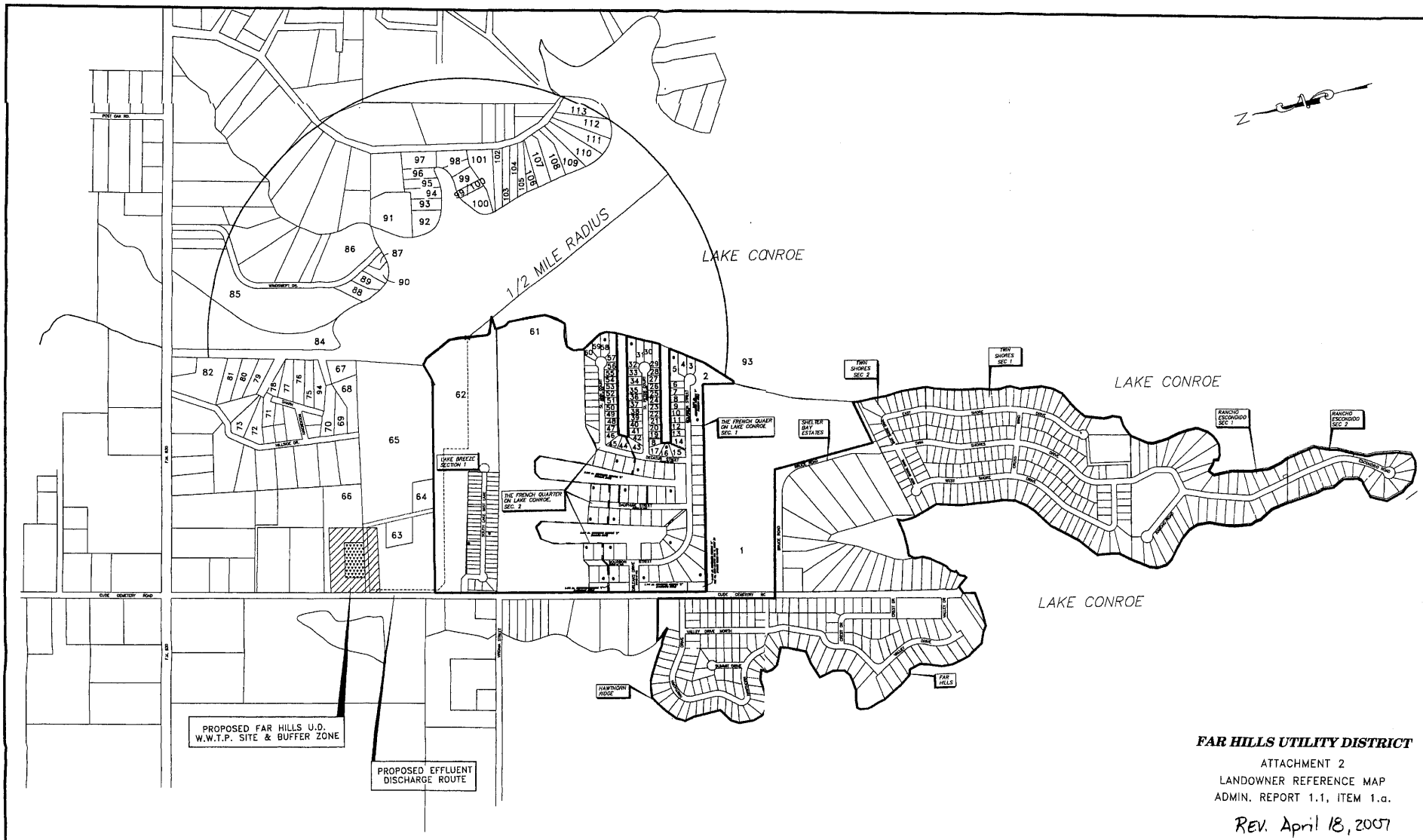
Timothy B. Hardin, P.E.
Vice President

Enclosures

xc: Ms. Regina Adams – JRPB (with 1 copy of revised Att. 2 and Att. 3)

E:\Current Proj\Far Hills U.D.\233-013-106\TCEQ Applications 04-18-2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505



FAR HILLS UTILITY DISTRICT

ATTACHMENT 2

LANDOWNER REFERENCE MAP

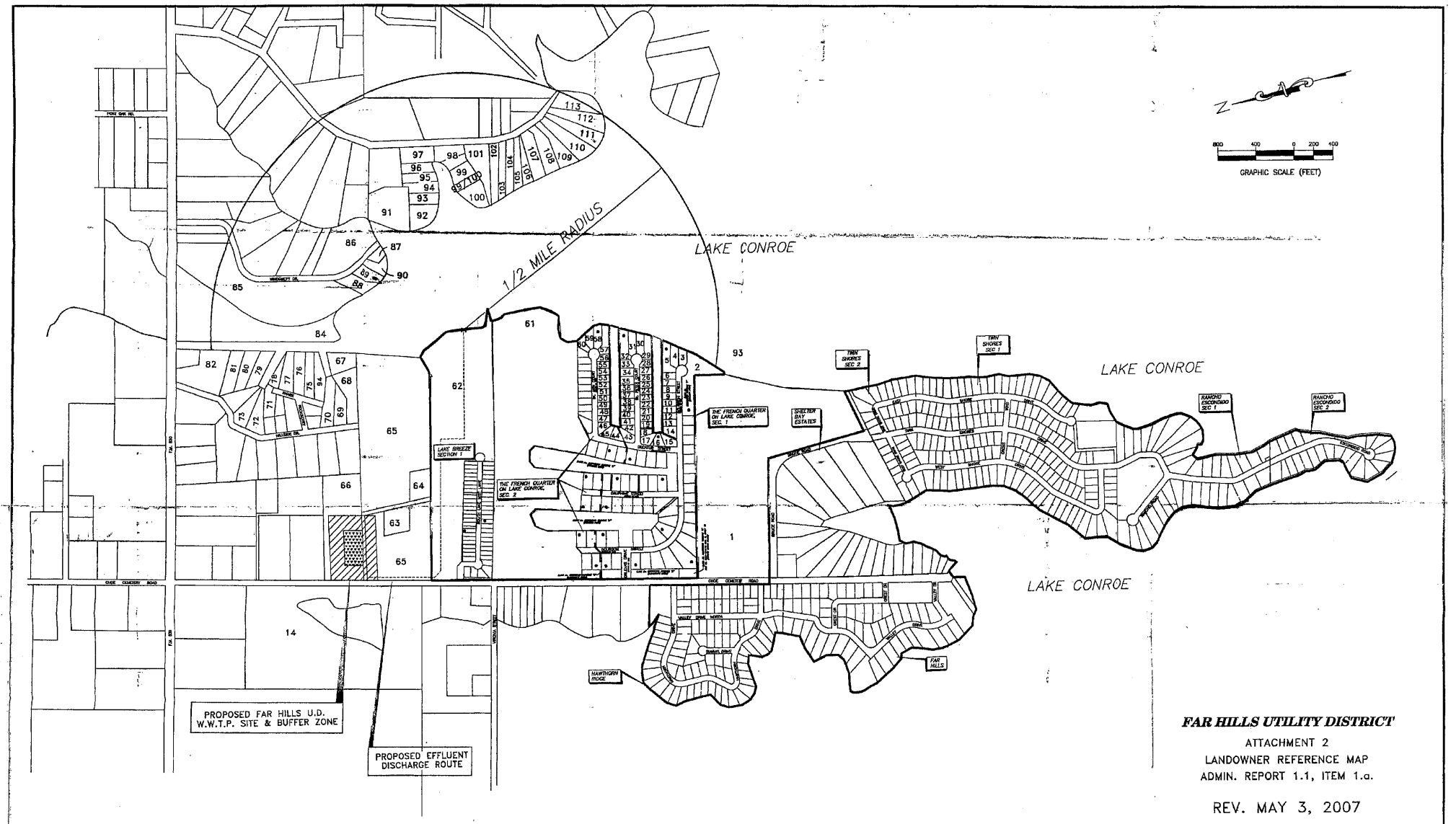
ADMIN. REPORT 1.1, ITEM 1.a.

REV. April 18, 2007

FAR HILLS UTILITY DISTRICT

REGIONAL MAP

Langford Engineering, inc. consulting engineers
Phone 713-461-5530 Fax 713-932-7505
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-5014



FAR HILLS UTILITY DISTRICT

ATTACHMENT 2

LANDOWNER REFERENCE MAP

ADMIN. REPORT 1.1, ITEM 1.a.

REV. MAY 3, 2007

FAR HILLS UTILITY DISTRICT

REGIONAL MAP

Langford Engineering, inc. consulting engineers

Phone 713-461-5530 Fax 713-932-7505

1080 W. Sam Houston Pkwy. N. Suite 200

Houston, Texas 77043-5014

Far Hills Utility District
Domestic Administrative Report 11
Attachment 3 (Item 1b)
REV. April 18, 2007

Parcel Number (ref Att 2 Map)	Owner/ Address
1	JO ANN WALKER 10498 WALKER HILL LN WILLIS TX 77318-6666
	JAMES M WALKER JR 10494 CUDE CEMETERY RD WILLIS TX 77318-5521
	JO ANN WALKER & PAUL ARTHUR ETAT 10498 WALKER HILLL LN WILLIS TX77318-6666
	DANIEL W & BRENDA W WENDT 12972 BRUCE RD WILLIS TX 77318-6603
	DAVID ALLEN & BRENDA WALKER 10480 WALKER HILL LN WILLIS TX 77318-6666
2	BROUSSARD- CHRISTIE LP 10510 CUDE CEMETERY RD WILLIS TX 77318-5522
3	DOUG & DIANE B OWENS 212 BELAIR DR SCOTT VALLEY CA 95066-3604
4	CHRISTIE BROUSSARD 10883 BOURBON ST WILLIS TX 77318
5	ASHLEY F & SHARON C FIELDS 404 TIMBER GROVE PL FREINDSWOOD TX 77546-8410
6	CRAIG C WILTFANG & MARCIE L WATERWALL 10788 BOURBON ST WILLIS TX 77318
7	CHRISTIE BROUSSARD 10883 BOURBON ST WILLIS TX 77318

8 TURKEY INC
58 PARKER RD
HOUSTON TX 77076-3525

9 MARTIN H & KATHLEEN SMITH
436 ROYAL NAVIGATOR RD
MONTGOMERY TX 77316-6868

10 DANIEL M FERRAZ
3626 SIERRA PINES DR
HOUSTON TX 77068

11 RONNIE AND SARA FRINGS
15 SPLIT ROCK CT
SPRING TX 77381

12 VANESSA J PERRY
10812 BOURBON ST
WILLIS TX 77318-6505

13 STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

14 STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

15 JAMES C & JULIE E WESTHOFF
51 S INDIAN SAGE CIR
SPRING TX 77381-463

16 TERRY L & DENISE J COLE
POBOX 4569
HOUSTON TX 77210

17. WILLIAM F & JOYCE A PALM
14015 NAPLES PARK LN
HOUSTON TX 77070-3764

18. LEMUEL R & NITA D EUBANKS
1603 W CHELSEA PL
SEABROOK TX 77586-5822

19. LAWRENCE W & SHARON REBECCA SANDER
1735 RYAN DR
CRESTON IA 50801-8352

20. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

21. ELENA S BROWN
12583 ST PETER CT
WILLIS TX77318-6511

22. JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

23. JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

24. SAMMY M & MARSHA GEPHART
5108 SADDLERIDGE CV
AUSTIN TX 78759-7124

25. RICHARD M & KAY E VOSBURGH
793 DAVIS RD
LEAGUE CITY 77573-2883

26. JEFFERY DAVIS & NATALIE NIESNER
269 BENTWROOD DR
WILLIS TX 77318

27. THOMAS GREEN LUXURY HOMES LTD
32823 FM 2978 RD
MAGNOLIA TX 77354-6060

28. DOUG & RENE DENHAM
5008 COMETA CT NE
ALBUQUERQUE NM 87111

29. ROCK N & PATRICIA B HOUSTOUN
100 SADDLEBROOK LN
HOUSTON TX 77024-3413

30. ASHLEY F & SHARON C FIELD
404 TIMBER GROVE PL
FRIENDSWOOOD TX 77546-8410

31. VU T VIET T TRAN
17307 ROTHKO LN
SPRING TX 77379-6227

32. BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY LN
WILLIS TX 77318-5522

33. RAYMOND L & LINDA M NOEL
20731 MISTY CROSSING LN
SPRING TX 77379-8554

34. JACK BOTELER
1003 GRUENWALD AVE
SEABROOK TX 77586-3851

35. ROBERT H FLETCHER & SUSAN M MCGARRY
14 LEAF TRACE CT
SPRING TX 77381-4503

36. INDYMAC BANK FSB
460 SIERRA MADRE VALLIA AVE
101-HS01-04
PASADENA CA 91107

37. JAMISON PALMER
128574 SAINT PETER CT
WILLIS TX 77318

38. JOSEPHINE ROBAIR
4639 HEADLET ST
JACKSONVILLE TX 32205

39. JAMES L & PATRICA LEWIS
16767 CALUMET TRL
COLLEGE STA TX 77845-8219

40. TSU WEN GHENG
12586 STPETER CT
WILLIS TX 77318-6511

41. TSU WEN GHENG
12590 ST PETER CT
WILLIS TX 77318-6511

42 MARK S SANTOS & DIANA MORROW
7823 GLENN CLIFF DR
HOUSTON TX 77064-3313

43. MICHAEL MANORE
180 TIMBER MILL ST
HOUSTON TX 77380-1426

44. EDWARD L LOSACK & SANDRA S STANLEY
2910 HIGHLAND LAKES DR
MISSOURI CITY TX 77459-4219

45. BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

46. CHAD BROWN
2047 WINROCK BLVD
HOUSTON TX 77057-3964

47. JASON AND KRISTIN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

48. JASON AND KRISTEN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

49. DOUG AND DIANE B OWENS
212 BELAIR DR
SCOTTS VALLEY CA 95066-3604

50. THEREAS JARMON
8311 NORTHRIDGE
SPRING TX 77379

51. JEMILA A WILLIAMS
9511 TALLOW CT
MISSOURI CITY TX 77459-6668

52. JEFFERY B HALL
23219 TIMERBROOK
SPRING TX 77373

53. JOHN AND BESSY FARRIS
13185 BLUFF VIEW DR
WILLIS TX 77318-5303

54. DERRICK WILLIAMS
3947 TOWN PARK LN
MISSOURI CITY TX 77459-3090

55. DENNIS DIRKSEN AND CAROL J MARKER
23709 DEL MONTE DR #232
VEALENCIA CA 91355-3814

56. ERICH D TROMBLEY AND DONALD O STOCKWELL
5369 SAN KRISTIA AVE
LAS VEGAS NV 89141

57. PAUL A HESTER
1014 SAINT ANN CT
WILLIS TX 77318

58. MARK C AND JANICE M ROBINSON
8131 TEAKWOOD FOREST DR
SPRING TX 77379-4537

59. MICHAEL S AND KIMBERLY A MCDONOUGH
8206 RENMARK LN
HOUSTON TX 77070-3633

60. MICHEAL F JOYCE ALLMANDINGER
27200 BARKERS WAY
TEHACHAPI CA 93561-7054

61. BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

62. BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

63. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

64. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

65. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

66. BROUSSARD CHRISTIE, LP.
10510 CUDE CEMETERY
WILLIS TX 77318-5522

67. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 77006-2512

68. DOUGLAS C MILWARD
11008 HILLSIDE DR
WILLIS TX 77318-6538

69. PERICLES M AND SILKA PUJOLS
2401 MUSTANG DR
CONROE TX 77384-3358

70. RISHAD AND NATALIE ALIKHAN
2401 ALABANS RD
HOUSTON TX 77005-1417

71 .DAVID AND DIANA SCRUTON
11126 STARK ST
WILLIS TX 77318-6552

72. RISHAD ALIKHAN
12411 DONNA DR
HOUSTON TX 77067

73. HERB AND MARY BETH TUTTLE
11156 STARK ST
WILLIS TX 77318-6552

74. DENISE L FONTAINE HACKETT
11172 STARK ST
WILLIS TX 77318-2808

75. DORIS STARK AND TINA THOMAS
POBOX 2808
PALESTINE TX 75802-2808

76. DOYLE J AND SHIRLEY W BLEVINS
14944 LAKE PAULA DR
WILLIS TX 77318-6891

77. WILBUR W JR AND CHERYL MARTIN
11280 HILLSIDE DR
WILLIS TX 77318-6540

78. JOSEPH V AND PEGGY J TURNER
POBOX 7856
SPRING TX 77387-7856

79. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

80. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

81. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

82. VERNON B MILLER
SHORELINE STORAGE
12435 FM 832 RD
WILLIS TX 77318-5564

83. PARK ON THE LAKE
CATHY BROOKS- ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

84. PARK ON THE LAKE
CATHY BROOKS- ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

85. CIRCLE M PROPERTIES LLC
2323 S SHEPHERD DR STE924
HOUSTON TX 77019-7029

86. YI LEE YOHNUI
50 VILLAGE HILL DR
CONROE TX 77304-3554

87. RICKY AND KAYLA BISHOP
11025 WINDSWEPT DR
WILLIS TX 77013-7029

88. CIRCLE M DEVELOPMENTS LLC
2323 S SHEPHERD DR STE924
HOUSTON TX 77019-7029

89. RICKY AND KAYLA BISHOP
11025 WINDSWEPT DR
WILLIS TX 77318-6563

90. STEPHEN F AND SALLY J SCHMIDT
10905 WINDSWEPT DR
WILLIS TX 77318-6562

91. GERALD JONES
13107 S POST OAK RD
HOUSTON TX 77045-3005

92. WALTER R AND SUSAN ROSEMUND
12259 WREN CV
WILLIS TX 77318

93. MAURINE BLAIR
12221 WREN CV
WILLIS TX 77318-5481

94. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

95. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

96. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

97. BEN G AND DONNA WORLEY
10833 WREN COVE
WILLIS TX 77378

98. EMIT AND CHERYL PEAVY
10751 BLUE BELL DR
WILLIS TX 77318-6523

99. BRADLEY J AND PAULA BURCH
12239 GABLE DR
WILLIS TX 77318-6533

100. GARLAND AND SANDRA BRAUN
12243 GABLE DR
WILLIS TX 77318-6533

101. TRAVIS KNIGHT
10651 BLUE BELL DR
WILLIS TX 77318-6522

102. TRAVIS KNIGHT
10651 BLUE BELL DR
WILLIS TX 77318-6522

103. RANDAL J AND MARSHA D PARROTT
10621 BLUE BELL DR
WILLIS TX 77318-6522

104. RANDAL J AND MARSHA D PARROTT
10621 BLUE BELL DR
WILLIS TX 77318-6522

105. BARBARA S BRIGGS
1103 HEATHWOOD CT
HOUSTON TX 77077-2601

106 BARBARA S BRIGGS
1103 HEATHWOOD CT
HOUSTON TX 77077-2601

107. GEORGE A PORTELE
505 LA COSTA DR
MONTGOMERY TX 77356-5363

108. JOHN P TUXHORN
12588 LAKE VISTA DR
WILLIS TX 77318-5237

109. BLUE BELL EST PROP OWNERS
ASSOC INC
10664 BLUE BELL DR
WILLIS TX 77318-6515

110. ROBERT ZIRL AND CYNTHIA HUDSON
42 N CASTLEGREEN CIRCLE
SPRING TX 77381-6335

110. MELBA C CHAMPION
10561 BLUE BELL DR
WILLIS TX 77318-6521

111. WILLIAM M REAID
10551 BLUE BELL DR
WILLIS TX 77318-6521

113. PATRICIA ANN CARBERRY
9809 TANAGER LN
CONROE TX 77385-3424

ATTACHMENT L

233-013-106

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 25, 2007

CERTIFIED MAIL

Mr. Timothy B. Hardin, P.E.
Langford Engineering, Inc.
1080 West Sam Houston North Parkway, Suite 200
Houston, Texas 77043

Re: Application for Proposed Permit No. WQ0014555002 (EPA I.D. No. TX0129526)
Far Hills Utility District (CN600667307)

Dear Mr. Hardin:

We have received the application for the above referenced permit and it is currently under review. Your attention to the following items is requested before we can declare the application administratively complete. Please submit one original and two copies (including a cover letter) of the complete response.

1. Applicants requesting a new permit are required to complete a Core Data Form (Form No. 10400). A regulated entity number (RN) is indicated; however, according to our records, a RN has not been assigned to this proposed facility. Please return a completed form with your response to this letter. Please address each item, do not refer to the wastewater application.

2. Item 4.b on page 5 of the administrative report: Far Hills Utility District is not considered a city. According to the USGS, it appears Willis may be the closest city to the facility. Please confirm.

3. Item 5.g on page 7 of the administrative report: Thank you for providing a USGS topographic map; however, the point of discharge is not shown and labeled and the solid red line used to identify the discharge route covers up the map characteristics. The map characteristics must be visible. Please provide a new original, **(copies of the original USGS maps may suffice provided they are color copies of original quality and scale)** full-size, USGS 7.5 minute topographic map showing and labeling: the applicant's property boundary, location of the treatment facility within the applicant's property boundaries, point of discharge (indicate it with a dot or X), highlighted (use a light-colored highlighter) discharge route for three miles downstream from the point of discharge or until it reaches a classified segment, and an area of not less than one mile in all directions from the facility.

4. Item 1.a. on page 12 of administrative report 1.1: Thank you for submitting the landowner's property boundary map. However, we are unable to verify that all of the potentially affected landowners have been identified and the map does not have a scale. A scale is required so that we can measure a ½ mile radius.

Attached is a portion of the landowner's map that was provided with the application. Please provide a revised map that also shows the property boundaries of the landowners of the marked areas (on the other side of Cude Cemetery Road and adjacent to the applicant south boundary) and that includes a scale. Additionally, please provide a revised computer disk and landowners list that includes the additional landowners.

5. Item 3 on Worksheet 6.0, pages 35-36 of the technical report: Please do not leave any items blank. If an item is not applicable, please indicate "N/A". Please address item 3 of the worksheet.

6. A preliminary technical review was performed by the technical staff and it has been determined that additional information is needed before the application can be declared technically complete. Please provide a complete response to each item identified in Attachment 1 of this letter. If you should have any questions, please contact June Ella Martinez, Municipal Permits Team, at (512) 239-3235.

7. The following is a portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit which contains information relevant to your application. Please read it carefully and indicate if it contains any errors or omissions. The complete notice will be sent to you once the application is declared administratively complete.

   APPLICATION. Far Hills Utility District, c/o Johnson Radcliffe Petrov & Bobbitt PLLC, 1001 McKinney Street, Suite 1000, Houston, Texas 77002, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014555002 (EPA I.D. No. TX0129526) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 700,000 gallons per day. The domestic wastewater treatment facility is located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas. The discharge route is from the plant site via a storm sewer to an existing storm sewer collection system; thence to Lake Conroe. TCEQ received this application on April 11, 2007. The permit application is available for viewing and copying at R.F. Meador Library, 709 West Montgomery, Willis, Texas.

   Further information may also be obtained from Far Hills Utility District at the address stated above or by calling Timothy B. Hardin, P.E., Langford Engineering, Inc., at 713-461-3530.

Please submit the complete response, addressed to my attention by May 25, 2007. If the requested information is not received by the given deadline, pursuant to 30 TAC Chapter 281, the application will be removed from our list of pending applications.

If you should have any other questions, please do not hesitate to call me at (512) 239-5137.

Sincerely,

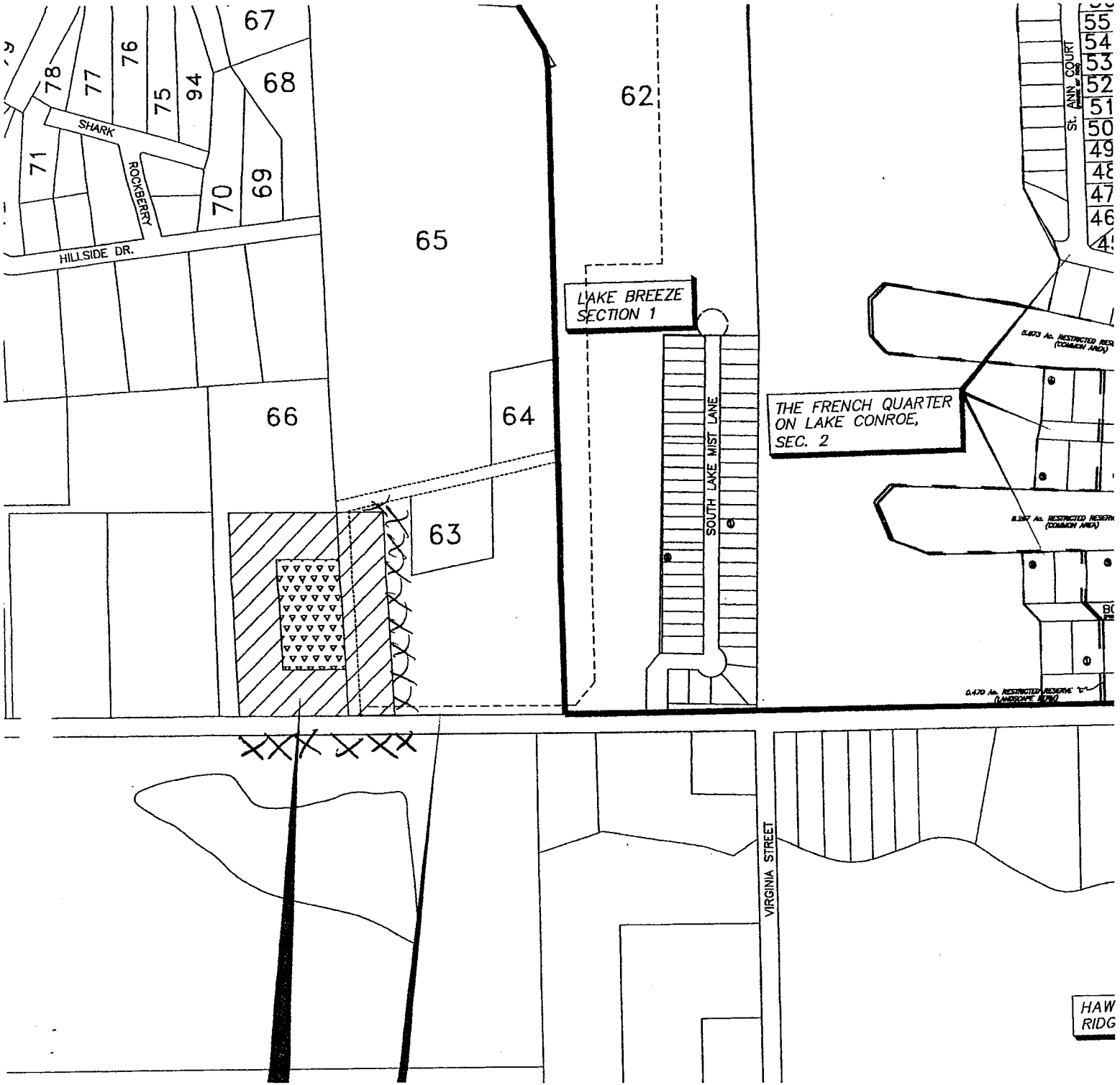
Adriene C. McClarron

Adriene C. McClarron
Applications Review and Processing Team (MC 148)
Water Quality Division
Texas Commission on Environmental Quality

ACM/sp

Enclosure(s)

ccs: TCEQ Region 12, Water Program Manager, w/enclosure(s)
Ms. June Ella Martinez, Municipal Permits Team, TCEQ, MC 148, w/enclosure(s)


67
68
78
77
76
75
94
62
SHARK
ROCKBERRY
71
70
69
65
HILLSIDE DR.
LAKE BREEZE SECTION 1
66
64
63
SOUTH LAKE MIST LANE
THE FRENCH QUARTER ON LAKE CONROE, SEC. 2
St. ANN COURT
55
54
53
52
51
50
49
48
47
46
VIRGINIA STREET

Attachment 1

Far Hills Utility District, Permit No. WQ0014555002

Technical Report Data Completeness Review - Domestic Wastewater Permit Application

Please address the following item(s):

1. Item 2a on page 13 of the Administrative Report 1.1: Please verify the applicant's property boundary. The boundary was not specified on the buffer zone maps that were submitted. Please submit a revised buffer zone map for the final phase which identifies the property boundary.

2. Item 11 on page 6 of the Technical Report 1.0: Please provide the amount of acres that the service area will comprise.

3. Item 1b on page 5 of the Technical Report 1.1: As requested in my previous pre-technical review of the permit application for Permit No. WQ0014555001, please provide additional information for this application. Attachment 10 included in the application appears to be the attachment that was submitted for the previous permit. It indicates that the FHUD is currently under contract to discharge domestic wastewater for up to 401 single-family connections to the Montgomery County UD No. 2 WWTP. The information states that the contract will expire in 2012 and construction will begin in January 2005 (interim phase operating in July 2005) and January 2010 (final phase operating in July 2010).

   Since the previous application, it appears that the service area has increased and requires the proposed volume of 0.7 MGD, rather than 0.5 MGD. Provide information such as the size of the development (number of lots), the date construction on the development is scheduled to being and the anticipated growth rate of the development (number of houses per year). Attach population estimates and/or projections used to derive the flow estimates and anticipated growth rates for the development.

   Because I have been involved in the previous permit, including the contested hearing, please indicate how and when the district will handle the permit still in house at this time. As you are aware, it shall be noted that the other draft permit will have to be withdrawn before this permit can be issued.

If you should have any questions regarding the above items, please contact June Ella Martinez of the Municipal Permits Team at (512) 239-3235.

JEM 4/18/07

ATTACHMENT M

233-013-106

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

May 10, 2007

Via FedEx

Ms. Adriene McClarron
Applications Review and Processing Team (MC 148)
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753

RE: Far Hills Utility District - Application for Proposed
Permit No. WQ0014555002
LEI Job No. 233-013-106

Dear Ms. McClarron:

The following is offered in response to your request for additional information related to the referenced application (numbered responses coincide with the list in your correspondence dated April 25, 2007):

Administrative Items-

1. A completed Core Data Form is enclosed.

2. Willis is the nearest City to the proposed facility.

3. A revised USGS Map is enclosed.

4. A revised Attachment 2 – Landowner Map, along with revised Attachment 3 – Landowner List and computer disk is enclosed, revised to reflect ownership of the tract located across Cude Cemetery Road (west) from the proposed facility. Please note that the 38-acre tract immediately south of the proposed facility (identified as number and 65) is a single parcel, and single owner. Additionally tracts 63, 64 and 65 share the same owner.

5. Item 3 of Worksheet 6.0 is "n/a", not applicable. There are no existing or proposed Significant Industrial Users located in the service area of the proposed facility.

6. Technical Review Items are addressed in the following section.

7. The portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit provided appears to be complete and without errors.

Technical Items-

1. A revised Attachment 4 – Buffer Zone Map (for each phase) is enclosed.

LANGFORD ENGINEERING, INC. • 10880 W. SAM HOUSTON PKWY. N. • SUITE 200 • HOUSTON, TX 77043-5014
PHONE (713) 461-3800 • FAX (713) 932-7505

2. A revised Attachment 9 – Site Drawing is enclosed. The approximate service area for the proposed facility is 512 acres.

3. Tables illustrating Far Hills Utility District Development Projections, Schedule and Permit Phases are enclosed. Additional information is summarized below:

   The existing Montgomery County Utility District No. 2 ("MCUD2") wastewater treatment plant is currently operating at capacity. The existing facility is in disrepair and will require extensive rehabilitation in the near future. As a result, FHUD has determined that it will be in its own best interest to sell the capacity it currently has under contract back to MCUD2 and construct the proposed plant. This will allow MCUD2 to continue to utilize the existing plant and upon completion of the necessary rehabilitation, avoid the need for a plant expansion.

   The following table illustrates FHUD existing and proposed development:

Description	Existing Development (ESFC)	Proposed Additional Development (ESFC)
Existing Far Hills	351	
French Quarter, All Sections	10	244
Lake Breeze, All Sections	50	150
SIR (Conroe Manor) Tract	0	200
Martha's Vineyard Tract	0	200
Walker Tract	0	235
Totals	**411**	**1,029**

Please contact this office if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

STATE OF TEXAS
TIMOTHY B. HARDIN
81964
REGISTERED PROFESSIONAL ENGINEER

T. Hardin
5/10/2007

Enclosures

xc: Mr. Jim Haymon – Far Hills Utility District
Ms. Regina Adams – Johnson Radcliffe Petrov & Bobbitt, PLLC

TCEQ Core Data Form

TCEQ Use Only

If you have questions on how to fill out this form or about our Central Registry, please contact us at 512-239-5175.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

SECTION I: General Information

1. Reason for Submission *Example: new wastewater permit; IHW registration; change in customer information, etc.*

New Wastewater Permit

2. Attachments				Describe Any Attachments: *(ex: Title V Application, Waste Transporter Application, etc.)*
✔	YES		NO	TPDES Discharge Permit Application

3. Customer Reference Number-*if issued*			4. Regulated Entity Reference Number-*if issued*		
CN	600667703	*(9 digits)*	RN		*(9 digits)*

SECTION II: Customer Information

5. Customer Role *(Proposed or Actual)* -- As It Relates to the Regulated Entity Listed on This Form

Please check one of the following:		✔	Owner		Operator		Owner and Operator
	Occupational Licensee		Volunteer Cleanup Applicant				Other
TCEQ Use Only			Superfund		PST		Respondent

6. General Customer Information

	New Customer		Change to Customer Information
	Change in Regulated Entity Ownership	✔	No Change*

*If "No Change" and Section I is complete, skip to Section III - Regulated Entity Information.

7. Type of Customer:					
			Individual		Sole Proprietorship - D.B.A.
	Partnership		Corporation		Federal Government
	State Government		County Government		City Government
	Other Government				Other

8. Customer Name *(If an individual, please print last name first)*	If New Name, Enter Previous Name

9. Mailing Address				
	City	State	ZIP	ZIP + 4

10. Country Mailing Information *if outside USA*	11. E-Mail Address *if applicable*

12. Telephone Number	13. Extension or Code	14. Fax Number *if applicable*

15. Federal Tax ID *(9 digits)*	16. State Franchise Tax ID Number *if applicable*	17. DUNS Number *if applicable (9 digits)*

18. Number of Employees										19. Independently Owned and Operated?			
	0-20		21-100		101-250		251-500		501 and higher		Yes		No

SECTION III: Regulated Entity Information

20. General Regulated Entity Information

✔	New Regulated Entity		Change to Regulated Entity Information		No Change*

*If "No Change" and Section I is complete, skip to Section IV - Preparer Information.

Press the Tab Key to continue to page 2.

21. Regulated Entity Name *(If an individual, please print last name first)*				
Far Hills U.D. - Wastewater Treatment Plant				
22. Street Address (No PO Boxes)	No Street Address Assigned			
	City	State	ZIP	ZIP + 4
	Willis	TX	77318	
23. Mailing Address	Far Hills Utility District			
	1001 McKinney St., Suite 1000			
	City	State	ZIP	ZIP + 4
	Houston	TX	77002	6424
24. E-Mail Address:				

25. Telephone Number	26. Extension or Code	27. Fax Number *if applicable*
(713) 237-1221		(713) 237-1313

28. Primary SIC Code (4 digits)	29. Secondary SIC Code (4 digits)	30. Primary NAICS Code (5 or 6 digits)	31. Secondary NAICS Code (5 or 6 digits)
4952	n/a	22132	n/a

32. What is the Primary Business of this entity? *(Please do not repeat the SIC or NAICS description)*

Wastewater treatment

Questions 33 - 37 address geographic location. Please refer to the instructions for applciability.

33. County	Montgomery

34. Description of Physical Location

East side of Cude Cemetery Road, approx. 1,800 ft south of FM 830

35. Nearest City	State	Nearest Zip
Willis	TX	77318

36. Latitude (N)			37. Longitude (W)		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
30	23	54	95	32	45

38. TCEQ Programs In Which This Regulated Entity Participates *Not all programs have been listed. Please add to this list as needed. If you don't know or are unsure, please mark "Unknown".* If you know a permit or registration # for this entity, please write it below the program."

	Animal Feeding Operation		Petroleum Storage Tank		Water Rights
	Title V - Air	✔	Wastewater Permit		
	Industrial & Hazardous Waste	✔	Water Districts		
	Municipal Solid Waste	✔	Water Utilities		Unknown
	New Source Review - Air		Licensing - Types		

SECTION IV: Preparer Information

39. Name	40. Title
Tim Hardin, P.E.	District Engineer

41. Telephone Number	42. Extension or Code	43. Fax Number *if applicable*
(713) 461-3530		(713) 932-7505

44. E-mail Address:	timh@langford-engineering.net

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF TEXAS
BOARD OF WATER ENGINEERS SAN JACINTO RIVER AUTHORITY

SHEPARD HILL QUADRANGLE
(FORMERLY LAKE FIELD)
TEXAS—MONTGOMERY CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1957 Field check 1958

Polyconic projection. 1927 North American datum
10,000-foot grid based on Texas coordinate system, central zone
1000-meter Universal Transverse Mercator grid ticks, zone 15 shown in blue

Unchecked elevations are shown in brown

Revisions shown in purple compiled from aerial photographs taken 1976. This information not field checked

UTM GRID AND 1975 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

SCALE 1:24 000

CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

QUADRANGLE LOCATION
3095-244

ROAD CLASSIFICATION
Primary highway, all weather, hard surface — Light-duty road, all weather, improved surface
Secondary highway, all weather, hard surface — Unimproved road, fair or dry weather
Interstate Route — U. S. Route — State Route

SHEPARD HILL, TEX.
(FORMERLY LAKE FIELD)
N3022.5—W9530/7.5

1958
PHOTOREVISED 1976

Far Hills Utility District
Domestic Administrative Report 11
Attachment 3 (Item 1b)
REV. May 10, 2007

Parcel Number (ref Att 2 Map)	Owner/Address
1	JO ANN WALKER 10498 WALKER HILL LN WILLIS TX 77318-6666
	JAMES M WALKER JR 10494 CUDE CEMETERY RD WILLIS TX 77318-5521
	JO ANN WALKER & PAUL ARTHUR ETAT 10498 WALKER HILLL LN WILLIS TX77318-6666
	DANIEL W & BRENDA W WENDT 12972 BRUCE RD WILLIS TX 77318-6603
	DAVID ALLEN & BRENDA WALKER 10480 WALKER HILL LN WILLIS TX 77318-6666
2	BROUSSARD - CHRISTIE LP 10510 CUDE CEMETERY RD WILLIS TX 77318-5522
3	DOUG & DIANE B OWENS 212 BELAIR DR SCOTT VALLEY CA 95066-3604
4	CHRISTIE BROUSSARD 10883 BOURBON ST WILLIS TX 77318
5	ASHLEY F & SHARON C FIELDS 404 TIMBER GROVE PL FREINDSWOOD TX 77546-8410
6	CRAIG C WILTFANG & MARCIE L WATERWALL 10788 BOURBON ST WILLIS TX 77318
7	CHRISTIE BROUSSARD 10883 BOURBON ST WILLIS TX 77318

8 TURKEY INC
58 PARKER RD
HOUSTON TX 77076-3525

9 MARTIN H & KATHLEEN SMITH
436 ROYAL NAVIGATOR RD
MONTGOMERY TX 77316-6868

10 DANIEL M FERRAZ
3626 SIERRA PINES DR
HOUSTON TX 77068

11 RONNIE AND SARA FRINGS
15 SPLIT ROCK CT
SPRING TX 77381

12 VANESSA J PERRY
10812 BOURBON ST
WILLIS TX 77318-6505

13 STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

14 STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

15 JAMES C & JULIE E WESTHOFF
51 S INDIAN SAGE CIR
SPRING TX 77381-463

16 TERRY L & DENISE J COLE
POBOX 4569
HOUSTON TX 77210

17. WILLIAM F & JOYCE A PALM
14015 NAPLES PARK LN
HOUSTON TX 77070-3764

18. LEMUEL R & NITA D EUBANKS
1603 W CHELSEA PL
SEABROOK TX 77586-5822

19. LAWRENCE W & SHARON REBECCA SANDER
1735 RYAN DR
CRESTON IA 50801-8352

20. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

21. ELENA S BROWN
12583 ST PETER CT
WILLIS TX77318-6511

22. JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

23. JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

24. SAMMY M & MARSHA GEPHART
5108 SADDLERIDGE CV
AUSTIN TX 78759-7124

25. RICHARD M & KAY E VOSBURGH
793 DAVIS RD
LEAGUE CITY 77573-2883

26. JEFFERY DAVIS & NATALIE NIESNER
269 BENTWROOD DR
WILLIS TX 77318

27. THOMAS GREEN LUXURY HOMES LTD
32823 FM 2978 RD
MAGNOLIA TX 77354-6060

28. DOUG & RENE DENHAM
5008 COMETA CT NE
ALBUQUERQUE NM 87111

29. ROCK N & PATRICIA B HOUSTOUN
100 SADDLEBROOK LN
HOUSTON TX 77024-3413

30. ASHLEY F & SHARON C FIELD
404 TIMBER GROVE PL
FRIENDSWOOOD TX 77546-8410

31. VU T VIET T TRAN
17307 ROTHKO LN
SPRING TX 77379-6227

32. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY LN
WILLIS TX 77318-5522

33. RAYMOND L & LINDA M NOEL
20731 MISTY CROSSING LN
SPRING TX 77379-8554

34. JACK BOTELER
1003 GRUENWALD AVE
SEABROOK TX 77586-3851

35. ROBERT H FLETCHER & SUSAN M MCGARRY
14 LEAF TRACE CT
SPRING TX 77381-4503

36. INDYMAC BANK FSB
460 SIERRA MADRE VALLIA AVE
101-HS01-04
PASADENA CA 91107

37. JAMISON PALMER
128574 SAINT PETER CT
WILLIS TX 77318

38. JOSEPHINE ROBAIR
4639 HEADLET ST
JACKSONVILLE TX 32205

39. JAMES L & PATRICA LEWIS
16767 CALUMET TRL
COLLEGE STA TX 77845-8219

40. TSU WEN GHENG
12586 STPETER CT
WILLIS TX 77318-6511

41. TSU WEN GHENG
12590 ST PETER CT
WILLIS TX 77318-6511

42 MARK S SANTOS & DIANA MORROW
7823 GLENN CLIFF DR
HOUSTON TX 77064-3313

43. MICHAEL MANORE
180 TIMBER MILL ST
HOUSTON TX 77380-1426

44. EDWARD L LOSACK & SANDRA S STANLEY
2910 HIGHLAND LAKES DR
MISSOURI CITY TX 77459-4219

45. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

46. CHAD BROWN
2047 WINROCK BLVD
HOUSTON TX 77057-3964

47. JASON AND KRISTIN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

48. JASON AND KRISTEN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

49. DOUG AND DIANE B OWENS
212 BELAIR DR
SCOTTS VALLEY CA 95066-3604

50. THEREAS JARMON
8311 NORTHRIDGE
SPRING TX 77379

51. JEMILA A WILLIAMS
9511 TALLOW CT
MISSOURI CITY TX 77459-6668

52. JEFFERY B HALL
23219 TIMERBROOK
SPRING TX 77373

53. JOHN AND BESSY FARRIS
13185 BLUFF VIEW DR
WILLIS TX 77318-5303

54. DERRICK WILLIAMS
3947 TOWN PARK LN
MISSOURI CITY TX 77459-3090

55. DENNIS DIRKSEN AND CAROL J MARKER
23709 DEL MONTE DR #232
VEALENCIA CA 91355-3814

56. ERICH D TROMBLEY AND DONALD O STOCKWELL
5369 SAN KRISTIA AVE
LAS VEGAS NV 89141

57. PAUL A HESTER
1014 SAINT ANN CT
WILLIS TX 77318

58. MARK C AND JANICE M ROBINSON
8131 TEAKWOOD FOREST DR
SPRING TX 77379-4537

59. MICHAEL S AND KIMBERLY A MCDONOUGH
8206 RENMARK LN
HOUSTON TX 77070-3633

60. MICHEAL F JOYCE ALLMANDINGER
27200 BARKERS WAY
TEHACHAPI CA 93561-7054

61. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

62. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

63. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

64. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

65. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

66. BROUSSARD CHRISTIE, LP.
10510 CUDE CEMETERY
WILLIS TX 77318-5522

67. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 77006-2512

68. DOUGLAS C MILWARD
11008 HILLSIDE DR
WILLIS TX 77318-6538

69. PERICLES M AND SILKA PUJOLS
2401 MUSTANG DR
CONROE TX 77384-3358

70. RISHAD AND NATALIE ALIKHAN
2401 ALABANS RD
HOUSTON TX 77005-1417

71 DAVID AND DIANA SCRUTON
11126 STARK ST
WILLIS TX 77318-6552

72. RISHAD ALIKHAN
12411 DONNA DR
HOUSTON TX 77067

73. HERB AND MARY BETH TUTTLE
11156 STARK ST
WILLIS TX 77318-6552

74. DENISE L FONTAINE HACKETT
11172 STARK ST
WILLIS TX 77318-2808

75. DORIS STARK AND TINA THOMAS
POBOX 2808
PALESTINE TX 75802-2808

76. DOYLE J AND SHIRLEY W BLEVINS
14944 LAKE PAULA DR
WILLIS TX 77318-6891

77. WILBUR W JR AND CHERYL MARTIN
11280 HILLSIDE DR
WILLIS TX 77318-6540

78. JOSEPH V AND PEGGY J TURNER
POBOX 7856
SPRING TX 77387-7856

79. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

80. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

81. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

82. VERNON B MILLER
SHORELINE STORAGE
12435 FM 832 RD
WILLIS TX 77318-5564

83. PARK ON THE LAKE
CATHY BROOKS- ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

84. PARK ON THE LAKE
CATHY BROOKS - ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

85. CIRCLE M PROPERTIES LLC
2323 S SHEPHERD DR STE924
HOUSTON TX 77019-7029

86. YI LEE YOHNUI
50 VILLAGE HILL DR
CONROE TX 77304-3554

87. RICKY AND KAYLA BISHOP
11025 WINDSWEPT DR
WILLIS TX 77013-7029

88. CIRCLE M DEVELOPMENTS LLC
2323 S SHEPHERD DR STE924
HOUSTON TX 77019-7029

89. RICKY AND KAYLA BISHOP
11025 WINDSWEPT DR
WILLIS TX 77318-6563

90. STEPHEN F AND SALLY J SCHMIDT
10905 WINDSWEPT DR
WILLIS TX 77318-6562

91. GERALD JONES
13107 S POST OAK RD
HOUSTON TX 77045-3005

92. WALTER R AND SUSAN ROSEMUND
12259 WREN CV
WILLIS TX 77318

93. MAURINE BLAIR
12221 WREN CV
WILLIS TX 77318-5481

94. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

95. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

96. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

97. BEN G AND DONNA WORLEY
10833 WREN COVE
WILLIS TX 77378

98. EMIT AND CHERYL PEAVY
10751 BLUE BELL DR
WILLIS TX 77318-6523

99. BRADLEY J AND PAULA BURCH
12239 GABLE DR
WILLIS TX 77318-6533

100. GARLAND AND SANDRA BRAUN
12243 GABLE DR
WILLIS TX 77318-6533

101. TRAVIS KNIGHT
10651 BLUE BELL DR
WILLIS TX 77318-6522

102. TRAVIS KNIGHT
10651 BLUE BELL DR
WILLIS TX 77318-6522

103. RANDAL J AND MARSHA D PARROTT
10621 BLUE BELL DR
WILLIS TX 77318-6522

104. RANDAL J AND MARSHA D PARROTT
10621 BLUE BELL DR
WILLIS TX 77318-6522

105. BARBARA S BRIGGS
1103 HEATHWOOD CT
HOUSTON TX 77077-2601

106 BARBARA S BRIGGS
1103 HEATHWOOD CT
HOUSTON TX 77077-2601

107. GEORGE A PORTELE
505 LA COSTA DR
MONTGOMERY TX 77356-5363

108. JOHN P TUXHORN
12588 LAKE VISTA DR
WILLIS TX 77318-5237

109. BLUE BELL EST PROP OWNERS
ASSOC INC
10664 BLUE BELL DR
WILLIS TX 77318-6515

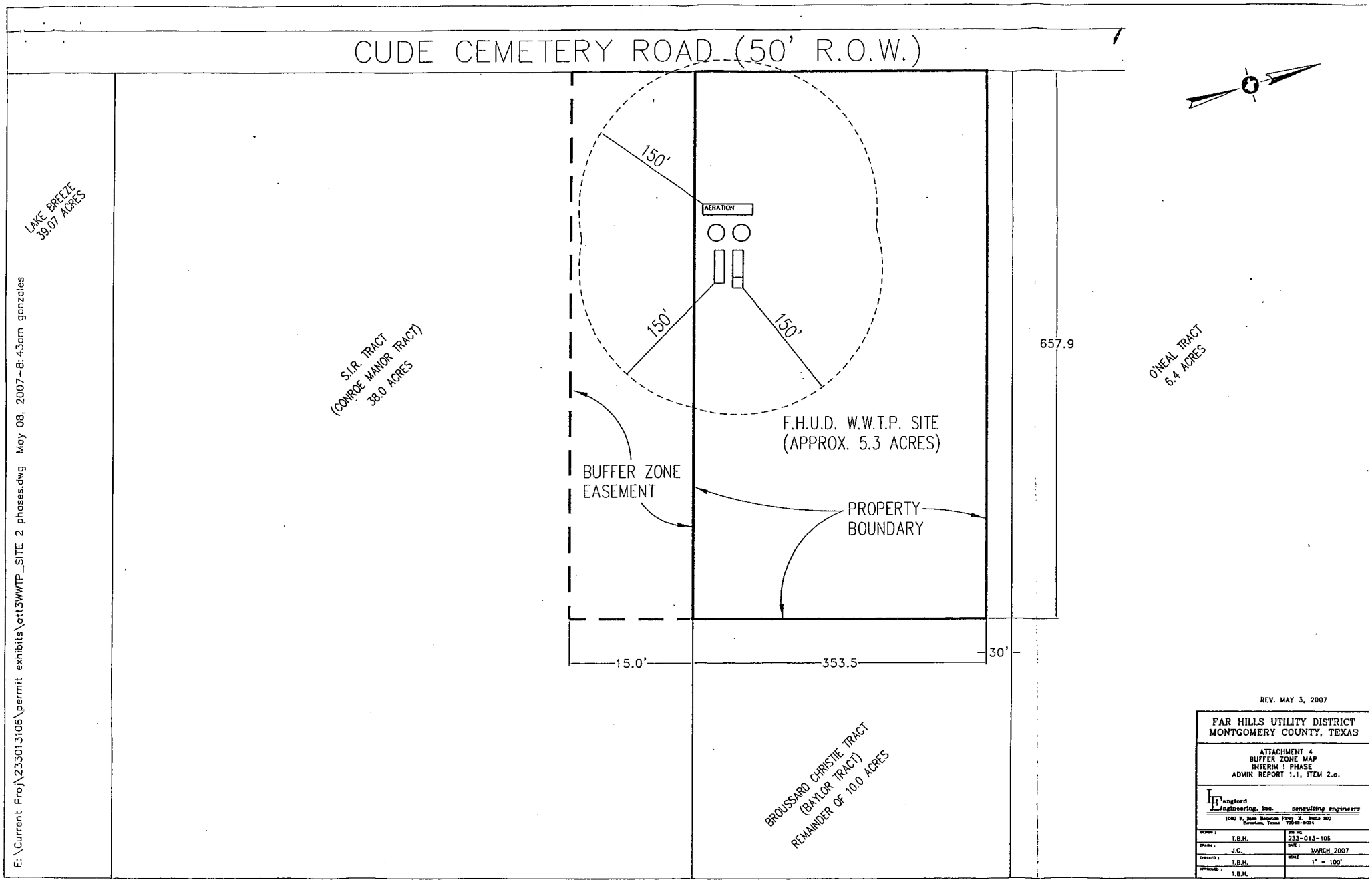
110. ROBERT ZIRL AND CYNTHIA HUDSON
42 N CASTLEGREEN CIRCLE
SPRING TX 77381-6335

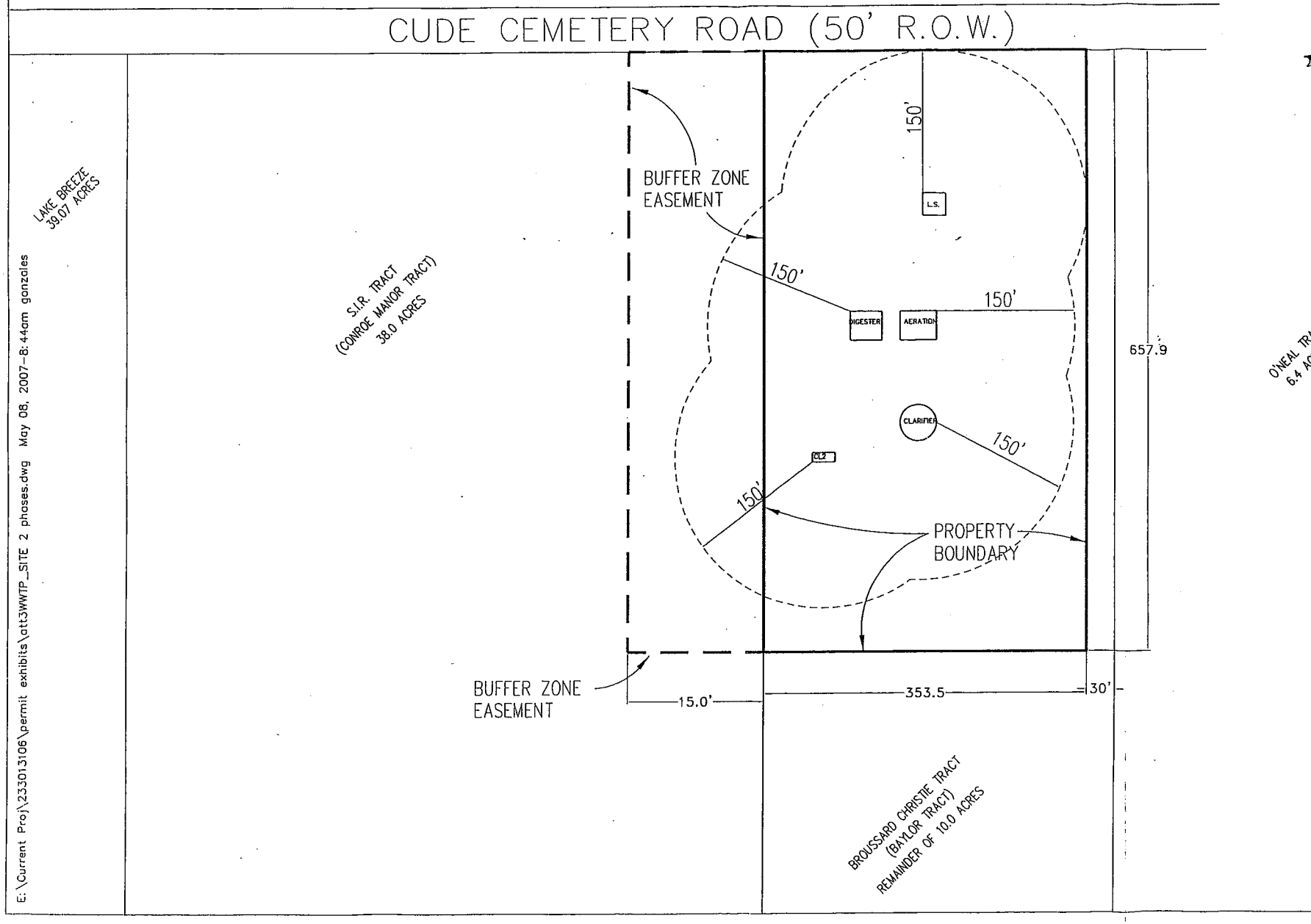
110. MELBA C CHAMPION
10561 BLUE BELL DR
WILLIS TX 77318-6521

111. WILLIAM M REAID
10551 BLUE BELL DR
WILLIS TX 77318-6521

113. PATRICIA ANN CARBERRY
9809 TANAGER LN
CONROE TX 77385-3424

114. ROY W ZBOYAN & JONELL A NIXON
10677 JOANN ST.
WILLIS TX 77318-6428


CUDE CEMETERY ROAD (50' R.O.W.)
LAKE BREEZE
39.07 ACRES
S.I.R. TRACT
(CONROE MANOR TRACT)
38.0 ACRES
150'
150'
150'
AERATION
F.H.U.D. W.W.T.P. SITE
(APPROX. 5.3 ACRES)
BUFFER ZONE
EASEMENT
PROPERTY
BOUNDARY
657.9
O'NEAL TRACT
6.4 ACRES
15.0'
353.5
30'
BROUSSARD CHRISTIE TRACT
(BAYLOR TRACT)
REMAINDER OF 10.0 ACRES
E:\Current Proj\233013106\permit exhibits\att3WWTP_SITE 2 phases.dwg May 08, 2007-8:43am gonzales
REV. MAY 3, 2007
FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS
ATTACHMENT 4
BUFFER ZONE MAP
INTERIM I PHASE
ADMIN REPORT 1.1, ITEM 2.a.
Langford Engineering, Inc. consulting engineers
1000 W. Sam Houston Pkwy. S. Suite 800
Houston, Texas 77043-8014
DRAWN: T.B.H.
DRAWN: J.G.
CHECKED: T.B.H.
APPROVED: T.B.H.
JOB NO. 233-013-106
DATE: MARCH 2007
SCALE 1" = 100'



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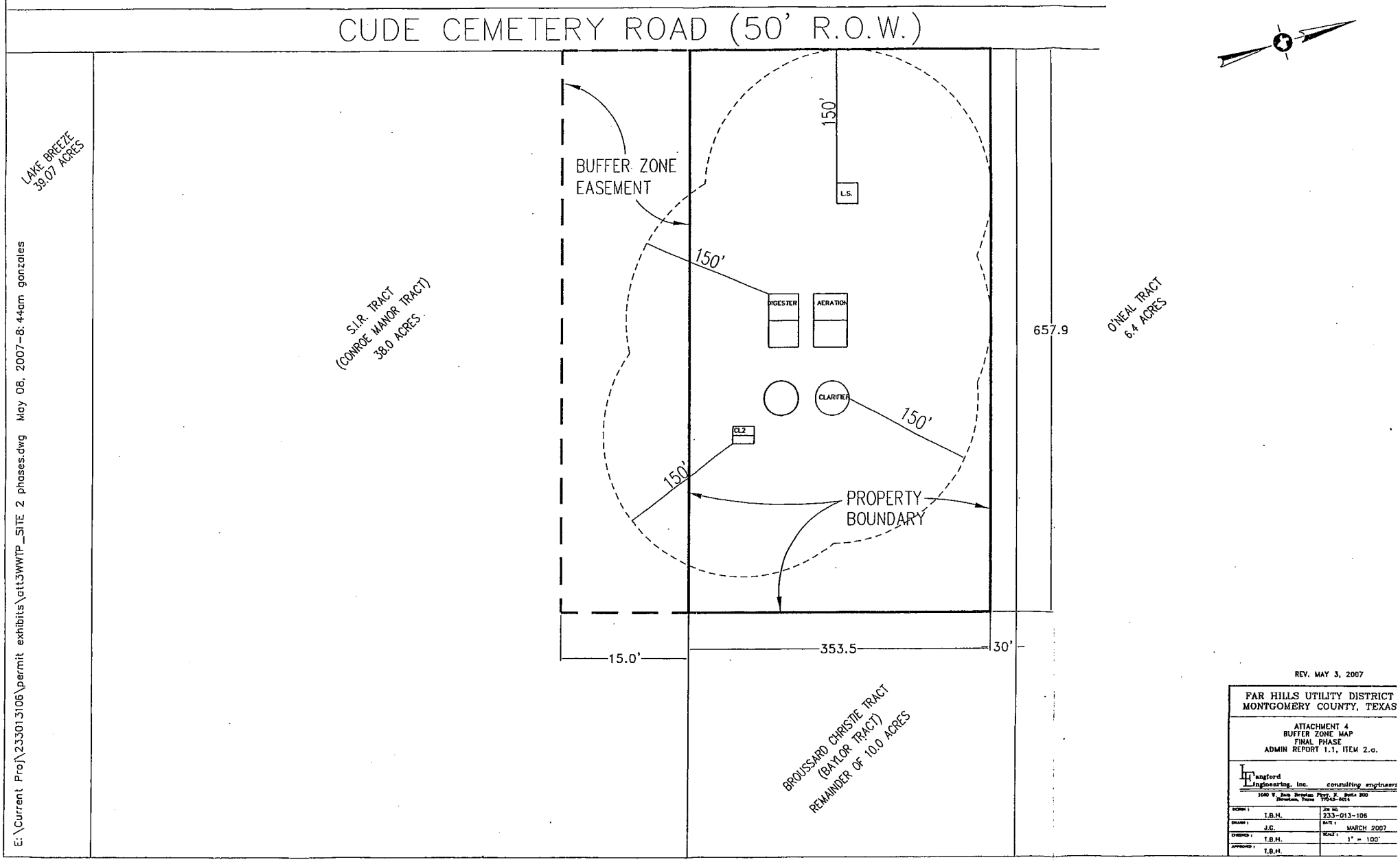
REV. MAY 3, 2007

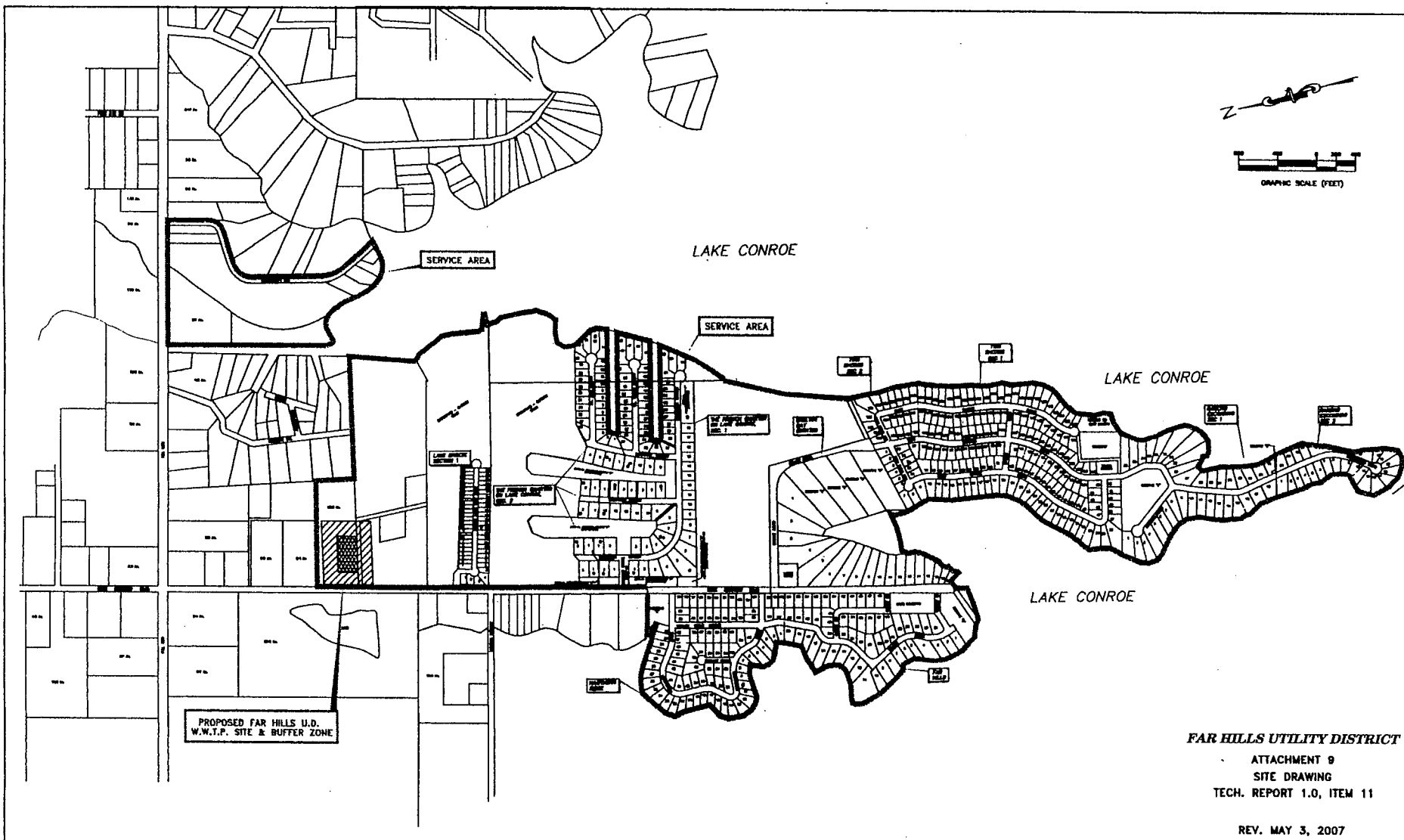
FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS

ATTACHMENT 4
BUFFER ZONE MAP
INTERIM II PHASE
ADMIN REPORT 1.1, ITEM 2.a.

Langford Engineering, Inc. consulting engineers
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-6014

DESIGN: T.B.H.	JOB NO. 233-013-106
DRAWN: J.G.	DATE: MARCH 2007
CHECKED: T.B.H.	SCALE: 1" = 100'
APPROVED: T.B.H.	


CUDE CEMETERY ROAD (50' R.O.W.)
LAKE BREEZE
39.07 ACRES
S.I.R. TRACT
(CONROE MANOR TRACT)
38.0 ACRES
BUFFER ZONE
EASEMENT
150'
L.S.
150'
DIGESTER
AERATION
CLARIFIER
150'
CL2
150'
PROPERTY
BOUNDARY
657.9
O'NEAL TRACT
6.4 ACRES
15.0'
353.5
30'
BROUSSARD CHRISTIE TRACT
(BAYLOR TRACT)
REMAINDER OF 10.0 ACRES
E:\Current Proj\233013106\permit exhibits\att3WWTP_SITE 2 phases.dwg May 08, 2007-8:44am gonzales
REV. MAY 3, 2007
FAR HILLS UTILITY DISTRICT
MONTGOMERY COUNTY, TEXAS
ATTACHMENT 4
BUFFER ZONE MAP
FINAL PHASE
ADMIN REPORT 1.1, ITEM 2.a.
Langford Engineering, Inc. consulting engineers
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-6014
DRAWN: T.B.H.
DRAWN: J.G.
CHECKED: T.B.H.
APPROVED: T.B.H.
JOB NO. 233-013-106
DATE: MARCH 2007
SCALE: 1" = 100'



FAR HILLS UTILITY DISTRICT

ATTACHMENT 9
SITE DRAWING
TECH. REPORT 1.0, ITEM 11

REV. MAY 3, 2007

FAR HILLS UTILITY DISTRICT

REGIONAL MAP

Langford Engineering, inc. consulting engineers
Phone 713-461-5530 Fax 713-932-7505
1010 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-5014

FHUD Development Projection (ESFC's)

	Existing	Planned or Under Development	Temporary WWTP Participation	Future (additional)	Ultimate (inclusive)
1. Original District (Far Hills, Rancho, Hawthorne, Twin Shores, Shelter Bay)	301	15	36.32%	35	351
2. French Quarter	10	244	29.20%	0	254
3. Lake Breeze	7	193	22.99%	0	200
4. S.I.R. Tract 38 Acres (Out of District, Developer furnished projections)	0	100	11.49%	100	200
5. Martha's Vineyard Tract (Out of District, projection based on devloper projections)	0	0	0.00%	200	200
6. Walker Tract, 47 Acres (Out of District, Projection based on 5 ESFC/Acre)	0	0	0.00%	0	235
Totals	**318**	**552**	**100.00%**	**335**	**1440**
Total Estimated ESFC's (Interim Phase I)		**870**			

Projected Schedule for Development:

Development 1: Completed

Developments 2 & 3: Development is underway, developers anticipate completion by 2010.

Development 4 & 5: Developer has requested annexation, development is in the planning phase, completion anticipated by 2010.

Development 6: No schedule for development, tract is surrounded by Far Hills UD, it is anticipated that wastewater capacity will be necessary to serve this tract.

FHUD TPDES Permit Phases

Permit Phase	Design Loading (gpd/ESFC)	Est. (max) Active ESFC's	Est. Flow	Allowable ESFC's	Permit Capacity
Interim Phase 1 - Temp. Plant (2007)	262	870	227,940	878	230,000
Phase 2 - Permanent Plant (2008)	350	970	339,500	1,000	350,000
Phase 3 - Expansion (2010)	350	1,440	504,000	2,000	700,000

Notes:

1. Design loading (flow/ESFC) during Interim I Phase is based on average of maximum flows recorded at FHUD Lift Station No. 1 during calendar year 2006 (262 gpd per ESFC). Treatment unit sizing for Interim Phase 1 will be based on an average (BOD_5 wastewater strength of 162 mg/L, based on existing average of monthly influent data for calendar year 2006, and considering the highest averages observed during the sampling period.

2. Design loading of the permanent facility (Phases 2 and 3) is based upon the more conservative assumption, recommended by TCEQ, of 350 gpd per ESFC (daily average flow), and 200 mg/L BOD_5 (residential wastewater strength).

ATTACHMENT N

233-013-106

TCEQ
Protecting Texas by Reducing and Preventing Pollution

FAX TRANSMITTAL

DATE: 5/16/2007 NUMBER OF PAGES *(Including this cover sheet)*:

TO: Name Timothy Hardin, P.E.
Organization Langford Engineering, Inc.
FAX Number 713-932-7505

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Staff Name Adriene McClarron
Division/Region Water Quality Division
Telephone Number 512-239-5137
FAX Number 512-239-4430

Permit No. WQ0014555002

I have received your response letter dated May 10, 2007. Your attention to the following item(s) is requested before the application can be declared administratively complete. Please submit one original and two copies (including a cover letter) of the complete response.

1. Item 1.a on page 12 of the administrative report 1.1: Landowner's 74, 83 and 114 are not shown on the map; however, they are included on the landowners list. The map and the landowners list should correspond. Please provide a revised map that identifies properties 74, 83 and 114.

2. Item 1.b on page 12 of the administrative report: The disk contains several duplicate names and addresses. Each name and corresponding address should appear only once, even if the entity owns more than one tract of land identified on the landowners map. Please submit a revised computer disk (CD-RW) eliminating the duplicate names and addresses.

3. Item 1.c on page 12 of administrative report 1.1: Property 112 is shown on the map, but, the landowners name and address is not included on the landowners list. All property identified on the map must be clearly cross-referenced to the list. Please provide a revised landowners list that includes the name and address of the landowner of property 112. Furthermore, two different names and addresses are listed for property 110. It appears there is an error in the numbering sequence. Please clarify.

Please submit the complete response addressed to my attention by May 25, 2007, or the application may be removed from our record of pending applications. If you have any questions feel free to call me at (512) 239-5137.

ATTACHMENT O

233-013-106

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

May 16, 2007

Via FedEx

Ms. Adriene McClarron
Applications Review and Processing Team (MC 148)
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753

RE: Far Hills Utility District - Application for Proposed
Permit No. WQ0014555002
LEI Job No. 233-013-106

Dear Ms. McClarron:

The following is offered in response to your request for additional information related to the referenced application (numbered responses coincide with the list in your fax correspondence dated May 16, 2007):

1. Errors on the landowner map have been corrected. The map revised map reflects properties 74, 83 and 114. A copy of the Landowner Map, revised May 16, 2007, is enclosed.

2. A revised file of landowner mailing labels has been prepared that does not include duplicate property owners. A CD of landowner mailing labels, revised May 16, 2007, is enclosed.

3. The property owners list has been revised to correct a sequencing error. A property owner list, revised May 16, 2007, is enclosed.

Please contact this office if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosures

xc: Mr. Jim Haymon – Far Hills Utility District
Ms. Regina Adams – Johnson Radcliffe Petrov & Bobbitt, PLLC

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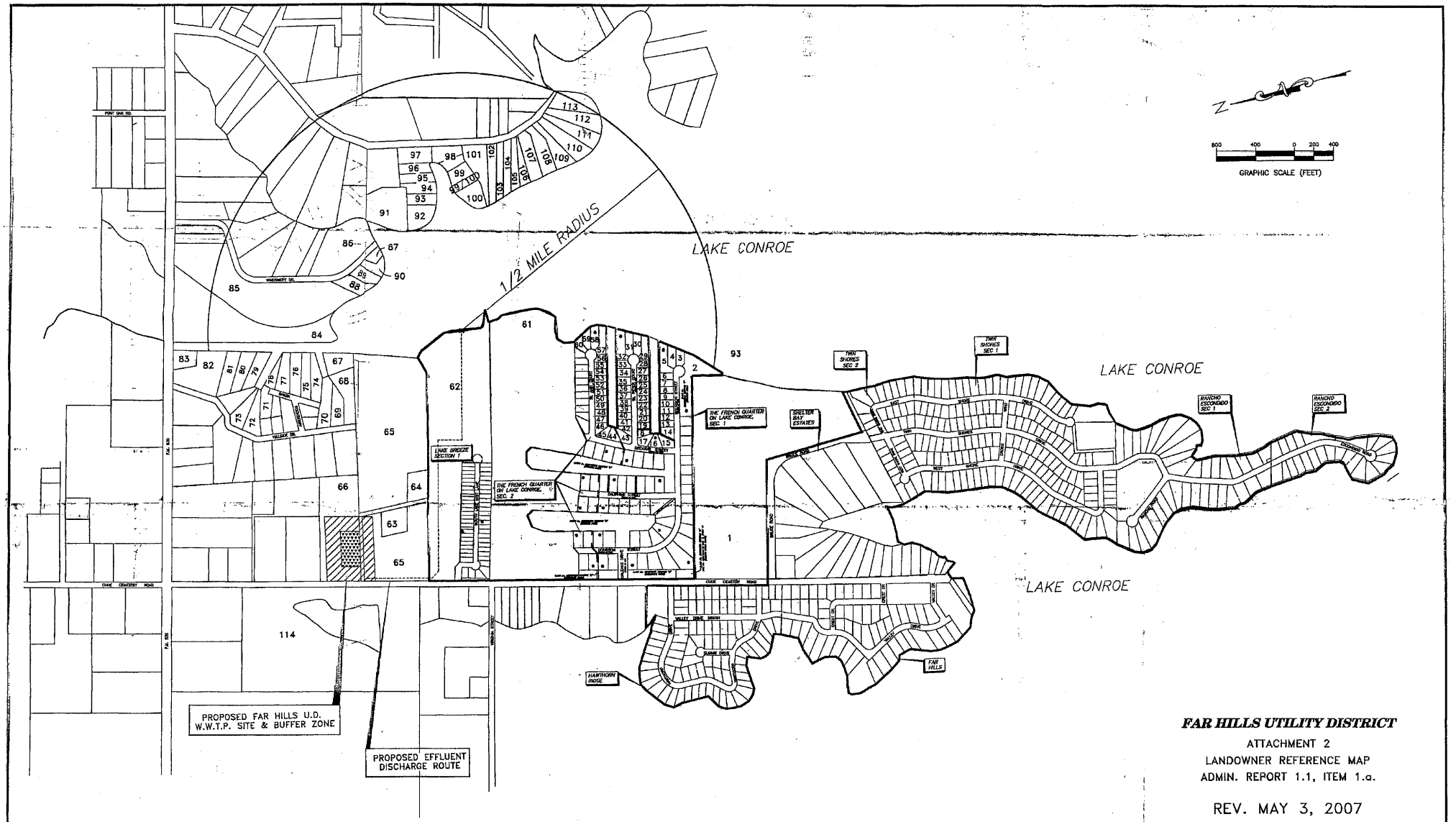
LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505



FAR HILLS UTILITY DISTRICT

ATTACHMENT 2

LANDOWNER REFERENCE MAP

ADMIN. REPORT 1.1, ITEM 1.a.

REV. MAY 3, 2007

Rev. MAY 16, 2007

Langford Engineering, inc. consulting engineers
Phone 713-461-3530 Fax 713-952-7505
1080 W. Sam Houston Pkwy. N. Suite 200
Houston, Texas 77043-5014

FAR HILLS UTILITY DISTRICT

REGIONAL MAP

Far Hills Utility District
Domestic Administrative Report 11
Attachment 3 (Item 1b)
REV. May 16, 2007

Parcel Number (ref Att 2 Map)	Owner/Address
1	JO ANN WALKER 10498 WALKER HILL LN WILLIS TX 77318-6666
	JAMES M WALKER JR 10494 CUDE CEMETERY RD WILLIS TX 77318-5521
	JO ANN WALKER & PAUL ARTHUR ETAL 10498 WALKER HILL LN WILLIS TX77318-6666
	DANIEL W & BRENDA W WENDT 12972 BRUCE RD WILLIS TX 77318-6603
	DAVID ALLEN & BRENDA WALKER 10480 WALKER HILL LN WILLIS TX 77318-6666
2	BROUSSARD - CHRISTIE LP 10510 CUDE CEMETERY RD WILLIS TX 77318-5522
3	DOUG & DIANE B OWENS 212 BELAIR DR SCOTT VALLEY CA 95066-3604
4	CHRISTIE BROUSSARD 10883 BOURBON ST WILLIS TX 77318
5	ASHLEY F & SHARON C FIELDS 404 TIMBER GROVE PL FREINDSWOOD TX 77546-8410
6	CRAIG C WILTFANG & MARCIE L WATERWALL 10788 BOURBON ST WILLIS TX 77318
7	CHRISTIE BROUSSARD 10883 BOURBON ST WILLIS TX 77318

8 TURKEY INC
58 PARKER RD
HOUSTON TX 77076-3525

9 MARTIN H & KATHLEEN SMITH
436 ROYAL NAVIGATOR RD
MONTGOMERY TX 77316-6868

10 DANIEL M FERRAZ
3626 SIERRA PINES DR
HOUSTON TX 77068

11 RONNIE AND SARA FRINGS
15 SPLIT ROCK CT
SPRING TX 77381

12 VANESSA J PERRY
10812 BOURBON ST
WILLIS TX 77318-6505

13 STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

14 STEPHEN M & MARY E JACKMAN
21119 BEGONIA CREEK CT
CYPRESS TX 77433-4619

15 JAMES C & JULIE E WESTHOFF
51 S INDIAN SAGE CIR
SPRING TX 77381-463

16 TERRY L & DENISE J COLE
POBOX 4569
HOUSTON TX 77210

17. WILLIAM F & JOYCE A PALM
14015 NAPLES PARK LN
HOUSTON TX 77070-3764

18. LEMUEL R & NITA D EUBANKS
1603 W CHELSEA PL
SEABROOK TX 77586-5822

19. LAWRENCE W & SHARON REBECCA SANDER
1735 RYAN DR
CRESTON IA 50801-8352

20. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

21. ELENA S BROWN
12583 ST PETER CT
WILLIS TX77318-6511

22. JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

23. JEFFERY B HALL
23219 TIMBERBROOK
SPRING TX 77373

24. SAMMY M & MARSHA GEPHART
5108 SADDLERIDGE CV
AUSTIN TX 78759-7124

25. RICHARD M & KAY E VOSBURGH
793 DAVIS RD
LEAGUE CITY 77573-2883

26. JEFFERY DAVIS & NATALIE NIESNER
269 BENTWROOD DR
WILLIS TX 77318

27. THOMAS GREEN LUXURY HOMES LTD
32823 FM 2978 RD
MAGNOLIA TX 77354-6060

28. DOUG & RENE DENHAM
5008 COMETA CT NE
ALBUQUERQUE NM 87111

29. ROCK N & PATRICIA B HOUSTOUN
100 SADDLEBROOK LN
HOUSTON TX 77024-3413

30. ASHLEY F & SHARON C FIELD
404 TIMBER GROVE PL
FRIENDSWOOOD TX 77546-8410

31. VU T VIET T TRAN
17307 ROTHKO LN
SPRING TX 77379-6227

32. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY LN
WILLIS TX 77318-5522

33. RAYMOND L & LINDA M NOEL
20731 MISTY CROSSING LN
SPRING TX 77379-8554

34. JACK BOTELER
1003 GRUENWALD AVE
SEABROOK TX 77586-3851

35. ROBERT H FLETCHER & SUSAN M MCGARRY
14 LEAF TRACE CT
SPRING TX 77381-4503

36. INDYMAC BANK FSB
460 SIERRA MADRE VALLIA AVE
101-HS01-04
PASADENA CA 91107

37. JAMISON PALMER
128574 SAINT PETER CT
WILLIS TX 77318

38. JOSEPHINE ROBAIR
4639 HEADLET ST
JACKSONVILLE TX 32205

39. JAMES L & PATRICA LEWIS
16767 CALUMET TRL
COLLEGE STA TX 77845-8219

40. TSU WEN GHENG
12586 STPETER CT
WILLIS TX 77318-6511

41. TSU WEN GHENG
12590 ST PETER CT
WILLIS TX 77318-6511

42 MARK S SANTOS & DIANA MORROW
7823 GLENN CLIFF DR
HOUSTON TX 77064-3313

43. MICHAEL MANORE
180 TIMBER MILL ST
HOUSTON TX 77380-1426

44. EDWARD L LOSACK & SANDRA S STANLEY
2910 HIGHLAND LAKES DR
MISSOURI CITY TX 77459-4219

45. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-5522

46. CHAD BROWN
2047 WINROCK BLVD
HOUSTON TX 77057-3964

47. JASON AND KRISTIN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

48. JASON AND KRISTEN BOUDREAULT
257 SHOREVIEW DR
APTOS CA 95003-4620

49. DOUG AND DIANE B OWENS
212 BELAIR DR
SCOTTS VALLEY CA 95066-3604

50. THEREAS JARMON
8311 NORTHRIDGE
SPRING TX 77379

51. JEMILA A WILLIAMS
9511 TALLOW CT
MISSOURI CITY TX 77459-6668

52. JEFFERY B HALL
23219 TIMERBROOK
SPRING TX 77373

53. JOHN AND BESSY FARRIS
13185 BLUFF VIEW DR
WILLIS TX 77318-5303

54. DERRICK WILLIAMS
3947 TOWN PARK LN
MISSOURI CITY TX 77459-3090

55. DENNIS DIRKSEN AND CAROL J MARKER
23709 DEL MONTE DR #232
VEALENCIA CA 91355-3814

56. ERICH D TROMBLEY AND DONALD O STOCKWELL
5369 SAN KRISTIA AVE
LAS VEGAS NV 89141

57. PAUL A HESTER
1014 SAINT ANN CT
WILLIS TX 77318

58. MARK C AND JANICE M ROBINSON
8131 TEAKWOOD FOREST DR
SPRING TX 77379-4537

59. MICHAEL S AND KIMBERLY A MCDONOUGH
8206 RENMARK LN
HOUSTON TX 77070-3633

60. MICHEAL F JOYCE ALLMANDINGER
27200 BARKERS WAY
TEHACHAPI CA 93561-7054

61. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

62. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

63. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

64. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

65. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

66. BROUSSARD CHRISTIE, LP.
10510 CUDE CEMETERY
WILLIS TX 77318-5522

67. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 77006-2512

68. DOUGLAS C MILWARD
11008 HILLSIDE DR
WILLIS TX 77318-6538

69. PERICLES M AND SILKA PUJOLS
2401 MUSTANG DR
CONROE TX 77384-3358

70. RISHAD AND NATALIE ALIKHAN
2401 ALABANS RD
HOUSTON TX 77005-1417

71 DAVID AND DIANA SCRUTON
11126 STARK ST
WILLIS TX 77318-6552

72. RISHAD ALIKHAN
12411 DONNA DR
HOUSTON TX 77067

73. HERB AND MARY BETH TUTTLE
11156 STARK ST
WILLIS TX 77318-6552

74. DENISE L FONTAINE HACKETT
11172 STARK ST
WILLIS TX 77318-2808

75. DORIS STARK AND TINA THOMAS
POBOX 2808
PALESTINE TX 75802-2808

76. DOYLE J AND SHIRLEY W BLEVINS
14944 LAKE PAULA DR
WILLIS TX 77318-6891

77. WILBUR W JR AND CHERYL MARTIN
11280 HILLSIDE DR
WILLIS TX 77318-6540

78. JOSEPH V AND PEGGY J TURNER
POBOX 7856
SPRING TX 77387-7856

79. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

80. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

81. JOSE FONSECA
11338 HILLSIDE DR
MONTGOMERY TX 77378

82. VERNON B MILLER
SHORELINE STORAGE
12435 FM 832 RD
WILLIS TX 77318-5564

83. PARK ON THE LAKE
CATHY BROOKS- ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

84. PARK ON THE LAKE
CATHY BROOKS - ATT TAX
12351 FM 830 RD
WILLIS TX 77318-5563

85. CIRCLE M PROPERTIES LLC
2323 S SHEPHERD DR STE924
HOUSTON TX 77019-7029

86. YI LEE YOHNUI
50 VILLAGE HILL DR
CONROE TX 77304-3554

87. RICKY AND KAYLA BISHOP
11025 WINDSWEPT DR
WILLIS TX 77013-7029

88. CIRCLE M DEVELOPMENTS LLC
2323 S SHEPHERD DR STE924
HOUSTON TX 77019-7029

89. RICKY AND KAYLA BISHOP
11025 WINDSWEPT DR
WILLIS TX 77318-6563

90. STEPHEN F AND SALLY J SCHMIDT
10905 WINDSWEPT DR
WILLIS TX 77318-6562

91. GERALD JONES
13107 S POST OAK RD
HOUSTON TX 77045-3005

92. WALTER R AND SUSAN ROSEMUND
12259 WREN CV
WILLIS TX 77318

93. MAURINE BLAIR
12221 WREN CV
WILLIS TX 77318-5481

94. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

95. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

96. EDWARD A AND MICHELLE HOLLER
12187 WREN CV
WILLIS TX 77318-5481

97. BEN G AND DONNA WORLEY
10833 WREN COVE
WILLIS TX 77378

98. EMIT AND CHERYL PEAVY
10751 BLUE BELL DR
WILLIS TX 77318-6523

99. BRADLEY J AND PAULA BURCH
12239 GABLE DR
WILLIS TX 77318-6533

100. GARLAND AND SANDRA BRAUN
12243 GABLE DR
WILLIS TX 77318-6533

101. TRAVIS KNIGHT
10651 BLUE BELL DR
WILLIS TX 77318-6522

102. TRAVIS KNIGHT
10651 BLUE BELL DR
WILLIS TX 77318-6522

103. RANDAL J AND MARSHA D PARROTT
10621 BLUE BELL DR
WILLIS TX 77318-6522

104. RANDAL J AND MARSHA D PARROTT
10621 BLUE BELL DR
WILLIS TX 77318-6522

105. BARBARA S BRIGGS
1103 HEATHWOOD CT
HOUSTON TX 77077-2601

106 BARBARA S BRIGGS
1103 HEATHWOOD CT
HOUSTON TX 77077-2601

107. GEORGE A PORTELE
505 LA COSTA DR
MONTGOMERY TX 77356-5363

108. JOHN P TUXHORN
12588 LAKE VISTA DR
WILLIS TX 77318-5237

109. BLUE BELL EST PROP OWNERS
ASSOC INC
10664 BLUE BELL DR
WILLIS TX 77318-6515

110. ROBERT ZIRL AND CYNTHIA HUDSON
42 N CASTLEGREEN CIRCLE
SPRING TX 77381-6335

111. MELBA C CHAMPION
10561 BLUE BELL DR
WILLIS TX 77318-6521

112. WILLIAM M REID
10551 BLUE BELL DR
WILLIS TX 77318-6521

113. PATRICIA ANN CARBERRY
9809 TANAGER LN
CONROE TX 77385-3424

114. ROY W ZBOYAN & JONELL A NIXON
10677 JOANN ST.
WILLIS TX 77318-6428

ATTACHMENT P

33-013-106

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 15, 2007

Mr. Timothy B. Hardin, P.E.
Langford Engineering, Inc.
1080 West Sam Houston Parkway North, Suite 200
Houston, Texas 77043

RE: Declaration of Administrative Completeness
Applicant Name: Far Hills Utility District (CN600667307)
Permit No. WQ0014555002 (EPA I.D. No. TX0129526) (RN105234157)
Type of Authorization: New

Dear Mr. Hardin:

The executive director has declared the above referenced application, received on April 11, 2007 administratively complete on June 15, 2007.

You are now required to publish notice of your proposed activity and make a copy of the application available for public review. The following items are included to help you meet the regulatory requirements associated with this notice:

- Instructions for Public Notice
- Notice for Newspaper Publication
- Public Notice Verification Form
- Publisher's Affidavits

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **30 calendar days** after your application is declared administratively complete. (See this letter's first paragraph for the declaration date.) **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**

2. On or before the date you publish notice, place a copy of your permit application in a public place in the county where the facility is or will be located. This copy must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place throughout the comment period.

3. For each publication, return an original clipping of the newspaper notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.

4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact Adriene McClarron at 512-239-5137.

Sincerely,

Laurie J. Lancaster

Laurie J. Lancaster, Team Leader
Applications Review and Processing Team
Customer Information and Application Processing Section
Water Quality Division

LJL/acm

Enclosures

cc: TCEQ Region 12, Water Program Manager

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

PROPOSED PERMIT NO. WQ0014555002

APPLICATION. Far Hills Utility District, c/o Johnson Radcliffe Petrov & Bobbitt PLLC, 1001 McKinney Street, Suite 1000, Houston, Texas 77002, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014555002 (EPA I.D. No. TX0129526) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 700,000 gallons per day. The domestic wastewater treatment facility is located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas. The discharge route is from the plant site via a storm sewer to an existing storm sewer collection system; thence to Lake Conroe. TCEQ received this application on April 11, 2007. The permit application is available for viewing and copying at R.F. Meador Library, 709 West Montgomery, Willis, Texas.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.**

If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.state.tx.us.

Further information may also be obtained from Far Hills Utility District at the address stated above or by calling Timothy B. Hardin, P.E., Langford Engineering, Inc., at 713-461-3530.

Issuance Date: June 15, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INSTRUCTIONS FOR PUBLIC NOTICE
For Water Quality Permit
(Renewal/Amendment/New)

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT

Your application has been declared administratively complete and now you must comply with the following instructions:

Please Review Notice
Included in the notice is all of the necessary information. Please read it carefully and notify Adriene McClarron immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text or formatting of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, at least once in the newspaper of largest circulation within each county where the facility is or will be located or, if the facility is located or will be located in a municipality, at least once in a newspaper of general circulation in the municipality.

- If the discharge point or potential discharge point is located in a different county than the facility, you must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, in a newspaper that is of the largest circulation within each county.

- These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold,** *italics*). **Failure to do so may require re-notice.**

Alternative Language Notice
If your application was received on or after November 30, 2005, you must publish notice in an alternative language if the following criteria are met.

- You must publish the public notice in an alternative language if either the elementary or middle school nearest to the facility or proposed facility is required to provide a bilingual education program as required by Texas Education Code, Chapter 29, Subchapter B, and 19 TAC §89.1205(a) and one of the following conditions is met:

- students are enrolled in a program at that school;

- students from that school attend a bilingual education program at another location; or

- the school that otherwise would be required to provide a bilingual education program waives out of this requirement under 19 TAC §89.1205(g).

- If triggered, you must publish the notice in the alternative language taught in the bilingual education program. You must publish this notice in a newspaper or publication primarily published in that alternative language. The newspaper or publication must be of general circulation in the county in which the facility is located or proposed to be located. If the facility is located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

- You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements.

- You have the burden to demonstrate compliance with these requirements. To assist you in meeting these requirements, the TCEQ has provided a Public Notice Verification Form (enclosed). You must fill out the attached Public Notice Verification Form indicating your compliance with the requirements regarding publication in an alternative language.

- If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. You may obtain the electronic version of the Spanish template from the TCEQ website at www.tceq.state.tx.us/goto/templates/spanish/wq/nori.

- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

Proof of Publication

- Check each publication to ensure that the notices were accurately published. If a notice was not published correctly you may have to republish.

- You must submit an **original newspaper clipping** of the published notice for **each** newspaper. The original newspaper clipping must show the date of publication and the name of the newspaper. You must submit the original newspaper clipping to the Office of the Chief Clerk within **10 business days** after the date of publication.

- For each newspaper notice, you must submit an **original Publisher's Affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **For each required published notice, you must use the appropriate Publisher's Affidavit form that is enclosed with these instructions**. The affidavit must clearly identify the applicant's name and permit number.

- You are encouraged to submit the Publisher's Affidavit with the original newspaper clipping within 10 business days after the date of publication. However, the affidavit must be submitted no later than **30 calendar days** after publication of notice.

- You must fill out the attached Public Notice Verification form. On this Form, you must verify that you submitted the original notices and the Publisher's Affidavits as required by the TCEQ's regulations and instructions. This form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

- The **original Publisher's Affidavit, the Public Notice Verification form, and the original newspaper clippings of the published notice** must be mailed to:

  TCEQ
  Office of the Chief Clerk, MC 105
  Attn: Notice Team
  P.O. Box 13087
  Austin, Texas 78711-3087

- Please ensure that the affidavit and newspaper clipping you send to the Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted.

Failure to Publish and Submit Proof of Publication

If you fail to publish the notice or submit proof of publication by the deadlines set forth above, the TCEQ may suspend further processing of your application or take other action.

Application in a Public Place

- You must put a copy of the administratively complete application in a public place for review and copying by the public. This public place must be located in the county where the facility is or proposed to be located.

- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).

- The administratively complete application must be available **beginning on the first day of newspaper publication and must remain in place until the end of the comment period**.

- During the technical review, you must update the publicly available application so that it includes all application revisions within **10 business days** from the date the revision is transmitted to the TCEQ.

- If the application was submitted to the TCEQ with information marked as confidential, you must indicate in the public copy of the application that there is additional information in a confidential file. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087".

- You must fill out the attached Public Notice Verification form. On this Form, you must verify that a complete water quality application and all subsequent revisions are available for review and copying in a public place as required by the TCEQ's regulations and instructions. This Form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the Notice of Receipt and Intent to Obtain Permit.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact Adriene McClarron at 512-239-5137.

Comisión de Calidad Ambiental del Estado de Texas

AVISO DE RECIBO DE LA SOLICITUD Y
EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO PROPUESTO NO. WQ00_____

SOLICITUD. *[Applicant's name and address]* ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ00_____ (EPA I.D. No. TX _____) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar [*activity or facility being authorized]* la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de _____ galones por día]. La planta de *[type of facility, choose appropriate* tratamiento de aguas residuales domésticos or tratamiento de agua potable está ubicada _____ [*plant site location]* en el Condado de _____, Texas. La ruta de descarga es del sitio de la planta a _____ [descripción escrita de la ruta de descarga]. La TCEQ recibió esta solicitud el _____ *[date received]*. La solicitud para el permiso está disponible para leerla y copiarla en _____ *[street address of public place in county in which facility is located]*.

[Include the following non-italicized sentence if the facility is located in the Coastal Management Program boundary and is an application for a new facility, a major amendment which will increase the pollutant loads to coastal waters or would result in relocation of an outfall to a critical areas, or a renewal with such a major amendment. The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of México as depicted on the map in 31 TAC §503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson y Orange. If the application is for amendment that does not meet the above description or a renewal without such a major amendment, do not include the sentence: El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes de el CMP]

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; y la declaración "[Yo/nosotros] solicito/solicitamos un/a audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar el nombre y la dirección de una persona que representa al grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la planta o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los períodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contenciosos a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión otorgará solamente un audiencia administrativa de lo contencioso sobre los hechos reales disputados del caso que son pertinentes y esenciales para la decisión de la Comisión sobre la solicitud. Además, la Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Ademas, puede pedir que la TCEQ ponga su nombre en una or mas de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado especifico. Si desea que se agrega su nombre en una de las listas designe cual lista(s) y envia por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN DE LA TCEQ. Todos los comentarios escritos del público y los pedidos para una reunión deben ser presentados a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. Si necesita más información en Español sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a la oficina de Asistencia al Público de la TCEQ, sin cobro, al 1-800-687-4040. La información general sobre la TCEQ puede ser encontrada en nuestro sitio de la red: www.tceq.state.tx.us.

También se puede obtener información adicional del _____ *[nombre del solicitante]* a la dirección indicada arriba o llamando a _____ *[nombre del representante del solicitante]* al _____ *[número telefónico del solicitante]*.

Fecha de emisión _____

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the _____
(title of newspaper representative)

of the _____; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in _____ County, Texas or is
(Name of County)
a newspaper of general circulation in _____ ,
(Name of Municipality)
Texas; and that the attached notice was published in said newspaper on the following date(s):

_____.

_____
Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,

20_____.

(Seal)

_____
Notary Public in and for the State of Texas

_____
Print or Type Name of Notary Public

My Commission Expires _____

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned notary public, on this day personally appeared

_____, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the _____of the
(title of newspaper representative)

_____; that said newspaper is
(name of newspaper)

generally circulated in _____ County, Texas and
(same county as proposed facility)

is published primarily in_____ language; that the
(alternative language)
attached notice was published in said newspaper on the following date(s):

_____.

Subscribed and sworn to before me this the _____ day of _____,

20_____, by _____.
(Newspaper Representative's Signature)

(Seal)

_____
Notary Public in and for the State of Texas

_____
Print or Type Name of Notary Public

My Commission Expires _____

OCC# _____
(TCEQ use only)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Water Quality Permit

Applicant Name: _____

Site or Facility Name: _____

TCEQ Account Number (if applicable): _____ Permit Number: _____

Regulated Entity Number: _____ Customer Number: _____

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice refer to the instructions in the public notice package.

ALTERNATIVE LANGUAGE CHECKLIST		
I have contacted the appropriate school district.	☐ YES ☐ NO	
A bilingual education program is required by the Texas Education Code in the district.	☐ YES ☐ NO	
School District:	Phone:	
Person Contacted:	Date:	
The name of the elementary school nearest to the proposed or existing facility is:		
The name of the middle school nearest to the proposed or existing facility is:		
Students who attend one of the schools above are eligible to be enrolled in a bilingual program provided by the district.	☐ YES ☐ NO	
The following language(s) is/are utilized in the bilingual program:		
If an applicable bilingual program exists, then applicants must publish a notice and/or post signs, as outlined in the *Instructions for Public Notice* and certify as applicable on this form.		

ALTERNATIVE LANGUAGE VERIFICATION		
I verify that the area addressed by this permit application is subject to alternative language public notice requirements.	☐ YES ☐ NO	
I verify that the applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located).	☐ YES ☐ NO	
I verify that no such newspaper or publication was found in any of the language(s) in which notice is required.	☐ YES ☐ NO	
I verify that the publishers of the newspapers listed below refused to publish the notice as requested, and no other newspaper or publication in the same language and of general circulation was found in the municipality or county in which the facility is located (or proposed to be located).	☐ YES ☐ NO ☐ N/A	
Newspaper:	Language:	
I verify that bilingual sign(s) required by the TCEQ were posted. (*if applicable*)	☐ YES ☐ NO	
I verify that original tear sheets of the newspaper alternative language notice(s) and the requested affidavits have been sent to the TCEQ.	☐ YES ☐ NO	
Signed by:	Applicant:	
Title:	Date:	

OCC# _____
(TCEQ use only)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Water Quality Permit

Applicant Name: _____

Site or Facility Name: _____

TCEQ Account Number (if applicable): _____ Permit Number: _____

Regulated Entity Number: _____ Customer Number: _____

WATER QUALITY PERMIT NOTICE VERIFICATION	
I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ. ☐ YES ☐ NO	
Notice of Receipt of Application and Intent to Obtain Permit (1st Notice): I verify that a copy of the complete water quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period. ☐ YES ☐ NO **Notice of Application and Preliminary Decision (2nd Notice, if applicable):** I verify that a copy of the complete water quality application and draft permit, and any revisions, are available for review and copying at the public place indicated below from the first day after newspaper publication; and I also verify that the water quality application and draft permit, and any revisions, will remain in the designated public place until either: 1) the TCEQ acts on the application; or 2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing. ☐ YES ☐ NO	
Name and Address of Public Place:	
Signed by:	
Title:	Date:

ATTACHMENT Q

7003 2260 0006 9171 3845

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ 1.14
Certified Fee	2.65
Return Reciept Fee (Endorsement Required)	2.15
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.77

Postmark Here

Sent To
Ms. Castanuela/TCEQ
Street, Apt. No.; or PO Box No. P O Box 13087
City, State, ZIP+4 Austin, TX 78711-3087 233-013-106

PS Form 3800, June 2002 See Reverse for Instructions

MEMORIAL PARK STATION
HOUSTON, Texas
770249998
4841490042-0095
07/02/2007 (800)275-8777 04:05:37 PM

Sales Receipt

Product Description	Sale Unit Qty Price	Final Price
AUSTIN TX 78711-3087		$1.14
Zone-2 First-Class Large Env 2.30 oz.		
Return Rcpt (Green Card)		$2.15
Certified		$2.65
Label #:	70032260000691713845	
Customer Postage		-$5.77
Subtotal:		$0.17
Issue PVI:		$0.17
Total:		$0.17

Paid by:
Cash $0.17

Order stamps at USPS.com/shop or call 1-800-Stamp24. Go to USPS.com/clickship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Bill#:1000500271191
Clerk:11

All sales final on stamps and postage.
Refunds for guaranteed services only.
Thank you for your business.

HELP US SERVE YOU BETTER

Go to: http://gx.gallup.com/pos

TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

YOUR OPINION COUNTS

Customer Copy

233 013-106

LANGFORD ENGINEERING INC.
Consulting Engineers

July 2, 2007

Ms. Castanuela
TCEQ
Office of the Chief Clerk, MC 105
Attn: Notice Team
P. O. Box 13087
Austin, Texas 78711-3087

Subject: Far Hills Utility District, Application for TCEQ TPDES Discharge Permit No. WQ001-4555002, Publishers Affidavit and Verification
LEI Job No. 233-013-106

Dear Ms. Castanuela:

Enclosed are the original English version newspaper clipping with Publisher's affidavit from Montgomery County News, the original Spanish version newspaper clipping with Publisher's Affidavit from El Sol, and the Public Notice Verification form as required by TCEQ's regulations and instructions for the Far Hills Utility District's Wastewater Permit Application.

If you have any questions, please call.

Sincerely,

LANGFORD ENGINEERING, INC

Barbara Kernighan

Barbara Kernighan, EIT

Enclosures

E:\Current Proj\Far Hills U.D\233-013-106\Publisher's Affidavit July 2 2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

JUN 28 2007

PUBLISHER'S AFFIDAVIT

I solemnly swear that the above notice was published in *The Montgomery County News*, a newspaper printed in Montgomery County, Texas, and of general circulation in said County, as provided in the Texas Probate Code for the service of citation or notice by publication, and the date that the issue of said newspaper bore in which said notice was published was June 27, 2007. A copy of the notice published, clipped from the newspaper is attached hereto.

CAUSE # Job Number 233.013.106

Regina Ducharme
Publisher's Agent
Regina Ducharme

SWORN TO AND SUSCRIBED BEFORE ME
BY Regina Ducharme

On this the 27 day of June, 2007, to certify which witness my hand and seal of office.

CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

Carol L. Langley
Notary Public, State of Texas
Printed Name of Notary
Carol L. Langley

My Commission Expires:
5-14-2010

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §
COUNTY OF Montgomery §

Before me, the undersigned notary public, on this day personally appeared Jorge Perez, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the Manager of the
(title of newspaper representative)

El Sol; that said newspaper is
(name of newspaper)

generally circulated in Montgomery County, Texas and
(same county as proposed facility)

is published primarily in Spanish language; that the
(alternative language)

attached notice was published in said newspaper on the following date(s):

6-29-07

Subscribed and sworn to before me this the 29 day of June,

20 07, by Jorge Perez.
(Newspaper Representative's Signature)

Pat Sunday
Notary Public in and for the State of Texas

(Seal)

PAT SUNDAY
MY COMMISSION EXPIRES
June 2, 2010

Pat Sunday
Print or Type Name of Notary Public

My Commission Expires 6/2/2010

Comisión de Calidad Ambiental Estado de Texas

AVISO DE RECIBO DE LA SOLICITUD Y
EL INTENTO DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA

PERMISO NO. WQ0014555002

SOLICITUD. Far Hills Utility District, c/o Johnson Radcliffe, Petrov & Bobbit PLLC, 1001 McKinney Street, Suite 1000, Houston, Texas 77002, ha solicitado a la Comisión de Calidad Ambiental del Estado de Texas (TCEQ) para el propuesto Permiso No. WQ0014555002 (EPA I.D. No. TX0129526) del Sistema de Eliminación de Descargas de Contaminantes de Texas (TPDES) para autorizar la descarga de aguas residuales tratadas en un volumen que no sobrepasa un flujo promedio diario de 700,000 galones por día. La planta de tratamiento de aguas residuales domésticos está ubicada aproximadamente a 1,800 pies al sur de Farm-to-Market Rd. 830 en el Condado de Montgomery, Texas. La ruta de descarga es del sitio de la planta a una alcantarilla pluvial, después a un sistema de alcantarillas pluviales ya existente, después a Lake Conroe. La TCEQ recibió esta solicitud en Abril 11, 2007. La solicitud para el permiso está disponible para leerla y copiarla en R. F. Meador Library 709 West Montgomery, Willis, Texas.

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.**

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA PEDIR UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO, USTED DEBE INCLUIR EN SU PEDIDO LOS SIGUIENTES DATOS: su nombre; dirección; teléfono; nombre del solicitante y número del permiso; la ubicación y la distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; y la declaración "[Yo/nosotros] solicito/solicitamos un/a audiencia administrativa de lo contencioso". Si presenta por parte de un grupo o asociación el pedido para una audiencia administrativa de lo contencioso, debe identificar el nombre y la dirección de una persona que representa al grupo para recibir correspondencia en el futuro; debe identificar un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; debe proveer la información ya indicada anteriormente con respecto a la ubicación del miembro afectado y la distancia de la planta o actividad propuesta; debe explicar como y porqué el miembro sería afectado y como los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de los periodos para los pedidos y comentarios, el Director Ejecutivo enviará la solicitud y los pedidos para reconsideración o por una audiencia administrativa de lo contenciosos a los Comisionados de la TCEQ para su consideración en una reunión programada de la Comisión.

La Comisión otorgará solamente un audiencia administrativa de lo contencioso sobre los hechos reales disputados del caso que son pertinentes y esenciales para la decisión de la Comisión sobre la solicitud. Además, la Comisión sólo otorgará una audiencia administrativa de lo contencioso sobre los asuntos que fueron presentados antes del plazo de vencimiento y que no fueron retirados posteriormente.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agrega su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina de la Secretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN DE LA TCEQ. Todos los comentarios escritos del público y los pedidos para una reunión deben ser presentados a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. Si necesita más información en Español sobre esta solicitud para un permiso o el proceso del permiso, por favor llame a la Oficina de Asistencia al Público de la TCEQ, sin cobro, al 1-800-687-4040. La información general sobre la TCEQ puede ser encontrada en nuestro sitio de la red: www.tceq.state.tx.us.

También se puede obtener información adicional del Far Hills Utility District a la dirección indicada arriba o llamando a Timothy B Hardin, P.E., Langford Engineering, Inc. al 713-461-3530.

Fecha de emisión: 15 de Junio del 2007.

TEXAS COMMISSION OF ENVIRONENTAL QUALITY

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT PROPOSED PERMIT NO. WQ001455502

APPLICATION. Far Hills Utility District, c/o Johnson Radcliffe Petrov & Bobbitt PLLC, 1001 McKinney Street, Suite 1000, Houston, Texas 77002, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014555002 (EPA I.D. No. TX0129526) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 700,000 gallons per day. The domestic wastewater treatment facility is located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas. The discharge route is from the plant site via a storm sewer to an existing storm sewer collection system; thence to Lake Conroe. TCEQ received this application on April 11, 2007. The permit application is available for viewing and copying at R.F. Meador Library, 709 West Montgomery, Willis, Texas.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.**

If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.state.tx.us.

Further information may also be obtained from Far Hills Utility District at the Address stated above or by calling Timothy B. Hardin, P.E., Langford Engineering, Inc., at 713-461-3530.

Issuance Date: June 15, 2007
Publication Date: June 27, 2007 LEI Job No. 233-013-106

OCCF _____ (TCEQ use only)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Water Quality Permit

Applicant Name: Far Hills Utility District

Site or Facility Name: Far Hills Utility District Wastewater Treatment Plant

TCEQ Account Number (if applicable): _____ Permit Number: WQ0014555002

Regulated Entity Number: RN 105234157 Customer Number: CN 600667703

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice refer to the instructions in the public notice package.

ALTERNATIVE LANGUAGE CHECKLIST

I have contacted the appropriate school district.	☒ YES ☐ NO
A bilingual education program is required by the Texas Education Code in the district.	☒ YES ☐ NO
School District: Willis ISD	Phone: 936-856-1311
Person Contacted: Sherry Smith	Date: 6-19-07
The name of the elementary school nearest to the proposed or existing facility is: Turner Elementary	
The name of the middle school nearest to the proposed or existing facility is: Brabham MS	
Students who attend one of the schools above are eligible to be enrolled in a bilingual program provided by the district.	☒ YES ☐ NO
The following language(s) is/are utilized in the bilingual program:	Spanish

If an applicable bilingual program exists, then applicants must publish a notice and/or post signs, as outlined in the *Instructions for Public Notice* and certify as applicable on this form.

ALTERNATIVE LANGUAGE VERIFICATION

I verify that the area addressed by this permit application is subject to alternative language public notice requirements.	☒ YES ☐ NO
I verify that the applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located).	☒ YES ☐ NO
I verify that no such newspaper or publication was found in any of the language(s) in which notice is required.	☐ YES ☒ NO
I verify that the publishers of the newspapers listed below refused to publish the notice as requested, and no other newspaper or publication in the same language and of general circulation was found in the municipality or county in which the facility is located (or proposed to be located).	☐ YES ☐ NO ☒ N/A
Newspaper:	Language:
I verify that bilingual sign(s) required by the TCEQ were posted. (*if applicable*) N/A	☐ YES ☐ NO
I verify that original tear sheets of the newspaper alternative language notice(s) and the requested affidavits have been sent to the TCEQ.	☒ YES ☐ NO
Signed by: Barbara Kernighan	Applicant: Far Hills Utility District
Title: EIT, Langford Engineering	Date: July 2, 2007

TCEQ Fax:5122390884 Jun 15 2007 02:40pm P015/016

OCC# _____
(TCEQ use only)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Water Quality Permit

Applicant Name: Far Hills Utility District

Site or Facility Name: Far Hills Utility District Wastewater Treatment Plant

TCEQ Account Number (if applicable): _____ Permit Number: WQ0014555002

Regulated Entity Number: RN 105234157 Customer Number: CN 600667703

WATER QUALITY PERMIT NOTICE VERIFICATION

I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ. ☒ YES ☐ NO

Notice of Receipt of Application and Intent to Obtain Permit (1st Notice):
I verify that a copy of the complete water quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period. ☒ YES ☐ NO

Notice of Application and Preliminary Decision (2nd Notice, if applicable):
I verify that a copy of the complete water quality application and draft permit, and any revisions, are available for review and copying at the public place indicated below from the first day after newspaper publication; and

I also verify that the water quality application and draft permit, and any revisions, will remain in the designated public place until either:
1) the TCEQ acts on the application; or
2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing.

☒ YES ☐ NO

Name and Address of Public Place: R.F. Meador Library 709 West Montgomery, Willis, TX 77378

Signed by: Barbara Kernighan, EIT

Title: EIT, Langford Engineering | Date: July 2, 2007

TCEQ Fax:5122390884 Jun 15 2007 02:40pm P016/016

ATTACHMENT R

233-013-106

LANGFORD ENGINEERING INC.
Consulting Engineers

July 26, 2007

Charlene Smith
Notice Team Leader
Office of the Chief Clerk, MC-105
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

Subject: Far Hills Utility District
TPDES No. WQ001-4555002
Corrected Publisher's Affidavit
LEI Job No. 233-013-106

Dear Ms. Smith:

In response to your Fax dated July 10, 2007 regarding the Montgomery County News newspaper using their own affidavit form rather than the TCEQ Publisher's Affidavit, I am enclosing the completed TCEQ Publisher's Affidavit as well as a copy of the Publisher's Affidavit that they originally submitted.

If you have any questions, please call.

Sincerely,

LANGFORD ENGINEERING, INC.

Barbara J. Kernighan

Barbara J. Kernighan, EIT

Enclosures

O:\current proj\Spring Cypress WSC\TCEQPUbAffCorrection 07-26-2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS

STATE OF TEXAS §
COUNTY OF Montgomery §

Before me, the undersigned authority, on this day personally appeared

Monte Ryan West, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the Assistant Publisher
(title of newspaper representative)

of the Montgomery; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in ~~Montgomery~~ MONTGOMERY COUNTY NEWS County, Texas or is
(Name of County)

a newspaper of general circulation in Montgomery,
(Name of Municipality)

Texas; and that the attached notice was published in said newspaper on the following date(s):

June 27, 2007.

M. Ryan West
Newspaper Representative's Signature

Subscribed and sworn to before me this the 27 day of June,

2007.

(Seal)

Gwendolyn Hundley
Notary Public in and for the State of Texas

Gwendolyn Hundley
Print or Type Name of Notary Public

My Commission Expires May 29, 2009

NOTARY PUBLIC STATE OF TEXAS
GWENDOLYN HUNDLEY
Notary Public, State of Texas
My Commission Expires 05-29-09

JUN 28 2007

PUBLISHER'S AFFIDAVIT

I solemnly swear that the above notice was published in *The Montgomery County News*, a newspaper printed in Montgomery County, Texas, and of general circulation in said County, as provided in the Texas Probate Code for the service of citation or notice by publication, and the date that the issue of said newspaper bore in which said notice was published was June 27, 2007. A copy of the notice published, clipped from the newspaper is attached hereto.

CAUSE # Job Number 233-013-106

Regina Ducharme
Publisher's Agent
Regina Ducharme

SWORN TO AND SUSCRIBED BEFORE ME
BY Regina Ducharme

On this the 27 day of June, 2007, to certify which witness my hand and seal of office.

CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

Carol L. Langley
Notary Public, State of Texas
Printed Name of Notary
Carol L. Langley

My Commission Expires:
5-14-2010

TEXAS
CHIEF CLERKS OFFICE

ATTACHMENT S

233-013-106

FAX TRANSMISSION

LANGFORD ENGINEERING, INC.
1080 West Sam Houston Parkway North, Suite 200
Houston, Texas 77043-5014
(713) 461-3530
Fax: (713) 932-7505

To: Regina Ducharme

Date: July 10, 2007

Fax #: (936) 597-6395

Pages: Three (3) including this cover page

From: Barbara Kernighan

Subject: Publisher's Affidavit for LEI Job No. 233-013-106

COMMENTS:

On June 27, 2007 Montgomery County ran a Public Notice for Langford Engineering. We requested that you sign and return a Publisher's Affidavit to us. We then sent it to The Office of the Chief Clerk, TCEQ. They returned the Montgomery County News' affidavit because the form did not contain the required language. I am sending another copy of the TCEQ affidavit and a copy of the actual publisher's affidavit that you submitted. Please complete this TCEQ affidavit form and return it to me as soon as possible.
If you have any questions please call.

Barbara Kernighan
713-461-3530 Ext. 25

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the _____
(title of newspaper representative)

of the _____; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in _____ County, Texas or is
(Name of County)
a newspaper of general circulation in _____,
(Name of Municipality)
Texas; and that the attached notice was published in said newspaper on the following date(s):

_____.

_____
Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,

20_____.

(Seal)

_____
Notary Public in and for the State of Texas

_____
Print or Type Name of Notary Public

My Commission Expires _____

JUN 28 2007

PUBLISHER'S AFFIDAVIT

I solemnly swear that the above notice was published in *The Montgomery County News*, a newspaper printed in Montgomery County, Texas, and of general circulation in said County, as provided in the Texas Probate Code for the service of citation or notice by publication, and the date that the issue of said newspaper bore in which said notice was published was June 27, 2007. A copy of the notice published, clipped from the newspaper is attached hereto.

CAUSE # Job Number 233-013-106

Regina Ducharme
Publisher's Agent
Regina Ducharme

SWORN TO AND SUSCRIBED BEFORE ME
BY Regina Ducharme

On this the 27 day of June, 2007, to certify which witness my hand and seal of office.

CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

Carol L. Langley
Notary Public, State of Texas
Printed Name of Notary

My Commission Expires:
5-14-2010

Carol L. Langley

CHIEF CLERKS OFFICE

TEXAS

ATTACHMENT T

233-013-106

TCEQ
Protecting Texas by Reducing and Preventing Pollution

FAX TRANSMITTAL

DATE: July 10, 2007 NUMBER OF PAGES *(including this cover sheet)*: 5

TO:
Name: Barbara Kernighan, EIT
Organization: Langford Engineering Inc.
FAX Number: 713-932-7505

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Name: Charlene Smith
Division/Region: Office of the Chief Clerk
Telephone Number: 512-239-3315
FAX Number: 512-239-3311

NOTES:

Re: Far Hills Utility District, Application for TCEQ TPDES Discharge Permit No. WQ0014555002, Publishers Affidavit and Verification; LEI Job No. 233-013-106

Ms. Kernighan:

The newspaper for the English publication of the notice, The Montgomery County News, used their own affidavit form rather than the TCEQ affidavit form. Their form does not contain the required language (largest circulation in Montgomery County or general circulation in the municipality of Willis, Texas).

For your convenience I am sending another copy of our TCEQ affidavit, pages of our applicable instructions with X marking the requirements being referred to, and a copy of the actual publisher's affidavit you submitted.

Please have the newspaper complete the TCEQ affidavit form. The completed form should be returned to the address in the upper left-hand corner of the form.

If you have any questions, I can be reached by telephone or fax at the above numbers.

Charlene Smith
Notice Team Leader
Office of the Chief Clerk, MC-105
TCEQ
PO Box 13087
Austin TX 78711-3087

Spoke with Hope @ TCEQ 7/26/07 - told her we were mailing affidavit today. Affidavit is due tomorrow 7/27/07, she said to get it in as soon as possible

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the _____
(title of newspaper representative)

of the _____; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in _____ County, Texas or is
(Name of County)
a newspaper of general circulation in _____,
(Name of Municipality)
Texas; and that the attached notice was published in said newspaper on the following date(s):

_____.

_____
Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,

20_____.

(Seal)

_____
Notary Public in and for the State of Texas

_____
Print or Type Name of Notary Public

My Commission Expires _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INSTRUCTIONS FOR PUBLIC NOTICE
For Water Quality Permit
(Renewal/Amendment/New)

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT

Your application has been declared administratively complete and now you must comply with the following instructions:

Please Review Notice
Included in the notice is all of the necessary information. Please read it carefully and notify Adriene McClarron immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text or formatting of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, at least once in the newspaper of largest circulation within each county where the facility is or will be located or, if the facility is located or will be located in a municipality, at least once in a newspaper of general circulation in the municipality.

- If the discharge point or potential discharge point is located in a different county than the facility, you must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, in a newspaper that is of the largest circulation within each county.

- These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

Proof of Publication

- Check each publication to ensure that the notices were accurately published. If a notice was not published correctly you may have to republish.

- You must submit an **original newspaper clipping** of the published notice for **each** newspaper. The original newspaper clipping must show the date of publication and the name of the newspaper. You must submit the original newspaper clipping to the Office of the Chief Clerk within **10 business days** after the date of publication.

- For each newspaper notice, you must submit an **original Publisher's Affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **For each required published notice, you must use the appropriate Publisher's Affidavit form that is enclosed with these instructions.** The affidavit must clearly identify the applicant's name and permit number. X

- You are encouraged to submit the Publisher's Affidavit with the original newspaper clipping within 10 business days after the date of publication. However, the affidavit must be submitted no later than **30 calendar days** after publication of notice.

- You must fill out the attached Public Notice Verification form. On this Form, you must verify that you submitted the original notices and the Publisher's Affidavits as required by the TCEQ's regulations and instructions. This form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

- The **original Publisher's Affidavit, the Public Notice Verification form, and the original newspaper clippings of the published notice** must be mailed to:

  TCEQ
  Office of the Chief Clerk, MC 105
  Attn: Notice Team
  P.O. Box 13087
  Austin, Texas 78711-3087

- Please ensure that the affidavit and newspaper clipping you send to the Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted.

Failure to Publish and Submit Proof of Publication

If you fail to publish the notice or submit proof of publication by the deadlines set forth above, the TCEQ may suspend further processing of your application or take other action.

JUN 28 2007

PUBLISHER'S AFFIDAVIT

I solemnly swear that the above notice was published in *The Montgomery County News*, a newspaper printed in Montgomery County, Texas, and of general circulation in said County, as provided in the Texas Probate Code for the service of citation or notice by publication, and the date that the issue of said newspaper bore in which said notice was published was June 27, 2007. A copy of the notice published, clipped from the newspaper is attached hereto.

CAUSE # Job Number 233-013-106

Regina Ducharme
Publisher's Agent
Regina Ducharme

SWORN TO AND SUSCRIBED BEFORE ME
BY Regina Ducharme

On this the 27 day of June, 2007, to certify which witness my hand and seal of office.

CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

Carol L. Langley
Notary Public, State of Texas
Printed Name of Notary
Carol L. Langley

My Commission Expires:
5-14-2010

CHIEF CLERKS OFFICE

ATTACHMENT U

AFFIDAVIT OF *MONTGOMERY COUNTY NEWS*

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned notary public, on this day personally appeared, Regina Ducharme who being duly sworn, on his/her oath, stated that he/she has read the following Affidavit, and it is true and correct, and that every statement contained herein is within his/her personal knowledge.

1. My name is Regina Ducharme I am over 18 years of age and of sound mind, have never been convicted of a felony and am otherwise capable of making this affidavit.

2. I am the Office Mgr of the *Montgomery County News*, located in Montgomery, Montgomery County, Texas and have the authority to complete this affidavit on the *Montgomery County News'* behalf.

3. I have knowledge of the general circulation and distribution of the *Montgomery County News* within the municipalities located in Montgomery County, Texas.

4. *Montgomery County News* is a newspaper of general circulation in the municipality of Willis, Texas, and has been since at least June 2007.

Regina Ducharme
By: Regina Ducharme

SUBSCRIBED AND SWORN TO before me this 13 day of May, 2009.

Carol L. Langley
Notary Public, State of Texas

(NOTARY SEAL)

NOTARY PUBLIC STATE OF TEXAS
CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

ATTACHMENT V

AFFIDAVIT OF *CONROE COURIER*

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned notary public, on this day personally appeared, Jim Fredricks, who being duly sworn, on his/her oath, stated that he/she has read the following Affidavit, and it is true and correct, and that every statement contained herein is within his/her personal knowledge.

1. My name is Jim Fredricks. I am over 18 years of age and of sound mind, have never been convicted of a felony and am otherwise capable of making this affidavit.

2. I am the Editor and Publisher of the *Conroe Courier*, located in Conroe, Montgomery County, Texas and have the authority to complete this affidavit on the *Conroe Courier's* behalf.

3. I have knowledge of the general circulation and distribution of the *Conroe Courier* within Montgomery County, Texas.

4. The *Conroe Courier's* daily circulation in May 2009 in Montgomery County, Texas was ~~12,450~~ and its Sunday circulation was ~~13,117~~.

daily 10,628 [redacted] Sunday 11,186

By: [signature]

SUBSCRIBED AND SWORN TO before me this 14th day of May, 2009.

(NOTARY SEAL) NOTARY PUBLIC STATE OF TEXAS Notary CROSBY My Public, State of Texas Commission Expires May 29, 2009

Notary Public, State of Texas

AFFIDAVIT OF *HOUSTON CHRONICLE*

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned notary public, on this day personally appeared, Steven Palmer, who being duly sworn, on his/her oath, stated that he/she has read the following Affidavit, and it is true and correct, and that every statement contained herein is within his/her personal knowledge.

1. My name is Steven Palmer. I am over 18 years of age and of sound mind, have never been convicted of a felony and am otherwise capable of making this affidavit.

2. I am the Circ Audit Mgr of the *Houston Chronicle*, located in Houston, Harris County, Texas and have the authority to complete this affidavit on the *Houston Chronicle's* behalf.

3. I have knowledge of the general circulation and distribution of the *Houston Chronicle* within Montgomery County, Texas.

4. The *Houston Chronicle's* daily circulation as of *Houston Chronicle's* annual report for 12 months ending September 30, 2008 in Montgomery County, Texas was 32,223 and its Sunday circulation was 47,717.

By: Steven Palmer

SUBSCRIBED AND SWORN TO before me this 14 day of May, 2009.

Notary Public, State of Texas

(NOTARY SEAL)

VERONICA M TYRONE
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES
FEB. 10, 2012

ATTACHMENT W

233-013-106
LH COPY

Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

SEP 10 2007

SEPTEMBER 7, 2007

TIMOTHY B HARDIN
LANGFORD ENGINEERING INC
1080 W SAM HOUSTON PKWY N STE 200
HOUSTON, TX 77043-5021

RE: Applicant Name: FAR HILLS UTILITY DISTRICT
Facility Location: Montgomery County
Permit Number: WQ0014555002
Customer Reference Number: CN600667307
Regulated Entity Number: RN105234157
Type of Authorization: NEW

Dear MR HARDIN:

The executive director has completed the technical review of the above referenced application and has prepared a preliminary decision and draft permit.

You are now required to publish another notice of your proposed activity. To help you meet the requirements associated with this notice, we have included the following items:

- O Instructions for Public Notice
- O Notice for Newspaper Publication
- O Publisher's Affidavit
- O Draft Permit
- O Executive Director's Preliminary Decision
- O Public Notice Verification Form

You must follow all the directions in the enclosed instructions. The most common mistakes are the unauthorized changing of notice, wording, or font. If you fail to follow these instructions, you may be required to republish the notices.

The following requirements are also described in the enclosed instructions. However, due to their importance, they are highlighted here as well.

1. Publish the enclosed notice within **45 calendar days** after the date of this cover letter. **You may be required to publish the notice in more than one newspaper, including a newspaper published in an alternative language, to satisfy all of the notice requirements.**

2. On or before the date you publish notice, you must place the following items in a public place in the county where the facility is or will be located: (a) a copy of your permit application, including any subsequent revisions; (b) the executive director's preliminary decision as contained in the technical summary and fact sheet; and (c) the draft permit, including any subsequent revisions. These items must be accessible to the public for review and copying, must be updated to reflect changes to the application, and must remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.

3. For each publication, return an original clipping of the newspaper notice that shows the publication date and newspaper name to the Office of the Chief Clerk within **10 business days** after notice is published in the newspaper.

4. Return the original enclosed Public Notice Verification and the Publisher's Affidavits to the Office of the Chief Clerk within **30 calendar days** after the notice is published in the newspaper.

If you do not comply with all the requirements described in the instructions, further processing of your application may be suspended or the agency may take other actions.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application.

Sincerely,

LaDonna Castañuela
Chief Clerk

Enclosures

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INSTRUCTIONS FOR PUBLIC NOTICE
For Water Quality Permit

NOTICE OF APPLICATION AND PRELIMINARY DECISION

The executive director has completed the technical review of your application and issued a preliminary decision. You must comply with the following instructions:

Please Review Notice
We have included in the notice all of the information that we believe is necessary. Please read it carefully and notify us immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text or formatting of the notice or affidavit of publication without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Application and Preliminary Decision within **45 calendar days** after the date this information was mailed to you (see date of cover letter).
- You must publish the enclosed Notice of Application and Preliminary Decision at your expense.
- For renewal applications, you must publish at least once in the same newspaper in which you published the Notice of Receipt of Application and Intent to Obtain Permit.
- For all other applications, you must publish at least once in a newspaper regularly published or circulated within each county where the proposed facility or discharge is located and in each county affected by the discharge.
- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

Alternative Language Notice

If your application was received on or after November 30, 2005, you must publish notice in an alternative language if the following criteria are met.

- You must publish the public notice in an alternative language if either the elementary or middle school nearest to the facility or proposed facility is required to provide a bilingual education program as required by Texas Education Code, Chapter 29, Subchapter B, and 19 TEX. ADMIN. CODE § 89.1205(a) and one of the following conditions is met:
  - students are enrolled in a program at that school;
  - students from that school attend a bilingual education program at another location; or
  - the school that otherwise would be required to provide a bilingual education program waives out of this requirement under 19 TEX. ADMIN. CODE § 89.1205(g).
- If triggered, you must publish the notice in the alternative language taught in the bilingual education program. You must publish this notice in a newspaper or publication primarily published in that alternative language. The newspaper or publication must be of general circulation in the county in which the facility is located or proposed to be located. If the facility is located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.
- You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements.
- You have the burden to demonstrate compliance with these requirements. To assist you in meeting these requirements, the TCEQ has provided a Public Notice Verification Form (enclosed). You must fill out the attached Public Notice Verification Form indicating your compliance with the requirements regarding publication in an alternative language.
- If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. You may obtain the electronic version of the Spanish template from the TCEQ website at www.tceq.state.tx.us/goto/templates/spanish/wq/napd.
- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

Proof of Publication

Check each publication to ensure that the notices were accurately published. If a notice was not published correctly you may have to republish.

- You must submit an **original newspaper clipping** of the published notice for **each** newspaper. The original newspaper clipping must show the date of publication and the name of the newspaper. You must submit the original newspaper clipping to the Office of the Chief Clerk within **10 business days** after the date of publication.

- For each newspaper notice, you must submit an **original publisher's affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **For each required published notice, you must use the appropriate Publisher's Affidavit form that is enclosed with these instructions.** The affidavit must clearly identify the applicant's name and permit number.

- You are encouraged to submit the Publisher's Affidavit with the original newspaper clipping described above. However, the affidavit must be submitted no later than **30 calendar days** after publication of the notice.

- You must fill out the attached Public Notice Verification form. On this form, you must verify that you submitted the original notices and the Publisher's Affidavits as required by the TCEQ's regulations and instructions. This form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

- The **original Publisher's Affidavit, the Public Notice Verification Form, and the original newspaper clippings of the published notices** must be mailed to:

  TCEQ
  Office of the Chief Clerk, MC 105
  Attn: Notice Team
  P.O. Box 13087
  Austin, Texas 78711-3087

- Please ensure that the Publisher's Affidavit and newspaper clippings you send to the Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted.

Failure to Publish and Submit Proof of Publication

If you fail to publish the notice or submit proof of publication by the deadlines set forth above, then the TCEQ may suspend further processing on your application or take other actions.

Application in a Public Place

- You must put a copy of the complete application, the executive director's preliminary decision as contained in the technical summary and fact sheet, the draft permit, and any subsequent revisions to these documents, in a public place for review and copying by the public. This public place must be located in the county where the facility is located or proposed to be located.

- A public place is one that is publicly owned or operated (ex: libraries, county courthouses, or city halls).

- This copy must be accessible to the public for review and copying beginning on the first day of newspaper publication and remain in place until the commission has taken action on the application or the commission refers issues to the State Office of Administrative Hearings.

- If the application is submitted to the TCEQ with information marked as confidential, you are required to indicate which specific portions of the application are not being made available to the public. These portions of the application must be accompanied with the following statement: "Any request for portions of this application that are marked as confidential must be submitted in writing, pursuant to the Public Information Act, to the TCEQ Public Information Coordinator, MC 197, P.O. Box 13087, Austin, Texas 78711-3087."

- You must fill out the attached Public Notice Verification. On this Form, you must verify that a complete water quality application and all subsequent revisions are available for review and copying in a public place as required by the TCEQ's regulations and instructions. This Form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

General Information

When contacting the Commission regarding this application, please refer to the permit number at the top of the Notice of Application and Preliminary Decision.

If you have any questions regarding publication requirements, please contact the Office of the Chief Clerk at 512-239-3300. If you have any questions regarding the content of the notice, please contact the individual in the permitting area assigned to your application. If you wish to obtain an electronic copy of the English version of this notice, please visit our web site at www.tceq.state.tx.us/comm_exec/cc/cc_db.html or www.tceq.state.tx.us/comm_exec/cc/eda.html. Please be aware that formatting codes may be lost and that any notices downloaded from these web sites must be reformatted by you so that your downloaded copy looks like the notice document you received from us.

Texas Commission on Environmental Quality

NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR MUNICIPAL WASTEWATER NEW

PROPOSED PERMIT NO. WQ0014555002

APPLICATION AND PRELIMINARY DECISION. Far Hills Utility District, c/o Johnson Radcliffe Petrov & Bobbitt PLLC, 1001 McKinney Street, Suite 1000, Houston, Texas 77002, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014555002, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 700,000 gallons per day. TCEQ received this application on April 11, 2007.

The facility will be located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas. The treated effluent will be discharged to a storm sewer; thence to Lake Conroe in Segment No. 1012 of the San Jacinto River Basin. Because the storm sewer is enclosed and not a surface water, water quality standards are not being assigned. The designated uses for Segment No. 1012 are high aquatic life use, public water supply and contact recreation. In accordance with §307.5 and the TCEQ implementation procedures (January 2003) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Lake Conroe, which has been identified as having high aquatic life uses. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at R.F. Meador Library, 709 West Montgomery, Willis, Texas.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ holds a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name; address, phone; applicant's name and permit number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are germane to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 7871-3087 within 30 days from the date of newspaper publication of this notice.

AGENCY CONTACTS AND INFORMATION. If you need more information about this permit application or the permitting process, please call the TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about the TCEQ can be found at our web site at www.TCEQ.state.tx.us.

Further information may also be obtained from Far Hills Utility District at the address stated above or by calling Mr. Timothy B. Hardin, P.E. with Langford Engineering, Inc. at (713) 461-3530.

Issuance Date SEP 0 7 2007

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: FAR HILLS UTILITY DISTRICT
PERMIT NO.: WQ0014555002 CCO#: 59013
NOTICE OF APPLICATION AND PRELIMINARY DECISION

PUBLISHER'S AFFIDAVIT
FOR ALL APPLICATIONS FOR WATER QUALITY PERMITS
OTHER THAN RENEWALS

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that this newspaper is
(name of newspaper)

regularly published or circulated in _____ County/Counties, Texas;
(same county as proposed facility)

and that the attached notice was published in said newspaper on the following date(s):

_____.

Subscribed and sworn to before me this the _____ day of _____, 20____,

by _____.
Newspaper Representative's Signature

(Personalized Seal)

_____
Notary Public in and for the State of Texas

TCEQ- 20244. November 28, 2005

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: FAR HILLS UTILITY DISTRICT
PERMIT NO.: WQ0014555002 CCO#: 59013
NOTICE OF APPLICATION AND PRELIMINARY DECISION

ALTERNATIVE LANGUAGE PUBLISHER'S AFFIDAVIT

STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, who being by me duly
(name of newspaper representative)

sworn, deposes and says that (s)he is the _____
(title of newspaper representative)

of the _____; that this newspaper is
(name of newspaper)

generally circulated in _____ County, Texas
(same county as proposed facility)

and is published primarily in _____ language;
(alternative language)

the attached notice was published in said newspaper on the following date(s):

_____.

Subscribed and sworn to before me this the _____ day of _____, 20____,

by _____.
Newspaper Representative's Signature

(Personalized Seal)

_____
Notary Public in and for the State of Texas

TCEQ- 20244. November 28, 2005

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Water Quality Permit

OCC #
59013
(TCEQ use only)

Applicant Name: FAR HILLS UTILITY DISTRICT

Site or Facility Name: FAR HILLS UTILTIY DISTRICT WASTEWATER TREATMENT PLANT

TCEQ Account Number (if applicable): _____ Permit Number: WQ0014555002, WQ0014555002

Regulated Entity Number: RN105234157 Customer Number: CN600667307

All applicants must complete all applicable portions of this form. The completed form should be sent to the TCEQ to the attention of the Office of the Chief Clerk. For more information regarding public notice refer to the instructions in the public notice package.

ALTERNATIVE LANGUAGE CHECKLIST		
I have contacted the appropriate school district.	☐ YES ☐ NO	
A bilingual education program is required by the Texas Education Code in the district.	☐ YES ☐ NO	
School District:	Phone:	
Person Contacted:	Date:	
The name of the elementary school nearest to the proposed or existing facility is:		
The name of the middle school nearest to the proposed or existing facility is:		
Students who attend one of the schools above are eligible to be enrolled in a bilingual program provided by the district.	☐ YES ☐ NO	
The following language(s) is/are utilized in the bilingual program:		
If an applicable bilingual program exists, then applicants must publish a notice and/or post signs, as outlined in the *Instructions for Public Notice* and certify as applicable on this form.		

ALTERNATIVE LANGUAGE VERIFICATION		
I verify that the area addressed by this permit application is subject to alternative language public notice requirements.	☐ YES ☐ NO	
I verify that the applicant has conducted a diligent search for a newspaper or publication of general circulation in both the municipality and county in which the facility is located (or proposed to be located).	☐ YES ☐ NO	
I verify that no such newspaper or publication was found in any of the language(s) in which notice is required.	☐ YES ☐ NO	
I verify that the publishers of the newspapers listed below refused to publish the notice as requested, and no other newspaper or publication in the same language and of general circulation was found in the municipality or county in which the facility is located (or proposed to be located).	☐ YES ☐ NO ☐ N/A	
Newspaper:	Language:	
I verify that bilingual sign(s) required by the TCEQ were posted. (*if applicable*)	☐ YES ☐ NO	
I verify that original tear sheets of the newspaper alternative language notice(s) and the requested affidavits have been sent to the TCEQ.	☐ YES ☐ NO	
Signed by:	Applicant:	
Title:	Date:	

OCC #
59013
(TCEQ use only)

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Public Notice Verification Form
Water Quality Permit

Applicant Name: FAR HILLS UTILITY DISTRICT

Site or Facility Name: FAR HILLS UTILTIY DISTRICT WASTEWATER TREATMENT PLANT

TCEQ Account Number (if applicable): _____ Permit Number: WQ0014555002, WQ0014555002

Regulated Entity Number: RN105234157 Customer Number: CN600667307

WATER QUALITY PERMIT NOTICE VERIFICATION	
I verify that original tear sheets of the newspaper notices and the requested affidavits have been furnished in accordance with the regulations and instructions of the TCEQ. ☐ YES ☐ NO	
Notice of Receipt of Application and Intent to Obtain Permit (1st Notice): I verify that a copy of the complete water quality application, and any revisions, were available for review and copying at the public place indicated below throughout the duration of the public comment period. ☐ YES ☐ NO **Notice of Application and Preliminary Decision (2nd Notice, if applicable):** I verify that a copy of the complete water quality application and draft permit, and any revisions, are available for review and copying at the public place indicated below from the first day after newspaper publication; and I also verify that the water quality application and draft permit, and any revisions, will remain in the designated public place until either: 1) the TCEQ acts on the application; or 2) the application is referred to the State Office of Administrative Hearings (SOAH) for hearing. ☐ YES ☐ NO	
Name and Address of Public Place:	
Signed by:	
Title:	Date:

ATTACHMENT X

cc: RDA, APP

received
3-5-09

ATTORNEY COPY

LOWERRE, FREDERICK, PERALES,
ALLMON & ROCKWELL
ATTORNEYS AT LAW
707 Rio Grande, Suite 200
Austin, Texas 78701
(512) 469-6000 • (512) 482-9346 (facsimile)
Mail@LF-LawFirm.com

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

March 3, 2009

Re: Petition to Revoke Permit No. WQ0014555002, Issued to Far Hills Utility District

EXPEDITED PROCESSING REQUESTED

Ms. Castañuela:

Attached is a petition to revoke Permit No. WQ0014555002, being submitted on behalf of Suzanne O'Neal, Judith Spencer, and Everett Simmons ("Petitioners"). A copy of this petition is also being served upon the Executive Director of the Texas Commission on Environmental Quality (TCEQ), and Far Hills Utility District. Service of these copies is intended to constitute 15 days notice of the Petition as required by 30 TAC § 305.66(e). Upon the expiration of these fifteen days, Petitioners respectfully pray that the attached petition be processed expeditiously, since construction activities related to subject facility are currently ongoing on property adjacent to property owned by Petitioners. Feel free to contact me if you have any questions.

Sincerely,

Eric Allmon

PETITION BY SUZANNE O'NEAL, JUDITH SPENCER, AND EVERETT SIMMONS TO REVOKE PERMIT NO. WQ0014555002 ALLEGEDLY AUTHORIZING THE CONSTRUCTION AND OPERATION OF A WASTEWATER TREATMENT PLANT BY FAR HILLS UTILITY DISTRICT

AND

REQUEST FOR ENFORCEMENT ACTION

COMES NOW SUZANNE O'NEAL, JUDITH SPENCER, AND EVERETT SIMMONS ("Petitioners"), and by this petition initiate proceedings for the revocation of Permit No. WQ0014555002, which Far Hills Utility District ("Far Hills" or "FHUD") alleges to authorize the construction and operation of a wastewater treatment plant by Far Hills Utility District. Petitioners further request that TCEQ initiate enforcement proceedings against Far Hills Utility District, and Langford Engineering, Inc., for apparent violations of Texas Water Code § 7.149, which prohibits the knowing or intentional submission of false statements to TCEQ. In support thereof, Petitioners would respectfully show the following:

I. INTRODUCTION

After public examination exposed the flaws of an initial application by Far Hills for a wastewater treatment plant, Far Hills determined that it would submit another application while taking steps to avoid alerting the public of its application. So, it intentionally misled TCEQ regarding the ownership and configuration of property in the area of the proposed treatment plant, submitted a landowners list that excluded adjacent landowners, and misled TCEQ to believe that it had complied with applicable requirements for published notice. Far Hills further described the discharge route for the discharge in a

manner that produced notices which failed to apprise the public of the true location of the discharge into Lake Conroe.

The end result of these efforts by Far Hills was a denial of proper notice of its application in several respects. This denial deprived TCEQ of jurisdiction to issue the permit, so that the existing permit is legally invalid. In consideration of Far Hills' apparently purposeful misrepresentations and omissions during the permitting process, as well as the legal reality that TCEQ lacked jurisdiction to issue the permit, TCEQ should revoke Permit No. WQ0014555002.

In consideration of the apparently intentional and knowing misrepresentations made to the TCEQ by Far Hills Utility District, and Langford Engineering, Inc., during the permitting process, Petitioners also ask that the TCEQ initiate enforcement proceedings against these entities, and their employees involved in the permitting process, for violations of Texas Water Code § 7.149.

II. AUTHORITY

The Executive Director ("ED") of the Texas Commission on Environmental Quality (TCEQ) has the authority and the duty, under 30 TAC §§ 305.66 & 305.68 to suspend and revoke Far Hills' permit for the misrepresentations, omissions and other reasons described in this Petition. TCEQ rules further provide that a person affected by the issuance of a permit or other order of the Commission may initiate proceedings for revocation or suspension of a permit by forwarding a petition to the Executive Director to be filed with the Commission.[1]

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[1] 30 TAC § 305.66(d).

III. FACTUAL BACKGROUND

A. Submittal and Denial of Far Hills' Application for Permit No. WQ00014555001

Far Hills submitted an initial application for a new wastewater treatment plant on August 31, 2004 for a facility proposed to be located outside of the boundaries of FHUD. As required, notice of this application was mailed to adjacent landowners and other affected persons, and notice was also published in the *Conroe Courier*. Far Hills submitted an affidavit at that time attesting that the *Conroe Courier* is the newspaper of largest circulation that is published in Montgomery County.[2] As this affidavit and its submission shows, Far Hills knew that the *Conroe Courier* was the proper paper for published notice of such in that area.

After this notice, the affected public expressed significant opposition to the permit application due to its many flaws. Far Hills requested a direct referral of the application to the State Office of Administrative Hearings for a contested case hearing. Numerous issues were raised during that hearing. The administrative law judge for that application issued a proposal for decision on November 27, 2006, recommending that the permit be denied both because Far Hills' proposed plant violated the TCEQ's regionalization policy (since no need existed for the plant), and also because the proposed plant did not meet TCEQ's location restrictions (since it was to be located in wetlands).[3]

The Commission considered this Proposal for Decision at its public meeting on August 22, 2007. At that meeting, TCEQ decided to deny the permit based on the

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[2] Attachment A, May 4, 2005 Affidavit of Angela Holman, Legal Clerk of the *Conroe Courier*, submitted to TCEQ by Far Hills on May 6, 2005.

[3] Many other issues had been raised by Protestants during the hearing, but the ALJ declined to rule on those issues considering that multiple other grounds obviously warranted denial of the application.

violation of TCEQ's location restrictions, and Chairman Garcia signed an order to that effect on September 7, 2007.[4]

B. Submittal and Alleged Issuance of Far Hills' Permit No. WQ0014555002

Aware that its first application would likely be denied, Far Hills submitted an application for a plant at a different site on April 11, 2007, over five months before the Commission issued a decision to deny its first application. This facility was also located outside the boundaries of FHUD, and outside the boundaries of any municipality. The initial Notice of the Receipt of this application was published June 27, 2007 in the *Montgomery County News*, instead of the *Conroe Courier*. The Notice of Application and Preliminary Decision was similarly published in the *Montgomery County News* on September 12, 2007, five days after denial of Far Hills' first application. Far Hills was clearly trying to avoid providing the public with notice of its application; the *Montgomery County News* has a **weekly** circulation of approximately 6,200. In contrast, the *Conroe Courier* is published with a **daily** circulation of approximately 11,000.

By all appearances, Far Hills knew that it was not using the correct paper for the published notices. Far Hills originally submitted an affidavit from the Montgomery County News regarding the Notice of Receipt on June 28, 2007.[5] In an attempt to confirm that the notice met TCEQ requirements, the Executive Director's staff explicitly requested an affidavit from Far Hills that the *Montgomery County News* was the paper of **largest** circulation in Montgomery County after noticing that the affidavits submitted by

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[4] September 7th, 2007 Order denying an the application of Far Hills Utility District for proposed TPDES Permit No. WQ0014555001; Docket No. 2005-1899-MWD; SOAH Docket No. 582-06-0568.

[5] Attachment B, June 27, 2007 Affidavit of Regina Ducharme, Publisher's Agent of *Montgomery County News*, submitted to TCEQ by Far Hills and Notice of Receipt of Application and Intent to Obtain Water Quality Permit.

Far Hills did not include this required language, and the ED provided Far Hills with a copy of the required format for the Affidavit.[6] In this fax, the ED marked the instructions for published notice to stress the need for publication in the newspaper of largest circulation.[7] Far Hills' engineers responded to the ED's request by submitting an affidavit that had been simply *reformatted* to visually resemble the form requested by the ED, but which still failed to include the required statement that the Montgomery County News was the paper of largest circulation in the county.[8]

With regard to mailed notice, Far Hills provided the TCEQ with multiple convoluted revisions of the required landowners list. The list ultimately submitted simply omitted several adjacent property owners, including Suzanne O'Neal, Judith Spencer, and Everett Simmons. The Chief Clerk of the TCEQ mailed notice to the persons named on the final revision to the landowners list submitted by Far Hills, so these adjacent property owners never received mailed notice of the application, and received no notice of the application until after construction of the proposed facility commenced.

Apparently, Far Hills knowingly provided false information to the ED staff in order to justify the omission of Petitioners from the required landowners list. Far Hills represented in its application that it owned the property on which the facility was to be located,[9] and Far Hills also represented that a strip of property 30 feet wide and separately owned by Broussard Christie, L.P., existed between the property it claimed to

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[6] Attachment C, July 10, 2007 Fax from Charlene Smith of the TCEQ to Barbara Kernighan of Langford Engineering, Inc..
[7] Id.
[8] Attachment D, July 26, 2007 letter from Barbara Keringhan of Langford Engineering, Inc. to Charlene Smith of the TCEQ.
[9] Attachment E, Checklist for initial review of wastewater discharge application, p. 3, provided with Far Hills' Application for Permit No. WQ0014555002.

own at the site of the facility and the properties owned by Petitioners.[10] These statements were false.

Far Hills, in fact, did **not** own the property on which the facility was to be located, and Petitioners were in fact adjacent to the property where the facility is proposed to be located. At the time of the application, Broussard-Christie, L.P. owned the full and undivided 10.00 acres where the plant was to be located, and to which Petitioners are adjacent. Well after the permit was issued, on April 1, 2008, Far Hills entered into a lease agreement with the option to purchase the **full and undivided 10.00 acres** from Broussard-Christie, L.P.[11] The property boundary depicted by Far Hills in its application was simply fictional. The distinction in property ownership which Far Hills claimed separated the area where the facility was proposed from Petitioners' property simply did not exist at the time of the application, and does not exist today.

Notably, the construction activities undertaken by Far Hills at the plant site have confirmed the fictional nature of the property boundaries it depicted in its application. Construction activities are occurring on the full width of the ten acre tract, including the area within the 30 foot strip which Far Hills had claimed was not part of the facility.[12] Far Hills is using part of this 30 foot wide piece of property as a private road, which constitutes the only means of entry or egress from the facility.[13]

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[10] Attachment F, Administrative Report Section 1.1, Attachment 4, "Buffer Zone Map." Rev. May 3, 2007.
[11] Attachment G, Excerpt from April 1, 2008, Lease Agreement with Option to Purchase between Broussard-Christie, L.P. and Far Hills Utility District.
[12] Attachment H, Photo depicting Far Hills Utility District truck on roadway placed within 10 feet of O'Neal property, in area cleared by Far Hills up to the O'Neal property line, and stormwater management measures installed by Far Hills adjacent to O'Neal property line.
[13] Attachment I, Photo depicting equipment operated by Far Hills Utility District in front of house located on the 10 acre property, with road visible near O'Neal property line, and stormwater control measures installed adjacent to O'Neal Property line.

Even persons who received notice were unable to determine where the discharge into Lake Conroe was proposed to be located. Both the mailed notice, and the published notice, simply stated that the plant would be located on the east side of Cude Cemetery Road approximately 1,800 feet south of FM 830 in Montgomery County, and would discharge to a storm sewer then to Lake Conroe.[14] The referenced storm sewer did not exist at that time, and the notice said nothing of where this storm sewer was going to be placed. Lake Conroe covers an area of approximately 21,000 acres, and the notice said nothing about where on its shoreline the discharge would occur. "Somewhere on Lake Conroe" is simply not specific enough to constitute effective public notice of a proposed discharge.

The Executive Director signed Permit WQ0014555002 on November 1, 2007, with the intent that this action would constitute issuance of the permit.

In September of 2008, Far Hills commenced construction of the proposed wastewater treatment plant. This caught the attention of Ms. O'Neal, who was surprised to see a wastewater treatment plant being constructed in her neighbor's front yard.[15] Judith Spencer likewise first learned of the permit application in the fall of 2008,[16] and Everett Simmons first learned about the application from his neighbors in February of 2009.[17]

C. Location of Adjacent Property Owned by Suzanne O'Neal

Suzanne O'Neal owns and resides upon property located at 11280 Cude Cemetery Road, outside of Willis, Texas. She owned and resided upon this property during 2007

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[14] Attachment B, June 27, 2007 Affidavit of Regina Ducharme, Publisher's Agent of *Montgomery County News*, submitted to TCEQ by Far Hills and Notice of Receipt of Application and Intent to Obtain Water Quality Permit.
[15] Attachment J, February 23, 2009 Affidavit of Suzanne O'Neal.
[16] Attachment K, February 24, 2009 Affidavit of Judith Spencer.
[17] Attachment L, February 24, 2009 Affidavit of Everett Simmons.

when Far Hills submitted its application for Permit No. WQ0014555002.[18] While her name and address were not included in the landowners map used for notice purposes, the adjacent nature of her property was reflected on Attachment 4 to the Application's Administrative Report, which demonstrated her 6.4 acre property to be adjacent to the 10.00 acre tract upon which the facility is proposed to be located.[19] This property was labeled property no. 79 on the landowners map submitted with the application dated April 2, 2007, and Far Hills' recognized her as the owner of that property.[20] Ms. O'Neal's property is directly adjacent to the 10 acre tract where the facility is proposed to be located. Her status as the owner of this property, and her mailing address, were readily accessible through the county tax appraisal records customarily consulted by applicants to identify nearby landowners.[21] Yet, she was not included in the final landowners map used to provide mailed notice of the application.[22]

D. Location of Adjacent Property Owned by Judith Spencer

Judith Spencer is the owner of property immediately adjacent on the eastern side of the 10 acre property on which the wastewater treatment plant is proposed to be built, at 11298 Cude Cemetery Road. She owned this property at the time of Far Hills' application.[23] This property was designated Property No. 80 on the landowners map submitted with the application dated April 2, 2007, and Far Hills' recognized her as the owner of that property.[24] Her status as the owner of this property, and her mailing

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[18] Attachment J, February 23, 2009 Affidavit of Suzanne O'Neal.
[19] Attachment F, Administrative Report Section 1.1, Attachment 4, "Buffer Zone Map." Rev. May 3, 2007.
[20] Attachment M, Landowners Map and List, As Submitted with Original Application Dated April 2, 2007.
[21] Attachment N, Montgomery Central Appraisal District, Datasheet for 11280 Cude Cemetery Road.
[22] Attachment O, Revised Landowners Map and List, Revised May 16, 2007.
[23] Attachment K, February 24, 2009 Affidavit of Judith Spencer
[24] Attachment M, Landowners Map and List, As Submitted with Original Application Dated April 2, 2007.

address, were readily accessible through the county tax appraisal records customarily consulted by applicants to identify nearby landowners.[25] Yet, she was not included in the final landowners map used to provide mailed notice of the application.[26]

E. Location of Adjacent Property Owned by Everett Simmons

Everett Simmons is the owner of property also immediately adjacent on the northern side of the 10 acre property on which the wastewater treatment plant is proposed to be built, at 11071 Hillside Drive. He owned this property at the time of Far Hills' application.[27] This property was designated Property No. 81 on the landowners map submitted with the application dated April 2, 2007, and Far Hills' recognized him as the owner of that property.[28] His status as the owner of this property, and his mailing address, were readily accessible through the county tax appraisal records customarily consulted by applicants to identify nearby landowners.[29] Yet, he was not included in the final landowners map used to provide mailed notice of the application.[30]

IV. STANDING AS AN "AFFECTED PERSON"

Suzanne O'Neal, Judith Spencer, and Everett Simmons are all "affected persons" with respect to the TCEQ's authorization of Far Hills' Permit No. WQ0014555002. As discussed, each of these persons own property properly considered adjacent to the facility. Furthermore, each of these persons resides on that property. In addition to using these properties as residences, these persons use their property for purposes such as

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[25] Attachment Q, Montgomery Central Appraisal District, Datasheet for 11298 Cude Cemetery Road.
[26] Attachment O, Revised Landowners Map and List, Revised May 16, 2007.
[27] Attachment P, February 24, 2009 Affidavit of Everett Simmons.
[28] Attachment M, Landowners Map and List, As Submitted with Original Application Dated April 2, 2007.
[29] Attachment P, Montgomery Central Appraisal District, Datasheet for 11071 Hillside Drive.
[30] Attachment O, Revised Landowners Map and List, Revised May 16, 2007.

nature walks and entertaining.[31] Additionally, they each use shallow groundwater wells potentially affected by leaks at the facility, the discharge itself, or any upset at the facility.[32] Runoff of untreated or partially treated wastewater from the facility could also contaminate the land owned by these persons where they enjoy nature walks, and odors from the facility could further potentially impact their outdoor use of their properties.

Notably, the property of Ms. O'Neal is within only 200 feet of units such as the clarifiers and the aeration basin, which all the more clearly renders her to be an affected person without regard to whether she is legally considered "adjacent."

Thus, each of these persons is authorized by 30 TAC § 305.66(d) to initiate proceedings for the revocation or suspension of Far Hills' permit by forwarding this petition to the Executive Director for filing with the Commission.

V. PUBLIC NOTICE

A. Adequate Notice is Both Required by Law, and Necessary for the Commission to Exercise Jurisdiction

Texas statutes, and the TCEQ rules, set forth several notice requirements which must be met when the Commission is considering an application for a new wastewater discharge permit like Far Hills' application.

Specific requirements apply for the published notice of such an application. For a proposed facility not located within a city, such as the Far Hills facility, the Applicant shall publish the Notice of Receipt and Intent to Obtain a Permit, and the Notice of

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[31] Attachments J, K, & L (Affidavits of Suzanne O'Neal, Judith Spencer, and Everett Simmons)
[32] Attachments J, K, &L (Affidavits of Suzanne O'Neal, Judith Spencer, and Everett Simmons). Notably, groundwater issues are relevant to the consideration of a wastewater permit as set forth at 30 TAC § 309.12.

Application and Preliminary Decision, at least once in the newspaper of largest circulation in the county in which the facility is proposed to be located.[33]

An application for a new wastewater discharge permit is also subject to mailed notice requirements. Within 30 days of when the Executive Director declares an application administratively complete, the Chief Clerk must mail notice of the permit application to the persons identified on the landowners map submitted with the application, and the accompanying landowners list.[34] This is commonly referred to as the Notice of Receipt and Intent (NORI).

A second notice of the application is then required by TCEQ rules to be mailed to these same persons upon completion of the Executive Director's technical review of the application.[35] This is commonly referred to as the "Notice of Application and Preliminary Decision." This mailed notice is required to implement the federally delegated TPDES program.[36]

To implement these requirements, Chapter 305 of TCEQ Rules requires that an application for a wastewater permit include a map showing the ownership of tracts of land adjacent to a proposed facility, as well as properties within a reasonable distance of the proposed discharge or activity.[37] Additionally, Chapter 281 specifically requires that an application include a list of both adjacent and potentially affected landowners and their addresses along with a map locating the property owned by these persons.[38] It is the Chief Clerk of the TCEQ who actually mails notice of the application, and the Chief

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[33] TEX. WATER CODE § 5.552(b)(1); 30 TAC § 39.405(f)(1).
[34] 30 TAC §§ 39.413(1); 39.418(b)(2).
[35] 30 TAC §§ 39.413(1); 39.419(c).
[36] TEX. WATER CODE §§ 26.028(a), 26.028(h)(2).
[37] 30 TAC §§ 305.45(a)(6); 305.48(a)(2).
[38] 30 TAC § 281.5(6).

Clerk relies upon these maps to determine who will receive mailed notice of the application in addition to those persons otherwise required to receive notice such as the County Judge and state legislators.[39]

These mailed notices are important in ensuring the protection of private property rights of persons in the vicinity of a facility, and notifying these persons of their opportunities to provide comments and request a hearing on an application. Because notice of an action affecting private property rights is required to ensure compliance with the due process requirement of the United States Constitution, and the due course of law protections under the Texas Constitution, if the TCEQ fails to adequately provide such notice, it has no jurisdiction to act on an application.[40] Although no adequate published notice was provided in this case, even adequate published notice will not cure the failure to provide a clearly affected landowner with mailed notice when that landowner's address is readily identifiable.[41]

B. Far Hills Failed to Publish in Newspaper of Largest Circulation in County

Far Hills was required to have the Notice of Receipt and Intent for the application published in the newspaper with the largest circulation in the county.[42] This is the reason for the Executive Director seeking, in vain, confirmation of this fact. The newspaper of largest circulation in Montgomery County is the *Conroe Courier*. Since notice was not published in this paper, the applicable published notice requirements were not met.

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[39] 30 TAC § 39.413(1).
[40] Peralta v. Heights Medical Center, Inc., 485 U.S. 80, 86-87 (1988) (holding that a default judgment entered without proper notice is void); Railroad Commission of Texas v. Red Arrow Freight Lines, Inc., 167 S.W.2d 249, (Tex. App. Austin – 1942)(Holding order of the Railroad Commission to be invalid based on failure of Commission to follow statutorily required application, notice, and hearing procedures).
[41] City of Houston v. R.H. Fore, 412 S.W.2d 35, 35 (Tex. 1967).
[42] TEX. WATER CODE § 5.552(b)(1).

C. Adequate Mailed Notice was Not Provided

Because Suzanne O'Neal, Judith Spencer, and Everett Simmons were each omitted from the landowners map ultimately provided to the TCEQ by Far Hills, and used by the Chief Clerk's Office, these persons never received mailed notice. These persons should have been included as adjacent landowners, and certainly Petitioners constituted persons within a "reasonable distance" of the facility required to receive mailed notice.[43] TCEQ was required to provide these persons with mailed notice of the application, but failed to do so.

D. The Language of the Notice was Inadequate to Apprise Affected Persons of the Activity being Authorized

The notices of the application, whether mailed or published, simply described the activity being authorized as a treatment facility located 1,800 south of FM 830 on the east side of Cude Cemetery Road in Montgomery County that would discharge via a storm sewer to an existing storm sewer collection system and then to Lake Conroe. The language included did not provide the affected public with any information regarding the point of discharge into Lake Conroe. For this reason, owners of shoreline property on Lake Conroe were not provided notice of where Far Hills intended to construct a wastewater line that would discharge into Lake Conroe with respect to their property.

E. Adjacent Property Owners did Not Receive Actual Notice Until late 2008, or even the Spring of 2009.

The first time Ms. O'Neal was aware of Far Hills' intent to construct and operate a wastewater treatment plant on property adjacent to her own was when construction

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[43] 30 TAC §§ 305.45(a)(6); 305.48(a)(2).

equipment began to perform work on the facility in September of 2008.[44] Prior to this time, she had no notice of the application. Judith Spencer first learned of Far Hills' intent to construct and operate the wastewater treatment plant in the fall of 2008, when she observed construction activities.[45] Everett Simmons first learned of Far Hills' intent to construct and operate the wastewater treatment plant in February of 2009, when he was informed of the proposed facility by a neighbor.[46]

VI. BASIS FOR REVOCATION

Revocation of a permit is appropriate where a permittee has failed during the application process to disclose fully all relevant facts, or has misrepresented relevant facts at any time.[47] By purposefully misrepresenting the ownership and configuration of the property at the proposed facility location, and omitting the identity of Petitioners from the landowner map ultimately submitted for use by the Chief Clerk, Far Hills failed during the application process to disclose fully all relevant facts. Far Hills' intentional failure to publish notice in the paper of largest circulation in Montgomery County further calls into question their honesty with the Commission during the permitting process.

Importantly, the lack of adequate notice in the issuance of Far Hills' permit renders the TCEQ's issuance of that permit invalid because the Executive Director had no jurisdiction to act on the application. Thus, Far Hills does not currently hold a valid permit for the construction or operation of the proposed wastewater treatment plant.

While many of the errors in public notice in this matter directly resulted from Applicant's misrepresentations during the permitting process, it is important to recognize

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[44] Attachment J, February 23, 2009 Affidavit of Suzanne O'Neal.
[45] Attachment K, February 24, 2009 Affidavit of Judith Spencer.
[46] Attachment L, February 24, 2009 Affidavit of Everett Simmons.
[47] 30 TAC § 305.66(a)(4).

that these errors have resulted in TCEQ itself violating the due process protections afforded to Petitioners by the United States Constitution, and the due course of law protection of the Texas Constitution. Surely, TCEQ's concern for the integrity of the permitting process, and the protection of private property rights, will lead the TCEQ to revoke Far Hills' permit.

VII. PRAYER

For the reasons stated above, Petitioners pray that the Commission revoke Permit No. WQ0014555002, previously issued to Far Hills Utility District, after any required public hearing, and grant them any further relief to which they may show themselves to be entitled. Considering Far Hills' prior knowledge that the *Conroe Courier* was the paper of largest circulation in Montgomery County, apparent knowledge that it itself was not the owner of the property on which the facility is proposed to be located as claimed in the application, and apparent knowledge that the property boundaries around the facility were not as depicted in the application materials, Petitioners further pray that the Commission initiate enforcement actions against Far Hills Utility District, Langford Engineering, Inc., and any individuals involved in these representations, for violations of Texas Water Code § 7.149, regarding the intentional or knowing making of a false statement to TCEQ in an application.

Respectfully Submitted,

LOWERRE, FREDERICK, PERALES, ALLMON & ROCKWELL
707 Rio Grande, Suite 200
Austin, TX 78701
Tel. (512) 469-6000
Fax (512) 482-9346
Attorneys for Suzanne O'Neal, Judith Spencer, and Everett Simmons

Eric Allmon
State Bar No. 24031819

CERTIFICATE OF SERVICE

By my signature below, I certify that on the 3rd day of March, 2009, a true and correct copy of the foregoing document was served upon the following by U.S. Mail, Fax and/or Hand-Delivery.

Eric Allmon

For the Chief Clerk:
Ms. LaDonna Castañuela
Texas Commission on Environmental Quality
Office of the Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087

For the Applicant Far Hills Utility District:
James Hyman, President
Far Hills Utility District
Johnson Radcille Petrov and Bobbitt, LLP
1001 McKinney, Suite 1000
Houston, Texas 77002

For Langford Engineering, Inc:
Timothy Hardin, Vice President
1080 West Sam Houston Parkway North
Suite 200
Houston, Texas 77043

For the Executive Director:
Mark R. Vickery, P.G.
Texas Commission on Environmental Quality
Office of the Executive Director, MC-109
P.O. Box 13087
Austin, Texas 78711-3087

John Williams
Texas Commission on Environmental Quality
Office of the Executive Director, MC-173
P.O. Box 13087
Austin, Texas 78711-3087

For the Office of Public Interest Counsel:
Blas Coy
Texas Commission on Environmental Quality
Office of Public Interest Counsel- MC- 103
P.O. Box 13087
Austin, Texas 78711-3087

For State Senator Robert Nichols:
Senate District 3
P.O. Box 12068, Capitol Station
Austin, Texas 78711
Phone: 512-463-0103

For State Representative Brandon Creighton:
House District 16
P.O. Box 2910
Austin, Texas 78768
Phone: 512-463-0726

Attachment A

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 ATTN: CARMELLO MANNING
PO BOX 13087
AUSTIN TX 78711-3087

APPLICANT NAME: Far Hills Utility District
PERMIT NO.: 14555-001 CCO# 45433
NOTICE OF PUBLIC MEETING

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2005 MAY -6 AM 9:56
CHIEF CLERKS OFFICE

AFFIDAVIT OF PUBLICATION FOR WATER QUALITY APPLICATION PUBLIC MEETING

STATE OF TEXAS §
COUNTY OF Montgomery §

Before me, the undersigned authority, on this day personally appeared Angela Holman, who being by me duly
(name of newspaper representative)
sworn, deposes and says that (s)he is the Legal Clerk
(title of newspaper representative)
of the The Courier; that said newspaper is
(name of newspaper)
regularly published in Montgomery County, Texas, and is the newspaper of largest circulation that is published in Montgomery County;
and that the attached notice was published in said newspaper on the following date(s): May 4, 2005.

Angela Holman
Newspaper Representative's Signature

Subscribed and sworn to before me this the 4th day of May, 2005, to certify which witness my hand and seal of office.

(Seal)

Notary Public in and for the State of Texas
Rita M. Crosby
Print or Type Name of Notary Public
My Commission Expires May 29, 2005

STATE OF TEXAS §
COUNTY OF TRAVIS §
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

FEB 23 2009

DOCUMENT, WHICH IS A PART OF THE COMMISSION, GIVEN UNDER MY HAND AND SEAL OF OFFICE

RICK THOMAS
ALTERNATE CUSTODIAN OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

RITA M. CROSBY
Notary Public, State of Texas
My Commission Expires 5/29/2005

Attachment B

Page 8, Wednesday, June 27, 2007, Montgomery County News

TEXAS COMMISSION OF ENVIRONENTAL QUALITY

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT PROPOSED PERMIT NO. WQ001455502

APPLICATION. Far Hills Utility District, c/o Johnson Radcliffe Petrov & Bobbitt PLLC, 1001 McKinney Street, Suite 1000, Houston, Texas 77002, has applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0014555002 (EPA I.D. No. TX0129526) to authorize the discharge of treated wastewater at a volume not to exceed a daily average flow of 700,000 gallons per day. The domestic wastewater treatment facility is located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas. The discharge route is from the plant site via a storm sewer to an existing storm sewer collection system; thence to Lake Conroe. TCEQ received this application on April 11, 2007. The permit application is available for viewing and copying at R.F. Meador Library, 709 West Montgomery, Willis, Texas.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. **You may submit public comments or request a public meeting on this application.** The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application.**

If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing. A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

FEB 23 2009

The Commission will only grant a contested case hearing on disputed issues of fact that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

AGENCY CONTACTS AND INFORMATION. All written public comments and requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. If you need more information about this permit application or the permitting process, please call TCEQ Office of Public Assistance, Toll Free, at 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040. General information about TCEQ can be found at our web site at www.tceq.state.tx.us.

Further information may also be obtained from Far Hills Utility District at the Address stated above or by calling Timothy B. Hardin, P.E., Langford Engineering, Inc., at 713-461-3530.

Issuance Date: June 15, 2007
Publication Date: June 27, 2007 LEI Job No. 233-013-106

JUN 28 2007

PUBLISHER'S AFFIDAVIT

I solemnly swear that the above notice was published in *The Montgomery County News*, a newspaper printed in Montgomery County, Texas, and of general circulation in said County, as provided in the Texas Probate Code for the service of citation or notice by publication, and the date that the issue of said newspaper bore in which said notice was published was June 27, 2007. A copy of the notice published, clipped from the newspaper is attached hereto.

CAUSE # Job Number 233.013.106

Regina Ducharme
Publisher's Agent
Regina Ducharme

SWORN TO AND SUSCRIBED BEFORE ME

BY Regina Ducharme

On this the 27 day of June, 2007, to certify which witness my hand and seal of office.

CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

Carol L. Langley
Notary Public, State of Texas
Printed Name of Notary

My Commission Expires:

5-14-2010

Carol L. Langley

STATE OF TEXAS
COUNTY OF TRAVIS
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

FEB 23 2009

DOCUMENT, THE SEAL OF THE COMMISSION ON ENVIRONMENTAL QUALITY AND THE SEAL OF OFFICE

RICK THOMAS
ALTERNATE CUSTODIAN OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

Attachment C

TCEQ Fax:5122391209

** Transmit Conf. Report **

P.1 Jul 10 2007 10:52

Line Number:1 TCEQ Fax:5122391209

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
917139327505	NORMAL	10,10:52	0'53"	5	# O K	

CID# 59013

TCEQ
Protecting Texas by Reducing and Preventing Pollution

FAX TRANSMITTAL

DATE: July 10, 2007 NUMBER OF PAGES *(including this cover sheet)*: 5

TO:
Name: Barbara Kernighan, EIT
Organization: Langford Engineering Inc.
FAX Number: 713-932-7505

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Name: Charlene Smith
Division/Region: Office of the Chief Clerk
Telephone Number: 512-239-3315
FAX Number: 512-239-3311

NOTES:

Re: Far Hills Utility District, Application for TCEQ TPDES Discharge Permit No. WQ0014555002, Publishers Affidavit and Verification; LEI Job No. 233-013-106

Ms. Kernighan:

The newspaper for the English publication of the notice, The Montgomery County News, used their own affidavit form rather than the TCEQ affidavit form. Their form does not contain the required language (largest circulation in Montgomery County or general circulation in the municipality of Willis, Texas).

For your convenience I am sending another copy of our TCEQ affidavit, pages of our applicable instructions with X marking the requirements being referred to, and a copy of the actual publisher's affidavit you submitted.

Please have the newspaper complete the TCEQ affidavit form. The completed form should be returned to the address in the upper left-hand corner of the form.

If you have any questions, I can be reached by telephone or fax at the above numbers.

Charlene Smith
Notice Team Leader
Office of the Chief Clerk, MC-105
TCEQ
PO Box 13087
Austin TX 78711-3087

STATE OF TEXAS
COUNTY OF TRAVIS
I HEREBY CERTIFY THAT THIS DOCUMENT WAS FILED IN THE RECORDS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

FEB 23 2009

DOCUMENT, AS SHOWN BY THE RECORDS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, WITNESS MY HAND AND THE SEAL OF OFFICE

FRANK CHEVALIER
AUTHORIZED DOCUMENT CLASSIFIER
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS

STATE OF TEXAS §
COUNTY OF _____ §

Before me, the undersigned authority, on this day personally appeared

_____, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the _____
(title of newspaper representative)

of the _____; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in _____ County, Texas or is
(Name of County)
a newspaper of general circulation in _____,
(Name of Municipality)
Texas; and that the attached notice was published in said newspaper on the following date(s):

_____.

_____
Newspaper Representative's Signature

Subscribed and sworn to before me this the _____ day of _____,

20_____.

(Seal)

_____
Notary Public in and for the State of Texas

_____
Print or Type Name of Notary Public

My Commission Expires _____

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

INSTRUCTIONS FOR PUBLIC NOTICE
For Water Quality Permit
(Renewal/Amendment/New)

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN PERMIT

Your application has been declared administratively complete and now you must comply with the following instructions:

Please Review Notice
Included in the notice is all of the necessary information. Please read it carefully and notify Adriene McClarron immediately if it contains any errors or omissions. You are responsible for ensuring the accuracy of all information published. You may not change the text or formatting of the notice without prior approval from the TCEQ.

Newspaper Notice

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit within **30 calendar days** after the date of administrative completeness. Refer to the cover letter for the date of administrative completeness.

- You must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, at least once in the newspaper of largest circulation within each county where the facility is or will be located or, if the facility is located or will be located in a municipality, at least once in a newspaper of general circulation in the municipality.

- If the discharge point or potential discharge point is located in a different county than the facility, you must publish the enclosed Notice of Receipt of Application and Intent to Obtain Permit at your expense, in a newspaper that is of the largest circulation within each county.

- These requirements may be satisfied by one publication if the newspaper meets all of the above requirements.

- The bold text of the enclosed notice must be printed in the newspaper in a font style or size that distinguishes it from the rest of the notice (i.e., **bold**, *italics*). **Failure to do so may require re-notice.**

Alternative Language Notice

If your application was received on or after November 30, 2005, you must publish notice in an alternative language if the following criteria are met.

- You must publish the public notice in an alternative language if either the elementary or middle school nearest to the facility or proposed facility is required to provide a bilingual education program as required by Texas Education Code, Chapter 29, Subchapter B, and 19 TAC §89.1205(a) and one of the following conditions is met:

- students are enrolled in a program at that school;

- students from that school attend a bilingual education program at another location; or

- the school that otherwise would be required to provide a bilingual education program waives out of this requirement under 19 TAC §89.1205(g).

- If triggered, you must publish the notice in the alternative language taught in the bilingual education program. You must publish this notice in a newspaper or publication primarily published in that alternative language. The newspaper or publication must be of general circulation in the county in which the facility is located or proposed to be located. If the facility is located or proposed to be located in a municipality, and there exists a newspaper or publication of general circulation in the municipality, you must publish the notice only in the newspaper or publication in the municipality.

- You must demonstrate a good faith effort to identify a newspaper or publication in the required language. If there is no general circulation newspaper or publication printed in such language, then publishing in that language is not required. Publication in an alternative language section or insert within a large publication which is not printed primarily in that alternative language does not satisfy these requirements.

- You have the burden to demonstrate compliance with these requirements. To assist you in meeting these requirements, the TCEQ has provided a Public Notice Verification Form (enclosed). You must fill out the attached Public Notice Verification Form indicating your compliance with the requirements regarding publication in an alternative language.

- If you are required to publish notice in Spanish, you must translate the site-specific information in the notice that is specific to your application, at your own expense. You may then insert the Spanish translation of your site-specific information into a Spanish template developed by the TCEQ. You may obtain the electronic version of the Spanish template from the TCEQ website at www.tceq.state.tx.us/goto/templates/spanish/wq/nori.

- If you are required to publish notice in a language other than Spanish, you must translate the entire public notice, at your own expense.

Proof of Publication

- Check each publication to ensure that the notices were accurately published. If a notice was not published correctly you may have to republish.

- You must submit an **original newspaper clipping** of the published notice for **each** newspaper. The original newspaper clipping must show the date of publication and the name of the newspaper. You must submit the original newspaper clipping to the Office of the Chief Clerk within **10 business days** after the date of publication.

- For each newspaper notice, you must submit an **original Publisher's Affidavit** to the Office of the Chief Clerk within **30 calendar days** after the date of publication. **For each required published notice, you must use the appropriate Publisher's Affidavit form that is enclosed with these instructions.** The affidavit must clearly identify the applicant's name and permit number.

- You are encouraged to submit the Publisher's Affidavit with the original newspaper clipping within 10 business days after the date of publication. However, the affidavit must be submitted no later than **30 calendar days** after publication of notice.

- You must fill out the attached Public Notice Verification form. On this Form, you must verify that you submitted the original notices and the Publisher's Affidavits as required by the TCEQ's regulations and instructions. This form must be submitted with the Publisher's Affidavit within **30 calendar days** after publication of the notice.

- The **original Publisher's Affidavit, the Public Notice Verification form, and the original newspaper clippings of the published notice** must be mailed to:

  TCEQ
  Office of the Chief Clerk, MC 105
  Attn: Notice Team
  P.O. Box 13087
  Austin, Texas 78711-3087

- Please ensure that the affidavit and newspaper clipping you send to the Office of the Chief Clerk are originals and that all blanks on the affidavit are filled in correctly. Photocopies of newspaper clippings and affidavits will not be accepted.

Failure to Publish and Submit Proof of Publication

If you fail to publish the notice or submit proof of publication by the deadlines set forth above, the TCEQ may suspend further processing of your application or take other action.

Attachment D

LANGFORD ENGINEERING INC.
Consulting Engineers

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 AUG -1 AM 10: 26

CHIEF CLERKS OFFICE

July 26, 2007

Charlene Smith
Notice Team Leader
Office of the Chief Clerk, MC-105
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

Subject: Far Hills Utility District
TPDES No. WQ001-4555002
Corrected Publisher's Affidavit
LEI Job No. 233-013-106

Dear Ms. Smith:

In response to your Fax dated July 10, 2007 regarding the Montgomery County News newspaper using their own affidavit form rather than the TCEQ Publisher's Affidavit, I am enclosing the completed TCEQ Publisher's Affidavit as well as a copy of the Publisher's Affidavit that they originally submitted.

If you have any questions, please call.

Sincerely,

LANGFORD ENGINEERING, INC.

Barbara J. Kernighan

Barbara J. Kernighan, EIT

Enclosures

O:\current proj\Spring Cypress WSC\TCEQPUbAffCorrection 07-26-2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105 Attn: Notice Team
P.O. BOX 13087
AUSTIN, TX 78711-3087

Applicant Name: Far Hills Utility District
Permit No.: WQ0014555002
Notice of Intent to Obtain Permit

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 AUG -1 AM 10:26
CHIEF CLERKS OFFICE

PUBLISHER'S AFFIDAVIT
FOR WATER QUALITY PERMITS

STATE OF TEXAS §
COUNTY OF Montgomery §

Before me, the undersigned authority, on this day personally appeared

Monte Ryan West, who being by me duly sworn, deposes
(name of newspaper representative)

and says that (s)he is the Assistant Publisher
(title of newspaper representative)

of the Montgomery; that this newspaper is a newspaper of
(name of newspaper)

largest circulation in ~~Montgomery~~ MONTGOMERY COUNTY NEWS County, Texas or is
(Name of County)

a newspaper of general circulation in Montgomery,
(Name of Municipality)

Texas; and that the attached notice was published in said newspaper on the following date(s):

June 27, 2007.

M. Ryan West
Newspaper Representative's Signature

Subscribed and sworn to before me this the 27 day of June,

2007.

Gwendolyn Hundley
Notary Public in and for the State of Texas

(Seal)

Gwendolyn Hundley
Print or Type Name of Notary Public

My Commission Expires May 29, 2009

NOTARY PUBLIC STATE OF TEXAS
GWENDOLYN HUNDLEY
Notary Public, State of Texas
My Commission Expires 05-29-09

JUN 28 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

2007 AUG -1 AM 10:27

CHIEF CLERKS OFFICE

PUBLISHER'S AFFIDAVIT

I solemnly swear that the above notice was published in *The Montgomery County News*, a newspaper printed in Montgomery County, Texas, and of general circulation in said County, as provided in the Texas Probate Code for the service of citation or notice by publication, and the date that the issue of said newspaper bore in which said notice was published was June 27, 2007. A copy of the notice published, clipped from the newspaper is attached hereto.

CAUSE # Job Number 233-013-106

Regina Ducharme
Publisher's Agent
Regina Ducharme

SWORN TO AND SUSCRIBED BEFORE ME

BY Regina Ducharme

On this the 27 day of June, 2007, to certify which witness my hand and seal of office.

CAROL L LANGLEY
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 05-14-2010

Carol L. Langley
Notary Public, State of Texas
Printed Name of Notary

Carol L. Langley

My Commission Expires:

5-14-2010

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHIEF CLERKS OFFICE

Attachment E

☑ Verify that the address to be used on the permit is provided. Item 1.a. or in core data form.
☑ Verify correct mailing address on the USPS or FEDEX website- print page with valid address

☒ Verify operator information if required to apply as co-permittee with facility owner. Item 1.b.

☑ Verify that contact information is provided for the point-of-contact during application processing. Item 2

Notice of Receipt and Intent: Items 3a. - 3d.

☑ Verify that name and phone number of one person responsible for publishing NOR is provided.
☑ Verify method of sending NOR package is provided.
☑ Verify name and phone number of contact to be in NOR is provided.
☑ Verify location where application will be available for public viewing & copying is provided and is in the county where the facility is located - the location must be a public building supported by public funds. Note: If discharge is directly into water body that borders two counties, application must be placed in a public facility in both counties.

Bilingual Items Item 3.e.

Spanish

☑ Bilingual Items 1 – 5 are completed. If "Yes" to question 1 and "Yes" to either questions 2, 3 or 4, then e.5 must be completed.

☒ The existing TCEQ permit number is listed. Check that permit hasn't already expired. Item 4.a
☒ The existing NPDES permit number is listed. Item 4.a
(APPLIES TO DISCHARGE PERMITS ONLY). This does not have to be a deficiency if this item is not provided.

☑ The county where the facility and outfalls are located is provided Item 4.b.

☑ Owner of the facility identified in the application is the same as the name given in Item 1. *(For new permits only*: A copy of an executed option to purchase agreement may be provided to show that applicant will have ownership upon permit approval.) (NOTE: THE OWNER OF THE FACILITY IS REQUIRED TO APPLY FOR THE PERMIT. (Refer to legal policy memo for complete definition and discussion of facility.) Item 4.c.

☑ Owner of the land where permitted facility is located is the SAME as the applicant. *(For new permits only*: A copy of an executed option to purchase agreement may be provided to show that applicant will have ownership upon permit approval.) Item 4.d.

☒ The owner of the land on which the facility is located is DIFFERENT FROM the owner of the facility: A copy of a lease agreement or easement, with a term for the duration of the permit, between applicant and landowner, has been provided. See Lease Agreement/Easement Memo dated 2/14/06, that states that a lease agreement is sufficient for pond systems, and that details the provisions that a lease agreement or easement must contain. Alternatively, landowner can apply as a co-permittee.

Effluent Disposal Site Owner: Item 4.e.

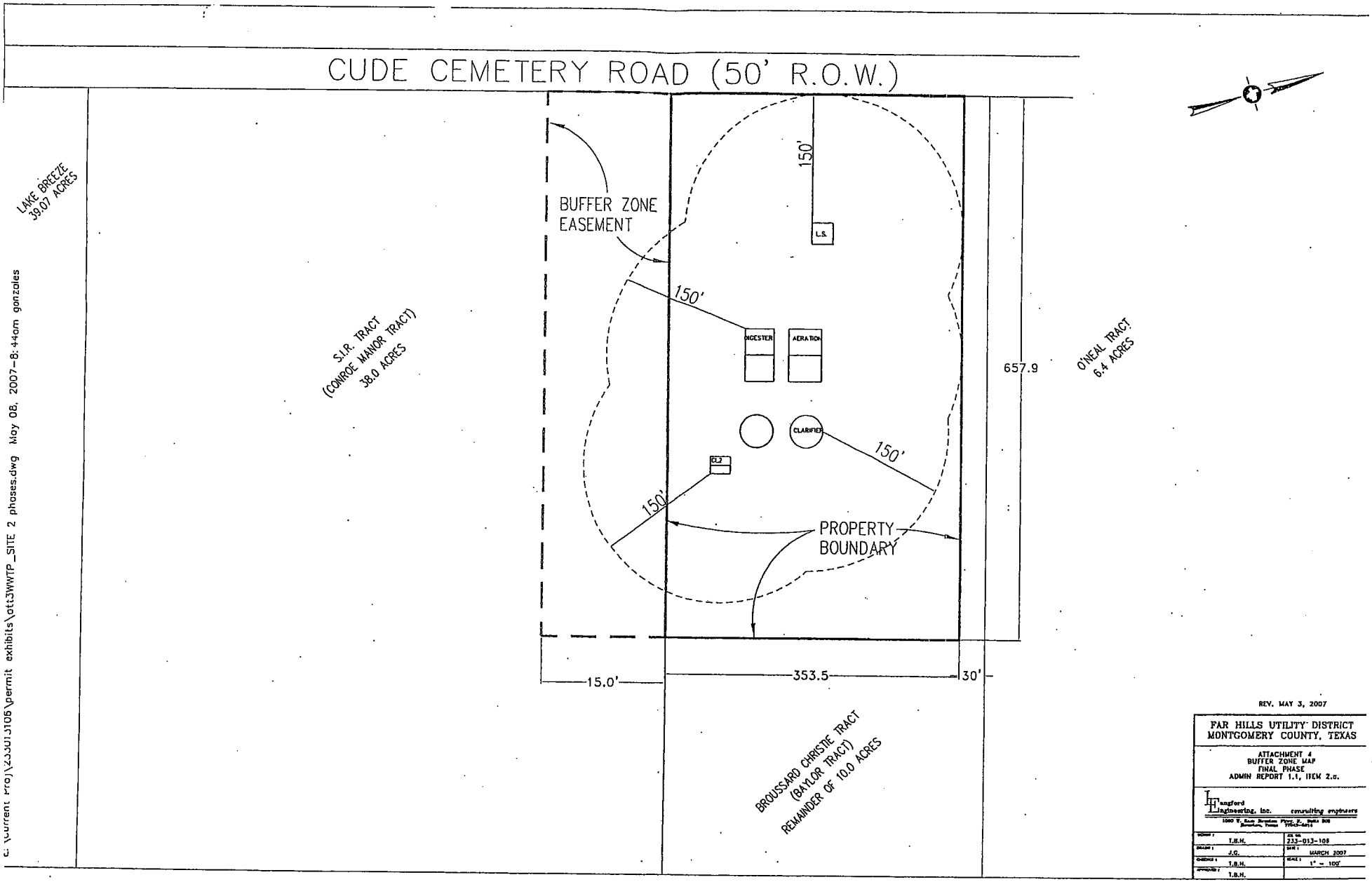
☑ N/A - (no effluent disposal proposed)
☐ If effluent land disposal is authorized in permit or proposed, the applicant OWNS land on which site is located.
☐ If applicant DOES NOT OWN land where site is located, a long-term lease agreement is provided which includes ☐ a term of at least 5 years, ☐ and is current or if the lease term has passed it includes an option to renew the term, ☐ is between the current applicant and the landowner.

Sewage Site Owner: Item 4.f.

☑ N/A - (no sludge disposal proposed)
☐ If sludge is authorized in permit or proposed, the applicant OWNS land on which irrigation site is located. For current permittees check the permit under Sludge Provisions to determine if sludge is authorized. Note: requirements are different for BLU sludge application – lease is not needed; Landowner just needs to sign sludge affidavit (if different from applicant).

☑ The written location description of the facility is adequately described. (Note on blue sheet if correction of previously permitted description has been made.) NOTE: PERMITS ARE SITE SPECIFIC; MOST NEW LOCATION REQUIRES A NEW PERMIT, CHECK WITH TECHNICAL STAFF Item 5.a.

Attachment F



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Attachment G

2008-037114

557-11-0792

9

WASTEWATER TREATMENT PLANT SITE LEASE AGREEMENT
WITH OPTION TO PURCHASE
BY AND BETWEEN
BROUSSARD-CHRISTIE, L.P.
(as Lessor/Optionor)
AND
FAR HILLS UTILITY DISTRICT
(as Lessee/Optionee)

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

This LEASE AGREEMENT WITH OPTION TO PURCHASE (the "Lease and Option Agreement") is made and entered into as of this 1st day of April, 2008, by and between BROUSSARD-CHRISTIE, L.P., a Texas limited partnership (the "Lessor/Optionor"), and FAR HILLS UTILITY DISTRICT, a conservation and reclamation district and a body politic and corporate and governmental agency of the State of Texas (the "Lessee/Optionee"). THIS LEASE AND OPTION AGREEMENT IS TO BE RECORDED IN THE REAL PROPERTY RECORDS OF MONTGOMERY COUNTY, TEXAS.

WITNESSETH

1. Leased Property: Subject to the terms, provisions, and conditions hereinafter set forth, and in consideration of the covenants of payment and performance stipulated herein, Lessor/Optionor for the sole, exclusive use of Lessee and/or Lessees agents, employees, guests, consultants or invitees, has leased, demised and let, and by these presents does hereby lease, demise and let unto Lessee/Optionee, that certain real property (the "Subject Real Property") covering an area of approximately 10.00 acres, more fully described on Exhibit "A" attached hereto and made a part hereof for all purposes, with an option to purchase the Subject Real Property, as set forth in Section 11 hereof.

2. Parties: The Lessor/Optionor and Lessee/Optionee hereunder are designated in the first paragraph of this Lease and Option Agreement. As hereinafter used, the terms "Lessor/Optionor" and "Lessee/Optionee" shall, unless the contrary is clearly intended, include the respective parties and their agents, employees, consultants, and other representatives.

3. Term of Lease: The Lease and Option Agreement shall commence on April 1, 2008, and unless sooner terminated under the provisions hereof, this Lease and Option Agreement shall continue in full force and effect for one (1) year from the date hereof to be automatically renewed for up to two (2) periods of six (6) months each if and until the option to purchase herein contained is not exercised by Lessee/Optionee or if Lessee/Optionee chooses not to renew.

4. Lease Payments, Taxes, Assessments, and Other Expenses: Lessee/Optionee, in consideration for this Lease and Option Agreement, promises and agrees to pay Lessor/Optionor while this Lease and Option Agreement remains in full force and effect as monthly rental for the Subject Real Property, $4,275.00 per month. Such monthly rental shall be due in advance on the

Attachment H

Attachment H: Photo depicting Far Hills Utility District truck on roadway placed within 10 feet of O'Neal property, in area cleared by Far Hills up to the O'Neal property line, and stormwater management measures installed by Far Hills adjacent to O'Neal property line.

Attachment I

Attachment I: Photo depicting equipment operated by Far Hills Utility District in front of house located on the 10 acre property, with road visible near O'Neal property line, and stormwater control measures installed adjacent to O'Neal property line.

Attachment J

AFFIDAVIT OF SUZANNE O'NEAL

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned notary public, on this day personally appeared Suzanne O'Neal, who being duly sworn, on her oath stated that she has read the following Affidavit, and it is true and correct, and that every statement contained herein is within her personal knowledge.

1. My name is Suzanne O'Neal. I am over eighteen (18) years of age and of sound mind, have never been convicted of a felony, and am otherwise capable of making this affidavit.

2. I am the owner of a 6.44± acre tract of land located at 11280 Cude Cemetery Rd.Willis, Tx 77318. This property was designated as Property No. 79 on the landowners list submitted by Far Hills Utility District in their application for a wastewater discharge permit dated April 2, 2007. I have continuously owned this property since March 3,1995.

3. I have resided on this 6.44± acre tract of land located at 11280 Cude Cemetery Rd.Willis, Tx 77318 since March of 1995. I use this land for my home, entertaining, the scenic views and solitude, nature walks.

4. I have a water well system on my property which I use for my drinking water, vegetable garden, and pets.

5. I received no mailed notice of the application of Far Hills Utility District to construct or operate a wastewater treatment plant adjacent to my property, nor was I aware of any published notice of the application. I first learned of this proposed facility in the Fall of 2008, when Far Hills commenced construction activities on property adjacent to my property.

Suzanne O'Neal

Suzanne O'Neal

SUBSCRIBED AND SWORN TO before me this 23 day of February, 2009.

Judy Click

Notary Public, State of Texas

My commission expires 10-20-2010

JUDY CLICK
Notary Public, State of Texas
My Commission Expires
October 20, 2010

Attachment K

AFFIDAVIT OF JUDITH SPENCER

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned notary public, on this day personally appeared Judith Spencer, who being duly sworn, on her oath stated that she has read the following Affidavit, and it is true and correct, and that every statement contained herein is within her personal knowledge.

1. My name is Judith Spencer. I am over eighteen (18) years of age and of sound mind, have never been convicted of a felony, and am otherwise capable of making this affidavit.

2. I am the owner of a 5.1± acre tract of land located at 11298 Cude Cemetery Road near Willis, Texas. This property was designated as Property No. 80 on the landowners list submitted by Far Hills Utility District in their application for a wastewater discharge permit dated April 2, 2007. I have continuously owned this property since 1995.

3. I have resided on this 5.1± acre tract of land located at 11298 Cude Cemetery Road since 1995. I use this land for my home, entertaining, nature walks, scenic views.

4. I have a water well on this property which I use for my personal drinking water and pets.

5. I received no mailed notice of the application of Far Hills Utility District to construct or operate a wastewater treatment plant adjacent to my property, nor was I aware of any published notice of the application. I first learned of this proposed facility in the fall of 2008, when I observed construction activities on property adjacent to my property.

Judith Spencer

Judith Spencer

SUBSCRIBED AND SWORN TO before me this 24 day of February, 2009.

Judy Click

Notary Public, State of Texas

My commission expires: 10-20-2010

JUDY CLICK
Notary Public, State of Texas
My Commission Expires
October 20, 2010

Attachment L

AFFIDAVIT OF EVERETTE SIMMONS

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned notary public, on this day personally appeared Everette Simmons, who being duly sworn, on his oath stated that he has read the following Affidavit, and it is true and correct, and that every statement contained herein is within his personal knowledge.

1. My name is Everett Simmons. I am over eighteen (18) years of age and of sound mind, have never been convicted of a felony, and am otherwise capable of making this affidavit.

2. I am the owner of a 1.0± acre tract of land located at 11701 Hillside Drive near Willis, Texas. This property was designated as Property No. 81 on the landowners list submitted by Far Hills Utility District in their application for a wastewater discharge permit dated April 2, 2007. I have continuously owned this property since 1982.

3. I have resided on this 1.0± acre tract of land located at 11701 Hillside Drive since 1982. I use this land for my home, enjoying the water views, solitude, and enjoying nature.

4. I have a water well system on this property which I use for my drinking water, vegetable garden, and pets.

5. I received no mailed notice of the application of Far Hills Utility District to construct or operate a wastewater treatment plant on land adjacent to my property, nor was I aware of any published notice of the application. I first learned of this proposed facility in February 2009, when my neighbor informed me.

Everett Simmons
Everette Simmons

SUBSCRIBED AND SWORN TO before me this 24 day of February, 2009.

Judy Click
Notary Public, State of Texas

My commission expires: 10-20-2010

JUDY CLICK
Notary Public, State of Texas
My Commission Expires
October 20, 2010

Attachment M

LANDOWNERS MAP AND LIST
ORIGINALLY SUBMITTED WITH APPLICATION DATED APRIL 2, 2007

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

April 2, 2007

Via Federal Express

Application Review & Processing Team
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753

Subject: Far Hills Utility District
New Domestic Wastewater Permit Application
LEI Job No. 233-013-106

Dear Applications Review & Processing Team:

Enclosed are the original and three (3) copies of the subject new permit application. A check in the amount of One Thousand Seven Hundred Dollars ($1,700.00) has been forwarded to the TCEQ Revenues Section (MC 214) under separate cover, a copy is enclosed.

If you have any questions, please call.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

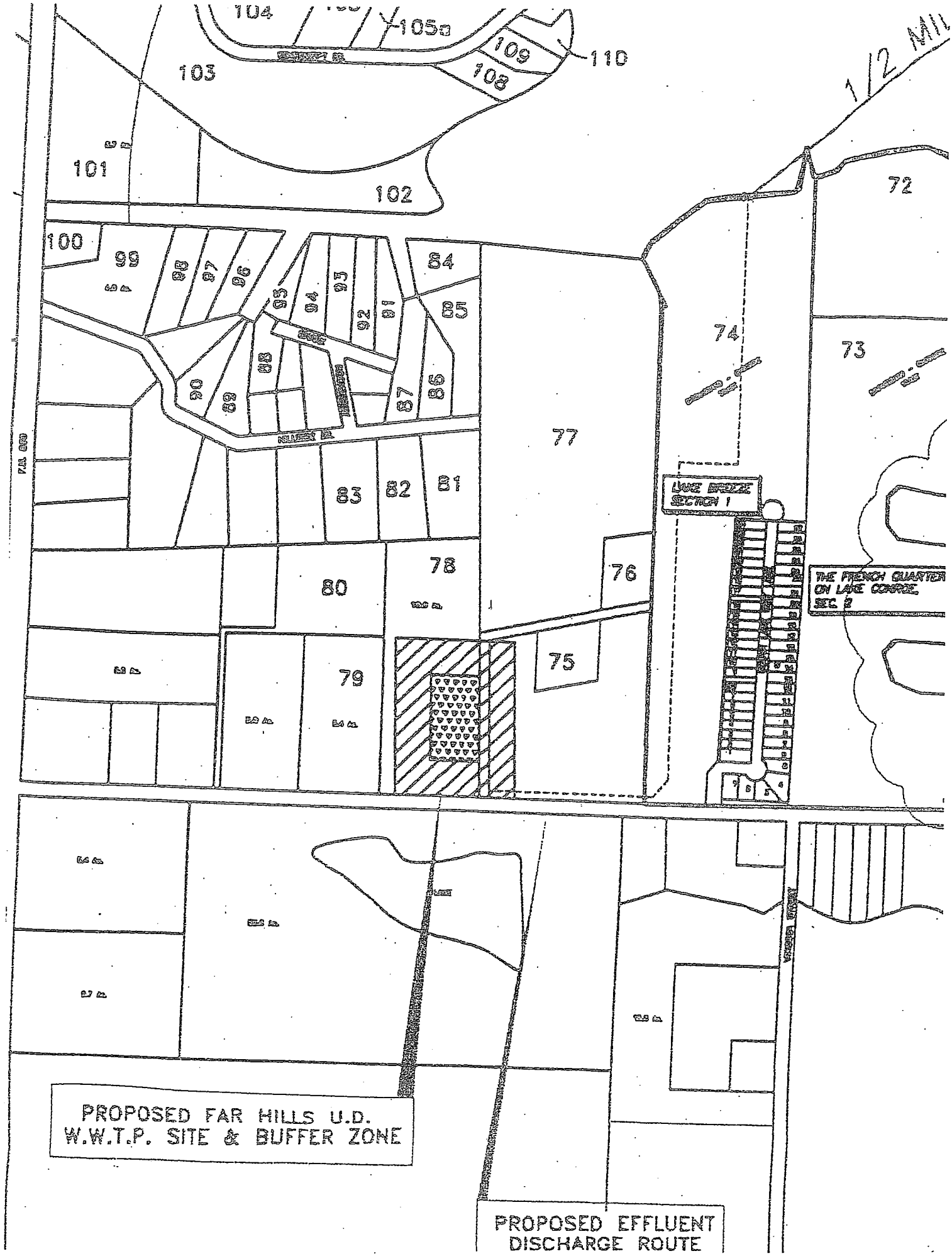
Enclosures

cc: Mr. Jim Haymon – Far Hills Utility District
Ms. Ruth Clark – Far Hills Utility District
Ms. Regina Adams – Johnson Radcliffe Petrov & Bobbitt, PLLC

RECEIVED
APR 11 2007
Water Quality Division
Application Team

E:\Current Proj\Far Hills U.D.\233-013-106\TCEQ Applications 04-02-2007.doc

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505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LAKE BRIDGE SECTION 1
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76
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THE FRENCH QUARTER ON LAKE CORPUS SEC 2
79
75
PROPOSED FAR HILLS U.D. W.W.T.P. SITE & BUFFER ZONE
PROPOSED EFFLUENT DISCHARGE ROUTE

67 JOSEPH W. WILLARD
REVOCABLE DECLARATION OF TRUST
1754 TEAGUE LN
KERNERSVILLE NC 27284-7525

68 JOSE EDUARDO AND MEGAN MARIE GARCIA
137 MILTON AVE
YOUNGSTOWN OH 44509-2846

69 CAROLYN WINSEY
2823 BROKEN ARROW
MISSOURI CITY TX 77459-6917

70 KEVIN B SMITH
2211 S KIRKWOOD DR
HOUSTON TX 77077-6116

71 RONALD GLENN AND CAROL HARDY
22304 PINE TREE LN
HOCKLEY TX 77447-8770

72 BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

73 BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

74 BROUSSARD -CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

75 THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

76 THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

77 THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

78 DENNIS BAYLOR
11266 CUDE CEMETERY RD
WILLIS TX 77318-5525

STATE OF TEXAS §
COUNTY OF TRAVIS §
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

FEB 23 2009

DOCUMENT, [illegible] OF THE COM-
MISSION, [illegible] THE SEAL OF OFFICE

RICK THOMAS
ALTERNATE RECORDS MANAGER OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

79 SUZANNE V O'NEAL
11280 CUDE CEMETERY RD
WILLIS TX 77318-5525

80 JUDITH A SPENCER
11298 CUDE CEMETERY RD
WILLIS TX 77318-5525

81 EVERETT H SIMMONS
11071 HILLSIDE DR
WILLIS TX 77318-6542

82 MARK D GROVES
11125 HILLSIDE DR
WILLIS TX 77318-6543

83 MARK AND REBECCA L DAVIS
11163 HILLSIDE DR
WILLIS TX 77318-6543

84 THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 77006-2512

85 DOUGLAS C MILWARD
11008 HILLSIDE DR
WILLIS TX 77318-6538

86 PERICLES M AND SILKA PUJOLS
2401 MUSTANG DR
CONROE TX 77384-3358

87 RISHAD AND NATALIE ALIKHAN
2401 ALABANS RD
HOUSTON TX 77005-1417

88 DAVID AND DIANA SCRUTON
11126 STARK ST
WILLIS TX 77318-6552

89 RISHAD ALIKHAN
12411 DONNA DR
HOUSTON TX 77067

90 HERB AND MARY BETH TUTTLE
11156 STARK ST
WILLIS TX 77318-6552

Attachment N

R237423

Current Owner	Legal Description	Exemptions	Appraised
O'NEAL, SUZANNE V (O0033184) 11280 CUDE CEMETERY RD WILLIS,TX 77318-5525	A0007 COLLARD E, TRACT 55-E, ACRES 6.440	HS	231,120
		Entities	**Homestead Cap**
		F01, GMO, HM1, JNH, SWI	0

Situs Address

11280 CUDE CEMETERY RD
WILLIS, TX 77378

Sales

Date	Volume	Page	Seller Name
07/01/2005	867.10	2587	O'NEAL, ROBERT J & SUZANNE V

History Information

	2008	2007	2006	2005
Imp HS	$166,720	$166,720	$166,720	$166,720
Imp NHS	$0	$0	$0	-
Land HS	$64,400	$64,400	$32,200	$32,200
Land NHS	$0	$0	$0	-
Ag Mkt	$0	$0	$0	-
Ag Use	$0	$0	$0	-
Tim Mkt	$0	$0	$0	-
Tim Use	$0	$0	$0	-
HS Cap	-	$12,310	-	-
Assessed	$231,120	$218,810	$198,920	$198,920

Building Attributes

Construction	Foundation	Exterior	Interior	Roof	Flooring
	1	R9	1-2	1	1,2
Heat/AC	**Baths**	**Fireplace**	**Year Built**	**Rooms**	**Bedrooms**
RH1,RC1	13,2FB,1HB,	1M1	1995		

Improvements

Type	Description	Area	Year Built	Eff Year	Value
R	Residential				$161,720
MA	Main Area	2443	1995	1995	$134,640
OFP	Open Frame Porch	226	1995	1995	$5,160
OMP	Open Masonry Porch	204	1995	1995	$5,370
DBG	Detached Brick Garage	528	1995	1995	$16,550
I	Misc. Improvement				$5,000

Land Segments

SPTB	Description	Area	Market	Ag Value
E1	Secondary Acreage	6.44	103,040	0

Improvement Sketch

Attachment O

REVISED LANDOWNERS MAP AND LIST USED FOR MAILED NOTICE
DATED MAY 16, 2007

LANGFORD ENGINEERING INC.
CONSULTING ENGINEERS

RECEIVED
MAY 18 2007
Water Quality Division
Application Team

May 16, 2007

Via FedEx

Ms. Adriene McClarron
Applications Review and Processing Team (MC 148)
Texas Commission on Environmental Quality
12100 Park 35 Circle
Austin, Texas 78753

RE: Far Hills Utility District - Application for Proposed
Permit No. WQ0014555002
LEI Job No. 233-013-106

Dear Ms. McClarron:

The following is offered in response to your request for additional information related to the referenced application (numbered responses coincide with the list in your fax correspondence dated May 16, 2007):

1. Errors on the landowner map have been corrected. The map revised map reflects properties 74, 83 and 114. A copy of the Landowner Map, revised May 16, 2007, is enclosed.

2. A revised file of landowner mailing labels has been prepared that does not include duplicate property owners. A CD of landowner mailing labels, revised May 16, 2007, is enclosed.

3. The property owners list has been revised to correct a sequencing error. A property owner list, revised May 16, 2007, is enclosed.

Please contact this office if you require additional information.

Sincerely,

LANGFORD ENGINEERING, INC.

Timothy B. Hardin, P.E.
Vice President

Enclosures

xc: Mr. Jim Haymon – Far Hills Utility District
Ms. Regina Adams – Johnson Radcliffe Petrov & Bobbitt, PLLC

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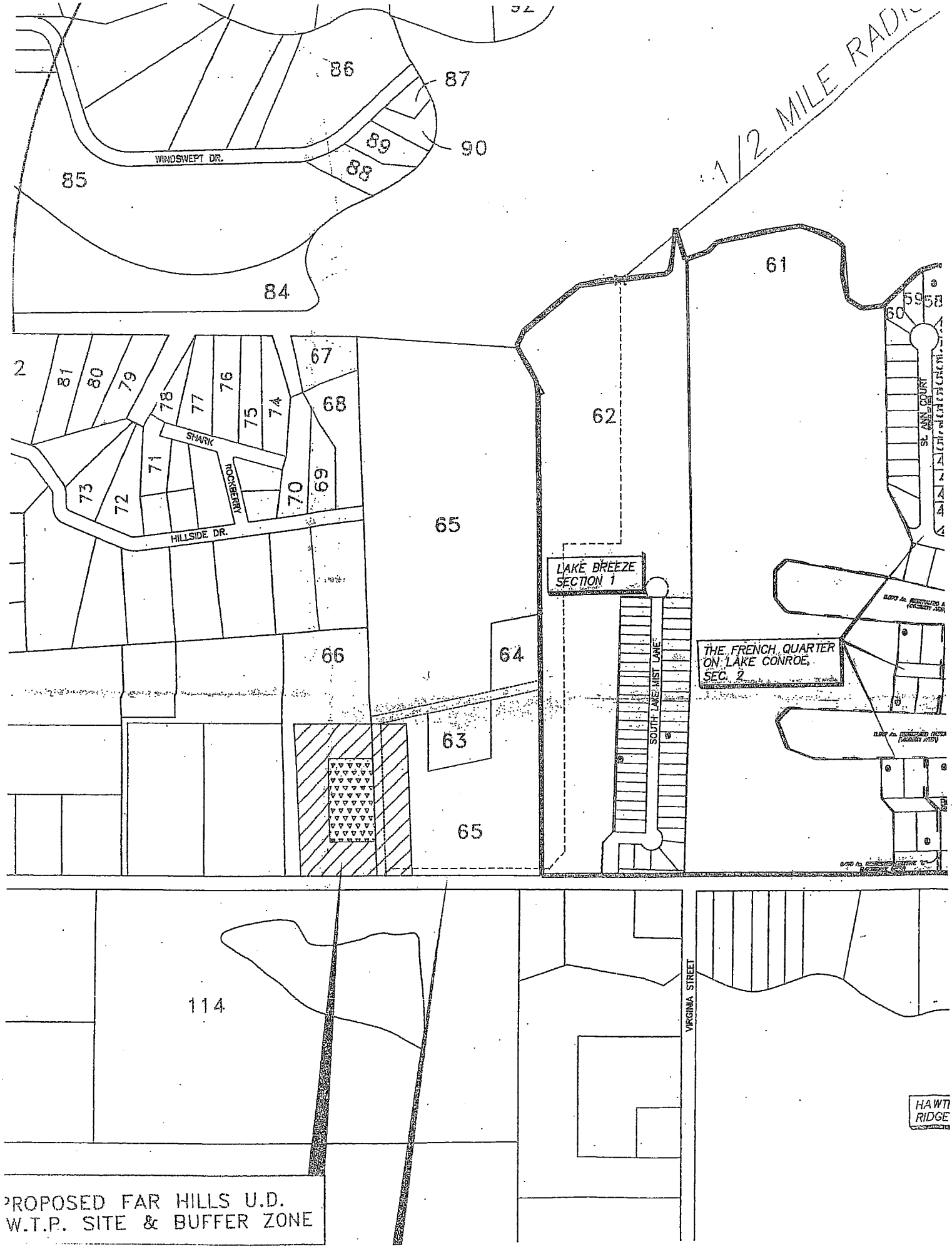
RECEIVED
MAY 17 2007
WATER QUALITY DIVISION

LANGFORD ENGINEERING, INC. ♦ 1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014
PHONE (713) 461-3530 ♦ FAX (713) 932-7505


1/2 MILE RADIUS
WINDSWEPT DR.
SHARK
ROCKBERRY
HILLSIDE DR.
SL ANN COURT
LAKE BREEZE SECTION 1
SOUTH LAKE MIST LANE
THE FRENCH QUARTER ON LAKE CONROE, SEC. 2
VIRGINIA STREET
HAWTI RIDGE
PROPOSED FAR HILLS U.D.
W.T.P. SITE & BUFFER ZONE

FAR HILLS UTILITY DISTRICT

ATTACHMENT 2

LANDOWNER REFERENCE MAP

ADMIN. REPORT 1.1, ITEM 1.a.

REV. MAY 3, 2007

Rev. MAY 16, 2007

Langford Engineering, inc. consulting engineers

Phone 713-461-3530 Fax 713-932-7505

1080 W. Sam Houston Pkwy. N. Suite 200

Houston, Texas 77043-5014

RECEIVED

MAY 10 2007

Water Quality Division
Application Team

MAY 18 2007

Water Quality Divis
Application Team

60. MICHEAL F JOYCE ALLMANDINGER
27200 BARKERS WAY
TEHACHAPI CA 93561-7054

61. BROUSSARD - CHRISTIE LP
10510 CUDE CEMETERY RD
WILLIS TX 77318-522

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10510 CUDE CEMETERY RD
WILLIS TX 77318-522

63. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

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2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

65. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 7706-2512

66. BROUSSARD CHRISTIE, LP.
10510 CUDE CEMETERY
WILLIS TX 77318-5522

67. THE CONROE MANOR LTD
2404 COMMONWEALTH ST
HOUSTON TX 77006-2512

68. DOUGLAS C MILWARD
11008 HILLSIDE DR
WILLIS TX 77318-6538

69. PERICLES M AND SILKA PUJOLS
2401 MUSTANG DR
CONROE TX 77384-3358

70. RISHAD AND NATALIE ALIKHAN
2401 ALABANS RD
HOUSTON TX 77005-1417

71 DAVID AND DIANA SCRUTON
11126 STARK ST
WILLIS TX 77318-6552

72. RISHAD ALIKHAN
12411 DONNA DR
HOUSTON TX 77067

STATE OF TEXAS
COUNTY OF TRAVIS
HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF A TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

FEB 23 2009

DOCUMENT, [illegible] OF THE COMMISSION, UNDER [illegible] SEAL OF OFFICE

[illegible]
ALTERNATE CUSTODIAN OF RECORDS
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Attachment P

R31269

Current Owner	Legal Description	Exemptions	Appraised
SIMMONS, EVERETT H (88955) 11071 HILLSIDE DR WILLIS,TX 77318-6542	A0007 COLLARD E, TRACT 32 THOMPSON COUNTRY, ACRES 1.000	OA, HS	161,550
		Entities	**Homestead Cap**
		F01, GMO, HM1, JNH, SWI	0

Situs Address

11071 HILLSIDE DR
WILLIS, TX 77378

Sales

Date	Volume	Page	Seller Name
09/01/1982			SCOTT, JAMES F

History Information

	2008	2007	2006	2005
Imp HS	$141,550	$141,550	$141,550	$141,550
Imp NHS	$0	$0	$0	$0
Land HS	$20,000	$20,000	$7,500	$7,500
Land NHS	$0	$0	$0	$0
Ag Mkt	$0	$0	$0	$0
Ag Use	$0	$0	$0	$0
Tim Mkt	$0	$0	$0	$0
Tim Use	$0	$0	$0	$0
HS Cap	-	-	-	$12,310
Assessed	$161,550	$161,550	$149,050	$136,740

Building Attributes

Construction	Foundation	Exterior	Interior	Roof	Flooring
	1	R9	1	1	1

Heat/AC	Baths	Fireplace	Year Built	Rooms	Bedrooms
RH1,RC1	10,2FB,2AF	1P1	1993		

Improvements

Type	Description	Area	Year Built	Eff Year	Value
R	Residential				$141,050
MA	Main Area	2247	1993	1993	$109,550
OFP	Open Frame Porch	400	1993	1993	$8,040
OFP	Open Frame Porch	207	1993	1993	$4,160
DFG	Detached Frame Garag	864	1992	1992	$13,730
CP	Carport	600	1998	1998	$5,570
I	Misc. Improvement				$500

Land Segments

SPTB	Description	Area	Market	Ag Value
A1	Front Acreage	1.00	20,000	0

Improvement Sketch

Attachment Q

Current Owner	Legal Description	Exemptions	Appraised
SPENCER, JUDITH A (86311) 11298 CUDE CEMETERY RD WILLIS,TX 77318-5525	A0007 COLLARD E, TRACT 55-D, ACRES 5.116	HS	192,970
		Entities	**Homestead Cap**
		F01, GMO, HM1, JNH, SWI	8,290

Situs Address

11298 CUDE CEMETERY RD
WILLIS, TX 77378

Sales

Date	Volume	Page	Seller Name
06/29/1995	989.01	0525	HUGHES, LARRY E

History Information

	2008	2007	2006	2005
Imp HS	$119,400	$119,400	$119,400	$119,400
Imp NHS	-	-	-	-
Land HS	$81,860	$81,860	$25,580	$25,580
Land NHS	-	-	-	-
Ag Mkt	-	-	-	-
Ag Use	-	-	-	-
Tim Mkt	-	-	-	-
Tim Use	-	-	-	-
HS Cap	$25,830	$41,780	-	-
Assessed	$175,430	$159,480	$144,980	$144,980

Building Attributes

Construction	Foundation	Exterior	Interior	Roof	Flooring
	1	R1	1-2	1	1,2

Heat/AC	Baths	Fireplace	Year Built	Rooms	Bedrooms
RH1,RC1	13,2FB,1HB,	1M1	1995		

Improvements

Type	Description	Area	Year Built	Eff Year	Value
R	Residential				$114,400
MA	Main Area	2108	1995	1995	$98,680
OMP	Open Masonry Porch	240	1995	1995	$5,070
OMP	Open Masonry Porch	102	1995	1995	$2,160
BG	Attached Brick Garage	484	1995	1995	$8,490
I	Misc. Improvement				$5,000

Land Segments

SPTB	Description	Area	Market	Ag Value
E1	Secondary Acreage	5.116	81,860	

Improvement Sketch